

City of La Cygne, Kansas
ORDINANCE NO. 1536
Page 1 of 7

AN ORDINANCE REPLACING IN ITS ENTIRETY ARTICLE 3: WORK-SITE UTILITY VEHICLES, GOLF CARTS, AND ALL TERRAIN VEHICLES, OF CHAPTER 13. TRAFFIC, OF THE CODE OF THE CITY OF LA CYGNE, KANSAS.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LA CYGNE, KANSAS:

Section 1: **That** Article 3. Work-Site Utility Vehicles, Golf Carts, and All Terrain Vehicles of the Codes of the City of La Cygne, Kansas is hereby replaced to read as follows:

Article 3. Operation of Non-Highway Vehicles

13-301. Definitions. {K.S.A 8-126}

As used herein the following vehicles shall be defined as follows, to-wit:

- a) Motor Vehicle; means every vehicle, other than a motorized bicycle, electric-assisted bicycle, or a motorized wheelchair, that is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
- b) Motorcycle; Every motor vehicle having a seat or saddle for the use of a rider and designated to travel on no more than three wheels in contact with the ground.
- c) Motorized bicycle. means every device having two tandem wheels or three wheels, that may be propelled by either human power or helper motor, or by both, and has:
 1. A motor which produces not more than 3.5 brake horsepower;
 2. a cylinder capacity of not more than 130 cubic centimeters;
 3. an automatic transmission; and
 4. the capability of a maximum design speed of no more than 30 miles per hour.
- c. Golf cart means a 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 25 miles per hour and is designed to carry not more than four persons including the driver.
- d. Work-site Utility Vehicle means any motor vehicle that is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials.

City of La Cygne, Kansas
ORDINANCE NO. 1536

Page 2 of 7

- e. Recreational off-highway vehicle means any motor vehicle more than 50 but not greater than 64 inches in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires.
- f. Micro utility truck means any motor vehicle that is not less than 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 40 miles per hour as originally manufactured and is manufactured with a metal cab.
- g. All-Terrain Vehicle; means any motorized non-highway vehicle, other than an electric-assisted bicycle, that is 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less and traveling on three or more nonhighway tires.
- h. Unauthorized Vehicles; an unauthorized vehicle as used herein shall be any vehicle as defined above which are operated within violation of chapter 13, except those of the city or any other governmental authority to go upon areas which are the subject of this section.
- i. Non-Highway Vehicles; Any motor vehicle where it is unlawful to operate such vehicle on public highway or street within the corporate limits of any city unless authorized by such city.

13-302. Unlawful Operation of Non-Highway Vehicles

- (a) It shall be unlawful for any person to operate or to allow to be operated, any non-highway vehicle in violation of the ordinances herein.

13-303. Exceptions

- (a) Persons engaged in agricultural purposes shall be exempt from city registration, while operating the vehicle for such purposes, defined herein, and may operate a work-site utility vehicle or all-terrain vehicle on a federal or state highway (Market St./K152) under the following conditions:
 - 1. The operator of the work-site utility vehicle or all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license; and
 - 2. the federal highway or state highway must have a posted speed limit of 65 miles per hour or less; and

City of La Cygne, Kansas
ORDINANCE NO. 1536

Page 3 of 7

3. the operator of the work-site utility vehicle or all-terrain vehicle must operate the vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and
 4. the purpose of the trip using the work-site utility vehicle or all-terrain vehicle must be for agricultural purposes. {K.S.A 8-15,109(c)(1-4) & K.S.A 8-15,100(d)(1-4)}
- (b) The governing body of said city may authorize certain areas in which said vehicles or any of them above set forth in section 13-301 may be operated upon certain prohibited areas in the city as set forth in section 13-302 which so authorizes. Further, excepted from the definition of unauthorized vehicles shall be lawn mowers and vehicles used for transportation by handicapped persons.
- (c) An Off-Highway Vehicle may not need to be registered with the City of La Cygne, as long as the vehicle has current, valid registration with another City, County, or State. However, such vehicle must conform to all state laws applicable to the usage on public roadways.

