

CHAPTER XIV. TRAFFIC

Article 1. Standard Traffic Ordinance

Article 2. Local Traffic Regulations

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

14-101. INCORPORATING STANDARD TRAFFIC ORDINANCE. 1. The Standard Traffic Ordinance for Kansas Cities, 34th Edition (2006), is hereby adopted in its entirety and incorporated by reference as prepared in booklet form by the League of Kansas Municipalities. (Ordinance 953 –9/06/2006)

14-102. No fewer than three copies of the Standard Traffic Ordinance for Kansas Cities, 34th Edition (2006), shall be kept on file by the City Clerk of the City of Cimarron, Kansas, and such copies shall be marked “Official Copy as incorporated by the Code of the City of Cimarron, Kansas” and kept available for inspection by the public. (Ordinance 953 – 9/06/2006)

14--103. All ordinances or parts of ordinances in conflict with the Standard Traffic Ordinance for Kansas Cities, 34th Edition (2006), are hereby repealed; PROVIDED HOWEVER, nothing herein shall be construed to effect the repeal of §§14-201-14-211, inclusive, which shall remain in full force and effect as local amendments to the Standard Traffic Ordinance, and which shall be deemed as superseding any provision in the Standard Traffic Ordinance to the contrary. (Ordinance 953 –9/06/2006)

ARTICLE 2. LOCAL TRAFFIC REGULATIONS

14-201. CARELESS DRIVING. It shall be unlawful for any person to drive or operate a vehicle upon a highway or street in a careless or heedless or an inattentive manner, or without due caution or circumspection, or in any manner not constituting reckless driving but so as to endanger or be likely to endanger any person or property. (Code 1961, 14-207)

14-202. THROUGH STREETS. In accordance with the provisions of the Standard Traffic Ordinance and when signs are erected giving notice thereof, drivers of vehicles shall stop or yield as the sign directs at every intersection before entering any of the following streets or parts of streets, which are hereby designated through streets:

- (a) Avenue A, (U.S. 50) from east city limits to west city limits;
- (b) Main Street (K 23) from north city limits to south city limits.

(Code 1961, 14-201)

14-203. STOP OR YIELD INTERSECTIONS. The Chief of Police or his designee is authorized to designate stop or yield entrances at the intersections on other than through streets in the city and determine at which entrance or entrances such stop or yield signs shall be erected and maintained, and when signs are erected giving notice thereof, drivers of all vehicles shall stop or yield as the signs direct before entering such intersections. (Ordinance 914 – 8/02/2002)

14-204. TRUCK PARKING. It shall be unlawful for any person to park, cause to be parked or permit to remain parked on any street of the city, any tractor, semi-trailer combination, either one of the parts or both, or any truck or farm implement over one ton size, except for a reasonable time necessary to load or unload the vehicle. (Ord. 813, Sec. 2)

COMMERCIAL TRUCKS AND TRAILERS – PARKING PROVISIONS. (Ordinance 861 – 1/03/1994)

(a) PARKING ON PUBLIC PROPERTY. No commercial truck with a registered gross weight in excess of 30,000 pounds and no commercial semi-trailer shall park upon any public street, alley, or parking lots except in those areas designated as truck parking zones. (Ordinance 861 – 1/03/1994)

(b) PARKING ON PRIVATE PROPERTY ZONED RESIDENTIAL. The trailer portion of a semi-tractor-trailer shall not be parked at any time upon private property zoned residential. (Ordinance 861 – 1/03/1994)

Commercial trucks in excess of 30,000 pounds registered gross weight may be parked on private property zoned residential except that the engine shall not be turned on or allowed to run during the hours between 10:00 p.m. and 6:00 a.m. each night. A truck may arrive and have the engine turned off immediately but a truck may not start up and leave during those hours. EXCEPT THAT, commercial trucks may park in exception to this section while actually engaged in the process of loading or unloading their wares, merchandise, cargo, commodities, etc., but only for a reasonable period of time.

[See Sections 2 and 3 below in 14-206]

VEHICLES AND TRAILERS FOR SALE. No motor vehicle sales agent, dealer or any person dealing in motor vehicles shall park any vehicle in any of the streets of this City for the purpose of storing or displaying for sale. (Ordinance 861 – 1/03/1994)

PARKING OF RECREATIONAL EQUIPMENT AND MOTOR VEHICLES ON CERTAIN SURFACES: PARKING LARGE RECREATIONAL EQUIPMENT AND COMMERCIAL MOBILE EQUIPMENT, ETC. (Ordinance 861 – 1/03/1994)

(a) It shall be unlawful for any person to park, cause to be parked or permit to remain parked on any of the streets of the City which are surfaced with asphalt type paving or with bituminous oil mats, any type of motor vehicle other than a regular passenger vehicle, commonly known as an automobile, or a truck with a manufacturer's rated

carrying capacity or one ton or less. Any truck of a rated capacity over one ton, a truck trailer, a trailer, a semi-trailer or a semi-trailer truck, is expressly prohibited from parking on streets or public property.

