

**CHAPTER XIV. TRAFFIC**

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**ARTICLE 1. STANDARD TRAFFIC ORDINANCE**

- 14-101. **INCORPORATING STANDARD TRAFFIC ORDINANCE.** There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Medicine Lodge "Standard Traffic Ordinance for Kansas Cities," Edition of 2011, 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, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. One copy of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Medicine Lodge, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. (Ord. No. 852, Sec. 1; Code 2012)
- 14-102. **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.  
(Ord. No. 852, Sec. 2; Code 2012)
- 14-103. **PENALTY FOR SCHEDULED FINES.** The fine for violation of an ordinance traffic violation or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$25.00 nor more than \$500.00, except for speeding which shall not be less than \$30.00 nor more than \$500.00. 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 \$500.00. (Ord. 852, Sec. 3; Code 2012)

## ARTICLE 2. LOCAL TRAFFIC REGULATIONS

14-201. TRAFFIC CONTROL DEVICES AND MARKINGS. The Standard Traffic Ordinance as adopted is hereby modified by adding thereto the following:

The governing body may, by resolution, establish and fix the location of such traffic control devices as may be deemed necessary to guide and warn traffic under the provisions of this chapter, other traffic ordinances and the state laws. The city shall place and maintain such traffic control signs, signals and devices when and as may be required by the authority of the governing body to make effective the provisions of this chapter and other ordinances for the regulation of traffic. Any official traffic control device placed pursuant to this section shall be marked and labeled on a map of the City of Medicine Lodge for the purpose of displaying all such traffic control devices and shall be filed with the city clerk to be open to inspection and available to the public at all reasonable hours of business. (Code 2012)

14-202. MAIN TRAFFICWAYS; WEST SECOND AVENUE. That portion of West Second Avenue more particularly described as follows:

A portion of West Second Avenue located between Adams Street and Iliff Street for a distance of 35 feet, being that portion of West Second Avenue on which is now located a timber bridge crossing the drainage ditch which runs under West Second Avenue and extending 17 ½ feet east and 17 ½ feet west from the center of the drainage ditch and which is located directly north of Lot 11 in Cook, Standiford & Company's Third Addition to the city, is found by the governing body to be a main trafficway, the primary function of which is the movement of through traffic between areas of concentrated activity within the city and is, therefore, designated as a main trafficway of the city and only that portion described in this section of West Second Avenue is so designated. This designation is made under and by virtue and in conformity to Section 12-685 and subsequent sections of the Kansas Statutes Annotated. (Code 1987, 10.08.010; Code 2012)

14-203. SAME; WEST ROBIE AVENUE. A portion of West Robie Avenue, more particularly described as follows:

A portion of West Robie Avenue located between Main Street and Medicine Boulevard for a distance of 35 feet, being that portion of West Robie Avenue on which is now located a timber bridge crossing the drainage ditch which runs under West Robie Avenue and extending 17 ½ feet east and 17 ½ feet west from the center of the drainage ditch and which is located directly north of the divided line between Lots 61 and Lot 40 in Gobeille and Noble's Addition to the city, is found by the governing body of the city to be a main trafficway, the primary function of which is the movement of through traffic between areas of concentrated activity within the city and is, therefore, designated as a main trafficway of the city, and only that portion described in this section of West Robie Avenue is so designated. This designation is made under and by virtue and in conformity to Section 12-685 and subsequent sections of the Kansas Statutes Annotated. (Code 1987, 10.08.020; Code 2012)

14-204. SAME; FOWLER AVENUE. That portion of U.S. Highway 160, also known as Fowler Avenue, lying between the eastern city limits and the west line of U.S.

Highway 281, also known as Iliff Street is found by the governing body of the city to be a main trafficway, the primary function of which is the movement of through traffic between areas of concentrated activity within the city and is, therefore, designated as a main trafficway of the city, and only that portion described in this section of U.S. Highway 160 is so designated. This designation is made under and by virtue and in conformity to Section 12-685 and subsequent sections of the Kansas Statutes Annotated. (Ord. 753; Code 2012)

14-205. SAME; U.S. HIGHWAY 281. That portion of U.S. Highway 281 beginning at the north right-of-way line of Stolp Avenue, south to the south right-of-way line of U.S. 160 Highway also known as Folwer Avenue is found by the governing body of the city to be a main trafficway, the primary function of which is the movement of through traffic between areas of concentrated activity within the city and is, therefore, designated as a main trafficway of the city, and only that portion described in this section of U.S. Highway 281 is so designated. This designation is made under and by virtue and in conformity to Section 12-685 and subsequent sections of the Kansas Statutes Annotated. (Ord. 753; Code 2012)

14-206. PARKING; WHERE PROHIBITED. (a) There shall be no center parking on any street, avenue or alley, within the city, except for commercial loading or unloading on Main Street in the business district.