13-304. Operation of Golf Carts.

- (a) Golf carts may be operated upon the public streets, roads, and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road, and alley with a posted speed limit in excess of 30 miles per hour. {K.S.A 8-15,108(a)(2)/(3)}
- (b) No golf cart shall be operated on any interstate highway, federal highway, or state highway (Market St./K152); provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than 30 miles per hour. {K.S.A 8-15,108(b)(a)}
- (c) A golf cart shall be operated on any public streets, roads and alleys shall have a properly mounted and displayed slow-moving vehicle emblem, visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight. {K.S.A 8-15,108(c)(1) /(2), K.S.A. 8-1801(a)/(b)}
- (d) Every person operating a golf cart on the public streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. {K.S.A 8-15,108(d)}
- (e) Every owner of a golf cart, before operating said vehicle on the public streets, roads, or alleys within the corporate limits of the City of La Cygne, shall register said vehicle

City of La Cygne, Kansas
ORDINANCE NO. 1536

Page 4 of 7

with the La Cygne Police Department and obtain a registration sticker, upon meeting registration requirements set forth in section 13-308.

- (f) No person shall operate a golf cart on city sidewalks, ditches, culverts, or other public properties, unless a part of a parade or special event allowed by the city.

13-305. Operation of Micro-Utility Trucks.

- (a) Micro-Utility Trucks may be operated upon the public streets, roads and alleys within the corporate limits of the city.
- (b) No micro-utility truck shall be operated on any interstate highway, federal highway or state highway (Market St./K152) provided, however, that the provisions of this subsection shall not prohibit a micro-utility truck from crossing a federal or state highway (Market St./K152) {K.S.A 8-15,109(a)(1)/(2)}
- (c) No micro-utility truck shall be operated on any public street, road or alley unless such vehicle is equipped with, but not limited to, mirrors, lights, turn signals (unless not equipped from the factory, then hand signals are appropriate), and reflectors as required for motor vehicles under Kansas Statutes Annotated (K.S.A.), Chapter 8, article 17 and amendments thereto.
- (d) Every owner of micro-utility truck, before operating said vehicle on the public streets, roads, or alleys within the corporate limits of the City of La Cygne, shall register said vehicle with the La Cygne Police Department and obtain a registration sticker, upon meeting registration requirements set forth in section 13-308.
- (e) No person shall operate a micro-utility truck on city sidewalks, ditches, culverts, or other public properties, unless a part of a parade or special event allowed by the city.

13-306. Operation of Work-Site Utility Vehicles & Recreational Off-Highway Vehicles (UTV)

- (d) A work-site utility vehicle or recreational off-highway vehicle may be operated upon the public streets, roads and alleys within the corporate limits of the city.
- (e) No work-site utility vehicle or recreational off-highway vehicle shall be operated on any interstate highway, federal highway or state highway (Market St./K152) provided, however, that the provisions of this subsection shall not prohibit a work-site utility vehicle or recreational off-highway vehicle from crossing a federal or state highway

City of La Cygne, Kansas
ORDINANCE NO. 1536

Page 5 of 7

(Market St./K152) with a posted speed limit greater than 45 miles per hour. {K.S.A 8-15,109(a)(1)/(2)}

- (f) No work-site utility vehicle or recreational off-highway vehicle shall be operated on any public street, road or alley unless such vehicle is equipped with, but not limited to, mirrors, lights, turn signals (unless not equipped from the factory, then hand signals are appropriate), and reflectors as required for motor vehicles under Kansas Statutes Annotated, Chapter 8, article 17 and amendments thereto.
- (g) Every owner of a work-site utility vehicle or recreational off-highway vehicle, before operating said vehicle on the public streets, roads, or alleys within the corporate limits of the City of La Cygne, shall register said vehicle with the La Cygne Police Department and obtain a registration sticker, upon meeting registration requirements set forth in section 13-308.
- (h) Before the city will issue any annual registration license for a work-site utility vehicle or recreational off-highway vehicle, the owner of said vehicle must provide:
 - 1. Current and valid driver's license, without restricted driving privileges.
 - 2. Proof of liability insurance specifically listing the worksite utility vehicle or recreational off-highway vehicle, in accordance with the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101.
 - 3. Proof of compliance with section 13-308 and KSA Chapter 8, Article 17 by physical inspection and demonstration by the La Cygne Police Department.

