

ORDINANCE NO. 2115

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY VEHICLES, UTILITY TERRAIN VEHICLES, AND GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF PRATT; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF SECTIONS 114.4 AND 114.5 OF THE 2018 STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. 1809, AND FOR THE REPEAL OF PRATT MUNICIPAL CODES 10.08.030 AND 10.08.040.

WHEREAS, the City of Pratt, Kansas has adopted the 2018 version of the “Standard Traffic Ordinance for Kansas Cities” as published by the League of Kansas Municipalities; and

WHEREAS, the Standard Traffic Ordinance prohibits the operation of work-site utility vehicles, micro utility trucks, utility terrain vehicles and golf carts on city streets; and

WHEREAS, the City of Pratt wishes to specifically allow the operation of work-site utility vehicles, micro utility trucks, utility terrain vehicles and golf carts on city streets under certain conditions;

Therefore, Be it Ordained by the Governing Body of the City of Pratt, Kansas:

Section 1. OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, UTILITY TERRAIN VEHICLES, AND GOLF CARTS.

(a) Work-site utility vehicles, micro utility trucks, utility terrain vehicles and golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no work-site utility vehicle, micro utility truck, utility terrain vehicle or 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. No work-site utility vehicles, micro utility trucks, utility terrain vehicles or golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart from crossing a federal or state highway or a street or highway with a posted speed limit greater than 30 miles per hour.

(b) No work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart on the public highways, streets, roads and alleys of the city shall be subject to all the duties applicable to a driver of a motor vehicle imposed by law.

Section 2. SAME: REQUIRED EQUIPMENT. Every work-site utility vehicle, micro utility truck and utility terrain vehicle shall be equipped with the following:

- (a) Windshield or eye protection
- (b) Muffler or noise suppression system
- (c) Safety/Seat belts or harnesses
- (d) Mirror on the right side of the vehicle or an inside center rear view mirror
- (e) Mirror on the left side of the vehicle

- (f) Turn signals
- (g) Stop lamps
- (h) Rear reflectors
- (i) Head lamps

Section 3. SAME: VALID DRIVER’S LICENSE REQUIRED; PENALTY. No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver’s license. Violation of this section is punishable by a prescribed fine or by imprisonment for not more than six months or by both such fine and imprisonment.

Section 4. SAME; DEFINITIONS:

(a) “Work-site utility vehicle or utility task vehicle” means any vehicle designed for off-highway use which has: a width no less than 48 inches; an overall length, including the bumper, of not more than 160 inches; four or more wheels; low-pressure tires; side by side seating; a steering wheel; non-straddle seating; manufacturer provided foot controls for throttle and braking, excluding any modifications for use by handicapped persons; occupant restraints; and rollover protective structures, excluding lower speed work-site vehicles which may have been manufactured without such rollover protection. “Work-site utility” does not include “micro utility truck”.

(b) “Micro utility truck: means any motor vehicle which 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. “Micro utility truck” does not include “work-site utility vehicle”.

(c) “Utility terrain vehicle” means any motor vehicle designed for off road and on road use which is not less than 48 inches wide, which measurement shall be taken from one tire rim to the outside of the other tire rim, has an overall length, including bumper, of not more than 144 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds and is equipped with four or more non-highway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, can exceed 25 miles per hour as originally manufactured and may be equipped with a metal roll bar.

(d) “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 operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver.

Section 5. SAME; PENALTY. Unless specifically provided herein, a violation of this section 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 of the 2018 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 6. SAME; DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.

(a) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(b) For the purpose of this section, a slow-moving vehicle emblem has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(c) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

Section 7. SAME; INSURANCE REQUIRED; PENALTY:

(a) When operated upon the public highways, streets, roads and alleys within the corporate limits of the city every owner of a work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart shall provide liability coverage in accordance with Section 200 of the 2018 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of Section 200 of the 2018 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf carts

Section 8. SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY:

(a) Before operating any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the Pratt Police Department and a license shall be obtained and placed on the work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart. The license fee shall be prescribed in the city's fee schedule. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a work-site utility vehicle, micro utility truck, utility terrain vehicle and/or golf cart shall be made by the owner, or owner's agent, in the office of the chief of police. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 7 shall be furnished at the time of application for registration.

