

ORDINANCE NO. 2109

AN ORDINANCE CREATING SECTION 14-319 OF THE CODE OF THE CITY OF KINGMAN, KANSAS, CONCERNING THE PARKING LOT FOR TRUCK TRACTORS AND SEMITRAILER TRUCKS IN THE CITY OF KINGMAN, KANSAS.

WHEREAS, the Governing Body previously determined that there is need for truck tractors and semitrailer truck parking in the City of Kingman;

WHEREAS, to address the need for said parking, the City acquired real property within the City limits and constructed a parking lot exclusive for truck tractors and semitrailer trucks in accordance with the rules and regulations set forth below.

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

SECTION 1: Section 14-319 of the Code of the City of Kingman, Kansas, shall be created to read as follows:

“14-2319. PARKING LOT FOR TRUCK TRACTORS AND SEMITRAILER TRUCKS.

The following provisions shall apply to the city-owned parking lot located on Main Street south of East Fourth Street.

- (a) Definitions.
 - (i) “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.
 - (ii) “Semitrailer” means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.
 - (iii) “Semitrailer truck” means a truck tractor connected to a semitrailer.
- (b) Parking restricted. Parking shall be restricted to only truck tractors and semitrailer trucks with valid permits. Semitrailers shall not be parked separately from a truck tractor.
- (c) Permit required. No person shall park, stand, or stop a truck tractor or semitrailer truck in the parking lot without first obtaining a parking permit from the city clerk. Permits shall be valid for either one (1) month, or six

(6) months, depending on which option the applicant selects. The fee for obtaining a parking permit shall be set by the governing body and listed in the latest City of Kingman Schedule of Fees. For one (1) month permits, the permit fee shall be nonrefundable. For six (6) month permits, in the event the permit holder no longer needs the permit prior to the expiration of the permit, and as long as there is at least one full month remaining until the permit expires, the holder shall be eligible to receive a prorated refund for the number of full months remaining on the permit. For example, if 2.5 months remain on the permit, the holder will be entitled to a refund of the average cost per month multiplied by 2, and not 2.5. To request a prorated refund, the holder shall make the request to the City Clerk and shall surrender the permit to the Clerk to be eligible for the refund. Permits shall only be available to residents of the City of Kingman, Kansas.

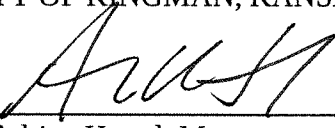
- (d) Application for permit. Any person desiring to obtain a permit for his or her vehicle shall make application to the City Clerk. The application form shall be provided by the City Clerk. The application shall set forth the name and address of the applicant, the make, the Vehicle Identification Number (VIN), and type of vehicle the permit will be used for. Before a permit may be issued the applicant must provide proof of:
 - (i) residency within the City of Kingman;
 - (ii) a valid driver's license that has not been suspended or revoked;
 - (iii) current and valid vehicle insurance for the vehicle to be permitted;
 - (iv) current and valid registration for the vehicle to be permitted.Failure to provide the information set forth above shall result in a denial of the application.
- (e) Parking where stalls. Where parking stalls or spaces are marked or designated on the parking lot surface, vehicles shall be parked or stopped within such stalls or spaces.
- (f) Storage prohibited. The parking stalls or spaces shall be used for short-term parking only and shall not be used for storing truck tractors, semitrailers, or semitrailer trucks.
- (g) Hazardous materials. It shall be unlawful for any person, firm, corporation or other entity to park or stand any vehicle, truck tractor, semitrailer, or semitrailer truck carrying any hazardous material within the parking lot.
- (h) Parking of vehicles having transported livestock; removal of obnoxious odors required. It is unlawful for any person, firm, corporation or other entity to park or leave standing in the parking lot any vehicle used for the transportation of livestock that has not been thoroughly cleaned to remove therefrom obnoxious odors.

- (i) Violations; Penalty. Any person violating the provisions of § 14-2319 shall, upon conviction, be fined \$100.
- (j) Citation on illegally parked vehicles. Whenever any motor vehicle without a driver is found parked, standing or stopped in violation of provisions of § 14-2319, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.
- (k) Failure to comply with traffic citation attached to parked vehicle. If a violator of the restrictions on parking, standing, or stopping set forth in § 14-2319 does not appear in response to a traffic citation affixed to such motor vehicle on the court date set forth on the citation, the clerk of the court, shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued.
- (l) Presumption in reference to illegal parking. In any prosecution charging a violation of any law or regulation governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the citation was in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of the violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. The foregoing stated presumption shall apply only when the procedure as prescribed in subsections (e) and (f) has been followed.”

SECTION 2: This ordinance shall take effect and be in full force from and after its publication in the official city paper.

Passed by the Governing Body of the City of Kingman, Kansas, this 27th day of July, 2023.

THE GOVERNING BODY OF THE
CITY OF KINGMAN, KANSAS

By 

Adrian Harrel, Mayor

ATTEST

Cindy Conrady
Cindy Conrady, City Clerk
[SEAL]