13-307. Operation of All-Terrain Vehicles.

- (a) All-terrain vehicles may be operated upon the public streets, roads and alleys within the corporate limits of the city.
- (b) All-terrain vehicles shall not be operated on any interstate highway, federal highway or state highway (Market St./K152) provided, however, that the provisions of this subsection shall not prohibit an all-terrain vehicle from crossing a federal or state highway (Market St./K152) with a posted speed limit greater than 45 miles per hour. {K.S.A 8-15,100(c)}.
- (c) Every owner of an all-terrain vehicles, before operating said vehicle on the public streets, roads, or alleys within the corporate limits of the City of La Cygne, shall register said vehicle with the La Cygne Police Department and obtain a registration sticker, upon meeting registration requirements set forth in section 13-308.

City of La Cygne, Kansas
ORDINANCE NO. 1536

Page 6 of 7

(d) Before the city will issue any annual registration license for an all-terrain vehicle, the owner of said vehicle must provide:

1. Current and valid driver’s license, without restricted driving privileges.
2. Proof of liability insurance specifically listing the all-terrain vehicle in accordance with the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101.
3. Proof of compliance of section 13-308, by physical inspection and demonstration by the La Cygne Police Department.

13-308. Registration Requirements of Non-Highway Vehicles.

- (a) All non-highway vehicles must be registered prior to being operated on any public streets, roads and alleys within the corporate limits of the city.
- (b) The registration sticker issued by the city shall be valid through December 31 for the year for which it is issued and be permanently affixed to the rear of the vehicle and shall comply with K.S.A 8-142, being clearly visible and free from obstruction.
- (c) Payment of the initial registration fee of \$20.00 and \$10.00 annual renewal fee.

(d) Each vehicle has different requirements, set forth in the table below;

XXXXXXXXXX	Golf Cart	Micro-Util. Truck	UTV	ATV
Valid Drivers License	X	X	X	X
Insurance	X	X	X	X
Headlights	At least 1	At least 2	At least 2	At least 1
Brake/Tail Lights	At least 1	At least 2	At least 2	At least 1
Turn Signals	Hand Signals	Hand Signals	Hand Signals	Hand Signals
Mirrors		X	X	
Seatbelts		X	X	
Slow Moving Sign	X			
Windshield or Eye Protection		X	X	X
Helmet				Under 18yo

(e) Each vehicle registered shall will have the Vehicles Identification Number (VIN) or Serial Number (S/N) recorded, along with the owner’s information, to include but not limited to, State issued operator license number (OLN), date of birth, address, and telephone number(s).

City of La Cygne, Kansas
ORDINANCE NO. 1536
Page 7 of 7

(f) By registering the vehicle with the City of La Cygne, the register is subject to a records check by law enforcement to verify license status.

13-309. Penalties

(A) A violation of any provision of this article shall be deemed an ordinance 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 Section 201, Standard Traffic Ordinance, as amended, and shall be fined in a sum of not less than \$100 nor more than \$500.

(B) Improper operation of a non-highway vehicle of repeated nuisance or which results in property damage may result in a loss of registration and privileges.

Section 2. **That** any and all other ordinances in conflict with this Ordinance are hereby repealed.

Section 3. **That** this Ordinance shall take effect and be in full force from and after its publication in the official city newspaper of the City of La Cygne, Kansas.

PASSED by the Council this 18th day of December 2024.

APPROVED by the Mayor this 18th day of December 2024.

ADOPTED this 18th day of December 2024.

Debra Wilson, Mayor

ATTEST:

Jodi Wade, City Clerk