(b) There shall be no parking of any motor vehicle in, or in front of any driveway, either in the business or residential district.

(c) No parking of any truck, automobile, tractor, machines or other motor vehicle shall be allowed for more than 14 hours, except those vehicles grounded over Sunday or holidays and except those vehicles designated by the state laws of Kansas.

(Code 1987, 10.12.020; Code 2012)

14-207. SAME; TRUCKS, BUSES AND TRACTORS ON RESIDENTIAL STREETS.

(a) It is unlawful to park any bus, truck, tractor, tractor-trailer combination, recreational vehicle, or industrial equipment, regardless of weight, upon a residential street within the city, for any period of time exceeding two (2) hours; excepting as otherwise provided in this section. For the purpose of this section the word tractor shall include both road tractors and farm tractors. Recreational vehicle shall be defined as the term is defined in the zoning ordinance.

(b) Parking of the same for a period longer than two hours in duration will be permitted when it is determined to be necessary for the loading and unloading of merchandise of goods or for good cause shown. A permit issued by the city clerk or an on-duty city police officer authorizing the same shall be posted upon the windshield of such vehicle at any time such vehicle is parked for more than two hours. Such permits shall be issued in the sole discretion of the city clerk or of the city, and upon the clerk's or city police officer's determination that such overparking is necessary and shall be valid only for the specific incident of parking stated upon such permit.

(c) Upon written application to the city council a special use permit may be obtained authorizing the parking of over two hours upon a continuing basis. All such applications must show cause as to why a special use permit should be issued and in the event that such permit should be issued to the applicant the

same shall be in the possession of the operator of such vehicle at all times if a vehicle is parked for a period exceeding two hours.  
(Ord. 800; Code 1987, 10.12.040; Code 2012)

14-208. TRUCK ROUTES; DESIGNATED. There are established truck routes in the city as follows:

(a) Trucks or other commercial vehicles coming within the city limits from the northeast on Curry Lane, shall proceed south on Cedar Street or Stolp Avenue and thence west on Stolp Avenue to Main Street and thence south on Main Street to Fowler Avenue which is U.S. Highway 160 or continue west on Stolp Avenue to Iliff Street on Highways 281 and 512, Highway 512 being commonly known as the diagonal or River Road Road.

(b) Trucks or other commercial vehicles coming within the city limits from the northwest on Highways 281 or 512 shall proceed south on Iliff Street to U.S. Highway 160 or continue east on Stolp Avenue to Main Street or continue east on Stolp Avenue to Cedar Street and north on Cedar Street to Curry Lane and thence east.

(c) Trucks or other commercial vehicles coming within the city limits from the southwest on U.S. Highway 160 or other highways shall proceed east to Iliff Street and thence north on Iliff Street to Stolp Avenue or continue east to Main Street and thence north on Main Street to Stolp Avenue, and by either route west on Stolp to Highways 281 and 512 or east on Stolp Avenue to Cedar Street and north on Cedar Street to Curry Lane.

(d) Trucks or other commercial vehicles coming within the city limits from the southeast on Highway 160 or other highways shall proceed west to Main Street and thence north Main Street to Stolp Avenue or continue west on U.S. Highway 160 or Iliff Street and thence north on Iliff Street to Stolp Avenue, and by either of the routes then west to Highways 281 or 512 or east to Cedar Street and north on Cedar Street to Curry Lane.

(Code 1987, 10.20.010; Code 2012)

14-209. SAME; SIGNS AND MARKINGS; REQUIRED. All the routes shall be marked by suitable signs to advise the traveling public of the existence of the routes, and from and after such marking of the routes all trucks or other commercial vehicles shall use and follow the routes; provided, that when any such vehicle has cargo to deliver or receive any place within the city, and the same is not prohibited such vehicle may depart from the designated route at the street intersection nearest to point of destination and proceed to the place of unloading or loading cargo by the most direct route; provided, that the police chief or other police officer may direct the routing of all such vehicles so departing from designated routes. (Code 1987, 10.20.020; Code 2012)

14-210. WEIGHT LIMITS; DESIGNATED; EXCEPTIONS. (a) No trucks, trailers or vehicles of any type with a gross weight limit in excess of 24,000 pounds, including any load carried thereon, may be operated upon any of the streets or highways within the city limits.

