

ORDINANCE NO. _2540

AN ORDINANCE RELATING TO THE DERBY TRAFFIC ORDINANCE FOR THE CITY OF DERBY, KANSAS; AMENDING AND REPEALING SECTION 10.04.162, OF THE DERBY CITY MUNICIPAL CODE AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.

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

Section 1. SECTION 10.04.162, OF THE DERBY CITY MUNICIPAL CODE is hereby amended to read as follows:

10.04.162 Additional lighting equipment.

- A. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.
- B. Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side which shall emit a white or amber light without glare.
- C. Any motor vehicle may be equipped with one or more back-up lamps, either separately or in combination with other lamps, but any such back-up lamp or lamps shall not be lighted when the motor vehicle is in forward motion.
- D. Any vehicle eighty inches or more in overall width, if not otherwise required by Section 10.04.150, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted as specified in Section 10.04.150G.
- E. Any vehicle may be equipped with one or more side marker lamps and any such lamp may be flashed in conjunction with turn or vehicular hazard warning signals. Side marker lamps located toward the front of a vehicle shall be amber and side marker lamps located toward the rear shall be red.
- F. Any motor vehicle may be equipped with ground effect lighting, except that such lighting shall not flash, be any shade of red nor shall any portion of the bulbs be visible. Ground effect lighting means bulbs placed underneath the motor vehicle for the purpose of illuminating the ground below the motor vehicle creating a halo light effect.
- G. Any motor vehicle may be equipped with head lamps which alternately flash or simultaneously flash when such motor vehicle is being used as the lead motor vehicle of a funeral procession. A funeral hearse may serve as a funeral lead vehicle.

Section 2. Original section 10.04.062, of the Derby Municipal Code is hereby repealed.

Section 3. All other provisions of the Municipal Code of the City of Derby, Kansas shall remain in full force and effect except as specifically amended herein. All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 4. Severability

Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

Section 5. Effective Date

This Ordinance shall take effect and be in force from and after its passage and publication of the ordinance or a summary thereof once in the City's official newspaper as provided by State law.

PASSED by the City Council this 10th day of October, 2023 and **SIGNED** by the Mayor.

/s/Randy White
Randy White, Mayor

Seal:

Attest:

/s/Lynn Ciarleglio
Lynn Ciarleglio, City Clerk

Approved as to form:

/s/Jacqueline Kelly
Jacqueline Kelly, City Attorney