

ORDINANCE NO. 3669

AN ORDINANCE AMENDING TITLE 9, CHAPTER 5, SECTION 9 OF THE MUNICIPAL CODE, PRESENTLY UNUSED, TO PROVIDE FOR THE ISSUANCE OF AN ANNUAL PERMIT FOR THE OPERATION OF MOTORIZED, NON-HIGHWAY VEHICLES WITHIN ANY CITY PARK AND DECLARING IT UNLAWFUL TO OPERATE ANY SUCH VEHICLES WITHOUT SUCH PERMIT.

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BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS:

SECTION 1: Title 9, Chapter 5, Section 9 of the Municipal Code is hereby amended to read as follows:

9-5-9: OPERATORS OF MOTORIZED, NON-HIGHWAY VEHICLES  
REQUIRED TO BE ISSUED PERMIT:

(A) It shall be unlawful and a violation of this Section to operate a motorized, non-highway vehicle within any Garnett park without having first obtained a permit issued by the City Clerk. In the case of annual permits, no proration of fees shall be allowed for registration less than for the full twelve (12) month period. The following fees shall be collected:

**Annual Permit Fees**

Anderson County Residents: \$10.00  
General (Nonresident of Anderson County): \$15.00

**Seven-Day Temporary Permit Fees**

Anderson County Residents: \$5.00  
General (Nonresident of Anderson County): \$7.50

Lost or damaged permit cards will be replaced on the payment of \$2.00.

(B) Upon payment of the above fee, as applicable, and

(1) if the permit applicant is 16 years of age or older, furnishing evidence of a motor vehicle operator's license valid in Kansas, the City Clerk shall issue a permit card of distinctive design, which shall be changed annually to correspond with the registration period. The permit card shall contain the name of the permittee, his or her motor vehicle license number and state of issuance, and such other information as the City Clerk shall deem appropriate or necessary; and,

(2) if the permit applicant is under 16 years of age, upon application in the name of the permit applicant by his or her parent or legal guardian, the City Clerk shall issue a permit card of distinctive design, which shall be changed annually to correspond with the registration period. The permit card shall contain the name of the permittee, his or her date of birth and parent or legal guardian's name and address, and such other information as the City Clerk shall deem appropriate or necessary.

Such permit cards shall be carried by the operator at all times of operation.

(C) Terms used in this Section shall have the same meaning as if used in Kansas Statutes Annotated.

(D) All park rules and regulations shall be observed when operating a motorized, non-highway vehicle, and the failure to observe the same may form the basis for revoking the license issued under this section, in addition to any other penalty which may apply. In the case of multiple violations of Title 9, Chapter 5, Section 10(A)(5), such revocation may be in perpetuity, as ordered by the municipal court.

(E) The City Manager is hereby authorized to promulgate reasonable regulations in order to carry out the administration and operation of this Section.

SECTION 2: Title 9, Chapter 5, Section 9 as the same presently exists is hereby repealed.

SECTION 3: This ordinance shall take effect and be in force from and after January 1, 2007, and its publication in an official newspaper of the City of Garnett, Kansas.

PASSED this 24th day of October, 2006.

Michael L. Norman  
Mayor

A T T E S T:

Opwe E. Martin  
City Clerk