(c) Prior to the issuance of the registration and license, each applicant for a work-site utility vehicle, micro utility truck, utility terrain vehicle and/or golf cart license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be accounted for and then filed in the police department.

(d) It is unlawful for any person to willfully, knowingly or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative. (e) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his or her possession.

(f) In the event a license is lost or destroyed, the chief of police, upon proper showing by the licensee and the payment of the prescribed fee, shall issue a new license in accordance with the provisions of this section.

(g) It shall be unlawful for any person to:

- 1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.
- 2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a prescribed fine and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.
- 3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.
- 4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.
- 5) Carry or display a registered number plate or plates or registration decal upon any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart not lawfully issued for such vehicle.
- 6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a prescribed fine; for a second such conviction within one year thereafter, such person shall be punished by a fine of one and a half times the fine of a first offense; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of double the fine of a first conviction.

Before operating any work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall annually be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 7 shall be furnished at the time of application for registration. The registration fee for a work-site utility vehicle, micro utility truck, utility terrain vehicle or golf cart shall be prescribed in the city's fee schedule. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be nontransferable.

Section 9. REPEALER. Section 114.4 and 114.5 of the 2018 Standard Traffic Ordinance, as adopted by Ordinance No. 1809, and Pratt Municipal Codes 10.08.030 and 10.08.040. are hereby repealed. Section 10. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

5 – Ord. 2115 – Auth. Work Site, Golf Carts, in Corp. City Limits (7-16-21)annual reg.

Passed by the City Commission on this 2nd day of August, 2021, and signed by the mayor on the 2nd day of August, 2021.



GARY A. SCHMIDT, Mayor



ATTEST: 

LUANN KRAMER, City Clerk

Resolution No. 081621B

A RESOLUTION AMENDING THE CITY OF PRATT COMPREHENSIVE FEE SCHEDULE TO INCLUDE FEES REQUIRED TO REGISTER WORK-SITE UTILITY VEHICLES, MICRO UTILITY VEHICLES, UTILITY TERRAIN VEHICLES, AND GOLF CARTS IN THE CITY OF PRATT.

WHEREAS, the City of Pratt has adopted the Pratt Municipal Code; and

WHEREAS, the effective administration of the Pratt Municipal Code results in certain costs, incurred by the City of Pratt; and

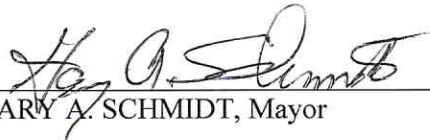
WHEREAS, it is desirable to establish various fees, fines, charges and taxes to include but are not limited to administrative fees, parks and recreational fees, license fees, permit fees, copying fees, municipal fines and costs as well as any other fees, fines or costs contemplated within the Pratt Municipal Code; and

WHEREAS, the Governing Body of the City has adopted various fees, fines, charges and taxes as set forth in the Pratt Municipal Code; and

WHEREAS, a Comprehensive Listing of Fees and Charges organized by activity would promote efficiency and expediency regarding City fees and charges and would allow for greater accessibility and ease of use of the comprehensive fee listing for citizens and visitors alike.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PRATT, KANSAS that the Comprehensive Fee Schedule shall be amended, effective immediately, to include a \$100.00 annual fee to register any and all work-site utility vehicles, micro utility vehicles, utility terrain vehicles, and golf carts driven on the streets within the corporate limits of the City of Pratt as authorized by Ordinance No. 2115.

This resolution is approved and adopted this 16th day of August, 2021, and it shall be effective upon its adoption.



GARY A. SCHMIDT, Mayor

City of



Kansas

ATTEST:



LUANN KRAMER, City Clerk