**ORDINANCE NO**. **24-14-210**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, KANSAS TO INCLUDE SECTION 14-105 AUTHORIZING THE OPERATION OF GOLF CARTS, LOW SPEED VEHICLES, WORK-SITE UTILITY VEHICLES AND MICRO UTILITY TRUCKS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF OSKALOOSA, KANSAS SUBJECT TO SPECIFIC RESTRICTIONS AND REQUIREMENTS; PROVIDING FOR THE REPEAL OF PORTIONS OF ARTICLE 14, SECTION 114 OF THE STANDARD TRAFFIC ORDINANCE, AS AMENDED, REGULATING THE ABOVE-NAMED VEHICLES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**.

BE IT ORDAINED BY THE CITY OF OSKALOOSA, KANSAS:

THAT the City Code of the City of Oskaloosa, Kansas shall be amended to include the following section:

**14-204 UNCONVENTIONAL VEHICLES**

**Section 1. OPERATION OF A GOLF CART; PENALTY**

1. “Golf Cart” means any motor vehicle that has not less than three wheels in contact

with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than twenty-five (25) miles per hour and is designed to carry not more than four persons including the driver.

1. Golf Carts may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 5 and 6.
2. A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

**Section 2. OPERATION OF A LOW-SPEED VEHICLE; PENALTY**

1. “Low-Speed Vehicle” means any four-wheeled electric vehicle whose top speed is greater than twenty (20) miles per hour but not greater than twenty (25) miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500.
2. Low-Speed Vehicles may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 5 and 6.
3. A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

**Section 3. OPERATION OF A WORK-SITE UTILITY VEHICLE; PENALTY**

1. “Work-site Utility Vehicle” means any motor vehicle which is not less than forty-eight (48) inches in width, has an unladen weight, including fuel and fluids, of more than eight hundred (800) pounds and is equipped with four (4) or more non-highway tires, a steering wheel and bench or bucket type seating allowing at least two (2) people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. Work-Site Utility Vehicle does not include a micro utility truck.
2. Work-site Utility Vehicles may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 5 and 6.
3. A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

**Section 4. OPERATION OF A MICRO UTILITY TRUCK; PENALTY**

1. “Micro Utility Truck” means any motor vehicle which is not less than forty-eight

(48) inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed forty (40) miles per hour as originally manufactured and is manufactured with a metal cab.

1. Micro Utility Trucks may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 5 and 6.
2. A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

**Section 5. DRIVER’S LICENSE REQUIRED; HOURS OF OPERATION; SEAT BELTS AND CHILD SAFETY SEATS; HEADLIGHTS, TAILIGHTS AND MIRROR(S); PENALITES**

1. No person shall operate any of the vehicles listed in Sections 1-4 above on any street, road or alley within the corporate limits of the City unless such person holds a valid driver’s license without restriction and is eighteen (18) years of age or older.
2. All State of Kansas motor vehicle seat belt and child safety seat/booster seat regulations shall apply to occupants of any of the vehicles listed in Sections 1-4 above. This shall include the necessity of seat belts, regardless of whether they were factory installed.
3. No person shall operate any of the vehicles listed in Sections 1-4 above on any street, road or alley within the corporate limits of the City unless such vehicle has headlights, taillights, brake lights, turn signals and at least one rear view mirror installed on the vehicle, regardless of whether such items were factory installed.
4. A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

**Section 6. PERMITS; INSURANCE REQUIREMENTS**

1. **Permit and Insurance**: No vehicle listed under Sections 1-4 above shall be operated within the corporate limits of the City without first having a permit issued by the City of Oskaloosa for operation of said vehicle. Permits are to be issued on an annual basis upon paying the permit fee. No permit shall be issued except upon proof of liability insurance for the vehicle in question. The City of Oskaloosa, by issuing a permit for operation of one of the above-mentioned vehicles, has verified that the owner has provided proof of insurance and the City assumes no further liability. Permits shall be prominently displayed on the rear of the vehicle, visible when being driven. Proof of valid insurance shall be carried and produced upon demand by a law enforcement officer.
2. **Revocation and Appeal:** Any violation of this Ordnance may be cause for revocation of the City issued permit. Permits may be revoked for cause, effective immediately, by the Chief of Police or an associated City official with notice provided to the owner/operator/dealer at the address provided in the permit application in writing within a reasonable amount of time.
3. A permit that has been revoked by the City may be appealed to the Governing Body of the City of Oskaloosa by filing a written appeal with the City Clerk within five (5) business days of the date of the written notice of revocation. The Governing Body may choose to hear or refuse to hear the appeal. If the Governing Body chooses to hear the appeal, they may sustain the revocation, rescind and reissue the permit or reissue a permit with restrictions.
4. **Application:** The “Unconventional Vehicle Permit Application” must be completed by Owner/Operator, who must:
5. Complete an “Unconventional Vehicle Permit Application” with the City of Oskaloosa for each such vehicle.
6. Attach a copy of Proof of Insurance for the vehicle.
7. Agree to obey all sections of this City Code section, of which they will be provided a copy.
8. Pay the annual $25 fee for each permit, regardless of date of payment. Permit(s) will last for the calendar year and will be renewable annually with the permit application and fee paid on or before July 1st of each year. The only exception to this annual requirement is that the initial term under this section shall run from passage of this section until July 1, 2025. Thereafter permits will last for a calendar year with a renewal date of July 1st. A vehicle which does not renew its permit will be treated the same as a vehicle which is operating without a permit, like any other unregistered vehicle.

**Section 7. ROADWAYS LANED FOR TRAFFIC**

1. All compliant vehicles listed above are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any listed vehicle of the full use of a lane.
2. The operator of a listed vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
3. No person shall operate a listed vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

**Section 8. DEFINITIONS OF VEHICLES SUBJECT TO AMENDMENT**

 The definitions of the vehicles described in Sections 1-4 above are as specifically described in the 50th Edition of the Standard Traffic Ordinance for Kansas Cities. The terms of this Ordinance, and the continued definitions of those vehicles, shall be as described in the most recently published edition of the Standard Traffic Ordinance for Kansas Cities, as amended and as adopted by the City.

**Section 9. EXEMPTIONS**

The provisions of this ordinance shall not apply to the City of Oskaloosa Officials and Staff, Oskaloosa Police Department Officials and staff, Jefferson County Officials and staff, Oskaloosa Fire District #8 Officials, Old Settler’s Reunion Committee Members and Carnival Staff and all other officials permitted by the City to use a golf cart, low speed vehicle, work site utility vehicle and/or micro utility truck for a City, County or Community purpose.

**Section 10. PENALTIES**

 A violation of any provision of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, as amended, or similar provisions as the City may then have in effect.

All prior ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City’s official paper.

PASSED BY the City Council this 21st day of August, 2024.

APPROVED BY the Mayor this 21st day of August, 2024.

JOHN NORMAN, Mayor

ATTEST:

PATTY HAMM, City Clerk