

ORDINANCE NO. 2340

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CITY OF PRAIRIE VILLAGE, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2015; WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS; AMENDING AND REPEALING EXISTING SECTIONS 11-601 THROUGH 11-607 OF ARTICLE 6 OF CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "STANDARD TRAFFIC ORDINANCE".

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

SECTION ONE

Article 6 of Chapter XI, Section 11-601 of the Code of the City of Prairie Village is hereby amended to read as follows:

11-601. INCORPORATING STANDARD TRAFFIC ORDINANCE AND ADDING A SUBSECTION TO THE DEFINITION OF PEDESTRIAN

A. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Prairie Village, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. Not less than two copies of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, municipal judges and all administrative departments of the city charged with the enforcement of the ordinances shall be supplied, at the cost of the city, such number of official copies of such "Standard Traffic Ordinance" similarly marked, deleted and changed as may be deemed expedient.

B. Article 1, Section 1, DEFINITIONS, "Pedestrian" of the Standard Traffic Ordinance for Kansas Cities, Edition of 2015, is hereby amended by adding the following subsection (d) to the definition of "Pedestrian":

(d) The term pedestrian includes individuals who are walking, jogging or running within the city limits of Prairie Village, Kansas. When this article requires that pedestrians walk in a certain fashion, the term walk shall be defined to include the acts of running and jogging.

SECTION TWO

Article 6 of Chapter XI, Section 11-602 of the Code of the City of Prairie Village is hereby adopted to read as follows:

11-602. SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION THREE

Article 6 of Chapter XI, Section 11-603 of the Code of the City of Prairie Village is hereby adopted to read as follows:

11-603. PENALTY FOR SCHEDULED FINES.

(a) The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judges establish a fine in a fine schedule shall not be more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

(b) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for first conviction thereof by a fine of not more than \$500 or by imprisonment for not more than one month or by both such fine and imprisonment; for a second such conviction within one year thereafter that person shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months or both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than \$2,500 or by imprisonment for not more than one year or by both such fine and imprisonment. (K.S.A. 8-2116; K.S.A. 21-4503; K.S.A. 21-4503a).

SECTION FOUR

Article 6 of Chapter XI, Section 11-604 of the Code of the City of Prairie Village is hereby adopted to read as follows:

11-604. TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES

Article 4, Section 13.1(c) of the Standard Traffic Ordinance for Kansas Cities, Edition of 2015, is hereby amended by deleting and replacing subsection (c) with the following:

“(c) The provisions of this section shall not apply to the operator, passenger, or owner of any of the following authorized emergency or public works vehicles, in the course of such person’s emergency or public safety duties:

- (1) Publicly owned fire department vehicles
- (2) Publicly owned police vehicles
- (3) Motor vehicles operated by ambulance services permitted by the emergency medical services board; or
- (4) Publicly owned public works vehicles during snow removal operations.”

SECTION FIVE

Article 6 of Chapter XI, Section 11-605 of the Code of the City of Prairie Village is hereby amended to read as follows:

11-605. UNATTENDED MOTOR VEHICLE.

Article 13, Section 107 of the Standard Traffic Ordinance for Kansas Cities, Edition of 2015, is hereby amended to read as follows:

“**Sec. 107. Unattended Vehicles.** No person either operating or in charge of a motor vehicle shall leave the vehicle unattended and unlocked on either a public or private area within the City unless the ignition of such vehicle is in the locked position, the keys are removed from the ignition and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway. These provisions shall not apply if the windows are closed and the doors locked or the vehicle is in a closed and secure building or when an engine has been activated by a remote starter system when the keys are not in the motor vehicle. A vehicle shall be presumed unattended if the owner or person in charge of the vehicle is not in the vehicle or is not in the immediate vicinity so as to have direct control or access to the vehicle.”

SECTION SIX

Article 6 of Chapter XI, Section 11-606 of the Code of the City of Prairie Village is hereby amended to read as follows:

11-606. DRIVER’S LICENSE NOTICE OF CHANGE OF ADDRESS OR NAME:

Article 19, Sec. 193 of the Standard Traffic Ordinance for Kansas Cities, Edition of 2015, is hereby amended by adding Sec. 193(1) to read as follows:

“**Sec. 193(1) Driver’s License Notice of Change of Address or Name.** Whenever

any person, after applying for or receiving a driver's license shall move from the mailing address or residence address named in such application or in the driver's license issued to such person, or when the name of the licensee is changed by marriage or otherwise, such person, within ten (10) days thereafter, shall notify the Kansas Department of Revenue motor vehicles division in writing of such person's old and new mailing and / or residence address and / or of such former and new name(s) and the driver's license number of such person."


SECTION SEVEN

Article 1 of Chapter XI, Sections 11-601 through 11-607 of the Code of the City of Prairie Village are hereby repealed.

SECTION EIGHT


This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF DECEMBER, 2015.



Laura Wassmer, Mayor

ATTEST:



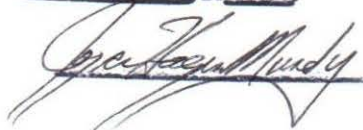
Joyce Hagen Mundy, City Clerk

APPROVED AS TO FORM:



Catherine P. Logan, City Attorney

I hereby certify that the foregoing is a true and correct copy of the original ordinance. That said ordinance was passed on the 21st day of Dec, 2015; that the record of the final vote on its passage is found on page 231 of journal 52; that it was published in the Legal Record on the 29th day of Dec, 2015.



Joyce Hagen Mundy, City Clerk