(b) The above and foregoing shall not apply to Fowler Street from the east city limits to the west city limits thereof, north Iliff Street from the south city limits to the north city limits, or to the truck routes designated herein. (Code 1987, 10.24.010; Code 2012)

14-211. SAME; ADJACENT PREMISES; STOP-OVER RESTRICTIONS. On the streets referred to in section 14-223, the adjacent premises to such restricted streets may be served by motor vehicles, trucks, trailers or any other such vehicle in excess of such weight; provided, that either the point of origin or the point of destination of the vehicle shall be premises adjacent to the street within the city limits. It is provided that the foregoing does not allow stop-overs as such and that any one attempting to overcome the provisions of this article by considering such premises as a stop-over point only so as to make and the same either a point of origin or a point of destination as the case may be, will be subject to the penalties provided in this article as though no stop-over was made. (Code 1987, 10.24.020; Code 2012)

14-212. ENGINE COMPRESSION BRAKING. (a) It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the city, any mechanical exhaust device designed to aid in the braking or deceleration of any vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle, or otherwise known as "jake braking".

(b) Any person convicted of a violation of this section shall be punished for a first conviction thereof by a fine of not more than \$100, for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$200. Upon the third and subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$500. (Ord. 771; Code 2012)

14-213. BICYCLES, SCOOTERS, ROLLER SKATES, ROLLER BLADES; DEFINITIONS.

(a) Downtown Business District shall mean that section of the city on Main Street North to Second Street and on Main Street South to Lincoln Street.

(b) Person shall mean any individual or natural person.

(c) Bicycle shall mean a vehicle consisting of a tubular metal frame mounted on two or three large wire-spoked wheels, equipped with handle bars and a saddle like seat and propelled by foot pedals.

(d) Scooter shall mean a vehicle consisting of two wheels, mounted one in the front and the other in the back, with a platform for standing and a T type handle bar.

(e) Roller Skates shall mean shoe type or clamp on type skates with four wheels and/or shoe type or clamp on type skates with four or more in-line wheels.

(f) Skateboard shall mean a short narrow board on roller-skate wheels for riding on while standing up. (Ord. 782a; Code 2012)

14-214. SAME; PROHIBITIONS. It is prohibited to:

(a) Ride bicycles on the sidewalk in the downtown business district.

(b) Operate a scooter on the sidewalks in the downtown business district.

(c) Operate roller skates on the sidewalks in the downtown business district.

(d) Operate or ride a skateboard on the sidewalks in the down business district.  
(Ord. 782a; Code 2012)

14-215. SAME; BICYCLE PARKING RACKS. Bicycle parking racks shall be located in the downtown business district of the city in such numbers and in such places as deemed appropriate by the city. (Ord. 782a; Code 2012)

14-216. SAME; PENALTIES. Any person who rides a bicycle, operates a scooter, roller skates or skate board on a sidewalk in the downtown business district of the city, as described above, shall be guilty of an offense against the city and shall, upon conviction, be punished by a fine of not more than \$100 at the discretion of the municipal judge. (Ord. 782a; Code 2012)

### ARTICLE 3. HAZARDOUS MATERIALS

- 14-301. HAZARDOUS MATERIAL DEFINED. As used in this article, the term hazardous material shall mean any compressed gas, explosive, flammable liquid, flammable solid, oxidizer, poison, radioactive material or any substance that due to its nature may cause death, disability or injury upon contact therewith. (Code 2012)
- 14-302. SAME; EXCEPTIONS. The provisions of this article shall not apply to any container which shall have a capacity of 150 gallons or less which shall be used for the purpose of supplying fuel for the vehicle on which it is mounted. These provisions shall also not apply to vehicles, trailers, containers or tanks containing anhydrous ammonia or other material primarily used by farmers for fertilizer purposes when such vehicles, trailers, containers or tanks are parked or housed upon property designated for the placement of such vehicle, trailer, container or tank by any farmers cooperative, elevator company or farm supply store located within the city limits. (Code 2012)
- 14-303. TRANSPORTATION OF HAZARDOUS MATERIALS. Except as provided in section 14-404 it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city. (Code 2012)
- 14-304. HAZARDOUS MATERIALS ROUTES. The provisions of section 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public right-of-ways within the city except those specified within this section where transportation of hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the following streets, avenues, highways or roadways:  
(a) (Reserved)  
(b) (Reserved)  
(c) (Reserved)  
(Code 2012)
- 14-305. PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS. (a) Except as provided in subsections (b) and (c), it shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material within any of the following city zoning districts as defined in Chapter 16 of this code:  
(1) (Reserved)  
(b) Subsection (a) shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour where such vehicles, trailers or semi-trailers are parked along those routes specified in section 14-404 of this code.  
(c) Subsection (a) shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation.  
(Code 2012)

