

(Published in the Kingman Leader Courier, the official City newspaper, January 2, 2014)

ORDINANCE NO. 1972

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF KINGMAN; CREATION OF SECTION 14-227 THROUGH 14-233 OF THE CODE OF THE CITY OF KINGMAN; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND PROVIDING FOR THE REPEAL OF SECTION 114.4 OF THE 2011 EDITION OF THE STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NUMBER 1885

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

SECTION 1. Section 14-227 of the Code of the City of Kingman shall be created to read as follows:

14-227. OPERATION OF GOLF CARTS.

- (a) Golf carts may be operated upon the public highways, 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. No 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 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 golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.
- (c) Every person operating a golf cart on the public highways, 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.

SECTION 2. Section 14-228 of the Code of the City of Kingman shall be created to read as follows:

14-228. 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 fine of not more than \$1,000 or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

SECTION 3. Section 14-229 of the Code of the City of Kingman shall be created to read as follows:

14-229. SAME; DEFINITION. “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 (4) persons, including the driver.

SECTION 4. Section 14-230 of the Code of the City of Kingman shall be created to read as follows:

14-230. SAME; PENALTY. Unless specifically provided otherwise herein, a violation of sections 14-227 through 14-233 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, 2011 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

SECTION 5. Section 14-231 of the Code of the City of Kingman shall be created to read as follows:

14-231. 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, “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 6. Section 14-232 of the Code of the City of Kingman shall be created to read as follows:

14-232. SAME; INSURANCE REQUIRED; PENALTY.

- (a) Every owner of a golf cart shall provide liability coverage in accordance with Section 200 of the 2011 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 2011 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of golf carts.

SECTION 7. Section 14-233 of the Code of the City of Kingman shall be created to read as follows:

14-233. SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.

- (a) Before operating any 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 city and a license shall be obtained and placed on the golf cart. The license fee shall be Twenty Five Dollars (\$25.00) per calendar year, payable in advance to the police chief or other person designated by the city. 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 golf cart shall be made by the owner, or owner's agent, in the office of the police chief or other person designated by the city. 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 14-232 shall be furnished at the time of application for registration.
- (c) Prior to the issuance of the registration and license, each applicant for a 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 or maliciously removed, 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 licensed 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 possession.
- (f) In the event a license is lost or destroyed, the police chief or other person designated by the city, upon proper showing by the licensee and the payment of a fee of Ten Dollars (\$10.00), 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 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 fine of not less than One Hundred Dollars (\$100.00) 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 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 golf cart not lawfully issued for such vehicle.
 - (6) Any person convicted of a violation of any of the provisions of this section (g) shall, unless otherwise provided for herein, for the first conviction thereof, be punished by a fine of not less than One Hundred Dollars (\$100.00); for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00); upon a third or subsequent conviction within one (1) year after the first conviction, such person shall be punished by a fine of not less than Five Hundred Dollars (\$500.00).

SECTION 8. Section 114.4 of the 2011 Standard Traffic Ordinance, as adopted by Ordinance 1885 is hereby repealed.

SECTION 9. 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.


APPROVED AND PASSED BY THE GOVERNING BODY OF THE CITY OF
KINGMAN, KANSAS, THIS 26th DAY OF DECEMBER, 2013.

THE GOVERNING BODY OF THE
CITY OF KINGMAN, KANSAS,


Elizabeth Madden, Mayor
Stan Hacker, Vice-Mayor

(SEAL)

Attest:


Cindy Conrardy
City Clerk