14-306.

REMOVAL OF ILLEGALLY PARKED TRAILERS. If any vehicle, trailer or a semi-trailer is found parked in violation of the provisions of this article, the fire chief or assistant chief or any law enforcement officer may require the owner, operator or lessee of the trailer to move it within two hours. If such removal is not accomplished on the order of any such officer, it may be accomplished by any such officer, by any reasonable means, if the continued presence of the trailer or semi-trailer at its parked location constitutes, adds to or prevents correction of a situation threatening imminent injury or damage to persons or property. (Code 2012)

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#### **ARTICLE 4. PARADES**

14-401. RESERVED FOR FUTURE USE.

14-402. **DRIVING RESTRICTIONS.** No driver of a vehicle shall drive between the vehicle or person comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade. (Code 1987, 10.32.020; Code 2012)

14-403. **PARKING RESTRICTIONS.** The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or street, or part thereof, constituting a part of the route of a parade. The chief of police shall post such signs to such affect, and it shall be unlawful for any person to park or leave unattended any vehicle, in violation thereof. No person shall be liable for parking on a street unposted in violation of this section. (Code 1987, 10.32.030; Code 2012)

14-404. **HANDICAPPED PARKING.** The chief of police shall have the authority to designate certain areas of the parade route as handicapped parking spaces and to monitor the use of the handicapped parking spaces by allowing properly identified handicapped vehicles to park in the area along the parade route. (Code 1987, 10.32.040; Code 2012)

## ARTICLE 5 ALL-TERRAIN VEHICLES

### 14-501. DEFINITIONS.

(a) All-Terrain Vehicles (ATVs) are defined as any motorized non-highway vehicle 45 inches or less in width, having a dry weight of 650 pounds or less, traveling on three or more low-pressure tires, having a seat designed to be straddled by the operator. Low-pressure tires means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 12 inches or less, and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

(b) Off-Road Vehicles shall include, but are not limited to three and four wheel all-terrain vehicles, go-carts, dune buggies, midget vehicles and any other motorized vehicle, including golf carts, not required by law to have a license plate. This article does not pertain to farm tractors or farm implements when used for agricultural purposes, nor shall it pertain to the above mentioned vehicles when used for legitimate agricultural purposes, or lawnmowers.  
(Ord. 801; Code 2012)

14-502. OPERATION. No all-terrain vehicle or off-road vehicle, except as exempted in Sections 14-701 and 14-703 shall be operated on any street or alley within the incorporated city limits. No all-terrain vehicle which is used for an agricultural purpose shall be operated on any street within the city limits between sunset and sunrise, unless equipped with lights and other safety equipment required for motorcycles under K.S.A. 8-1801 et seq. (Ord. 801; Code 2012)

14-503. EXCEPTION. This article does not apply to an off-road vehicle that is properly registered with the State of Kansas, has a valid license plate, and has all of the necessary lights and safety equipment required of licensed motor vehicles under vehicle registration laws of the State of Kansas, nor to ATV's or off-road vehicles used in City approved parades. This article also does not apply to any motorized wheel chair which is defined by K.S.A. 8-1439(c), as any self-propelled vehicle designed specifically for use by a physically disabled person that is incapable of speed in excess of 15 miles per hour. Exceptions may also be granted by the Chief of Police or the City Council for other official city events or for people who provide proof of a medical disability and need for use of vehicles otherwise prohibited by this article. (Ord. 801; Code 2012)

14-504. VIOLATIONS. Violation of this article is a code violation punishable upon conviction, of a fine not to exceed 500.00 or confinement in jail not to exceed 90 days, or both. (Ord. 801; Code 2012)