- (b) It shall be unlawful for any person to park, cause to be parked or permit to remain parked upon any of the public streets of the City for a period in excess of 24 hours, any motor vehicle or trailer equipped for the temporary or permanent occupancy by persons: by way of illustration and not limitation this section applies to pickup campers or coaches, cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not, and to home campers, buses or vehicles of bus configuration converted or manufactured to provide for the transportation of persons and for the temporary or permanent living of persons inside of such vehicle and to boats and boat trailers.
- (c) Any commercial mobile equipment will be subject to subsection (b). Commercial mobile equipment includes oversized vans used in business and cargo trucks and trailers with boxes used for storing tools, equipment or merchandise. Pickup trucks and passenger vans are not prohibited.
- (d) Nothing in this section shall prohibit any of the vehicles, hereinbefore described, from parking temporarily for the purposes of loading or unloading.
- (e) The governing body declares that it is its intention in enacting this section to preserve the streets of the City for vehicular traffic and to remove therefrom motor vehicles and mobile equipment of such size and weight as will contribute to the rapid deterioration of the public streets or to impede the normal flow of traffic or to obstruct the vision of motorists upon the streets. It is further the express purpose of this ordinance to prevent persons from utilizing the streets of the City for the storage of camping and sporting equipment, other than as may be required for loading and unloading.

PENALTY. Any person violating any of the provisions of this ordinance shall, upon first conviction thereof, be punished by a fine of not more than \$50.00. Any person violating any of the provisions of this section shall, upon a second conviction thereof, be punished by a fine of not more than \$100.00. Each day may constitute a new violation.
(Ordinance 861 – 1/03/1994)

14-205. **FIVE-MINUTE PARKING ZONE.** When signs are erected giving notice thereof, no person shall park a vehicle for a longer period than five minutes on any street in the city. (Code 1961, 14-205)

14-206. **MAJOR TRAFFICWAY.** Avenue A (Highway 50) from east city limits to west city limits in the city is hereby declared to be a major trafficway. (Ord. 648, Sec. 1)

TRUCK ROUTES. The following streets are designated as truck routes in the City.
(Ordinance 861 – 1/03/1994):

- (a) Highway US 50 from the west City limits to the east City limits.
- (b) Highway K 23 (Main Street) from the south City limits to the north City limits.
- (c) 5th Street

VEHICLES REQUIRED TO FOLLOW TRUCK ROUTES. COMMERCIAL TRUCKS DEFINED. From and after the designation and signing of any truck routes as provided in the preceding section, all commercial trucks entering, operating within or passing through the City shall follow such marked routes; provided further, that for the purpose of this section “commercial trucks” shall include all vehicles with a registered gross weight in excess of 30,000 pounds whether loaded or unloaded and shall include all vehicles commonly referred to as semi-tractors, truck tractors, with or without trailers, entering or passing through the City that normally carry or transport goods, wares merchandise or commodities which are commonly the subject of wholesale or retail trade at the point of destination and/or any vehicle specifically equipped with or carrying construction machinery or equipment or any other truck with a registered gross weight in excess of 30,000 pounds whether or not for hire; provided however, that all such commercial trucks although required to follow the truck routes may leave the truck route at that point on the truck route nearest its destination in the City for the purpose of parking the truck as allowed in Section 1 of this ordinance, or for delivery or pickup of materials, goods and merchandise at a destination not on the marked truck route and the same shall return to the marked truck route by the most direct route from such destination subject always to the authority of the Police Department to direct such traffic by appropriate signs or signals. (Ordinance 861 – 1/03/1994)

PENALTY. Any person violating any of the provisions of this ordinance shall, upon first conviction thereof, be punished by a fine of not more than \$50.00. Any person violating any of the provisions of this section shall, upon a second conviction thereof, be punished by a fine of not more than \$100.00. Each day may constitute a new violation. (Ordinance 861 – 1/03/1994)

14-207. **SPEED LIMIT ON CERTAIN STREETS.** (a) Upon recommendation of the State Highway Commission upon the basis of an engineering and traffic investigation, and upon determination by the governing body that a safe and reasonable speed limit on the following streets or parts of streets shall be less than that authorized by the general speed limit statute, and pursuant to K.S.A. 8-1338 the governing body hereby determines that a safe and reasonable speed limit on the following streets or parts of streets to be 20 miles per hour during the school term for the following periods during each day that school is in session: 7:45 a.m. to 8:30 a.m.; 11 a.m. to 1 p.m.; 3:15 p.m. to 4 p.m., and the exact locations to be marked by flashing yellow caution lights, and no person shall drive a vehicle in excess of 20 miles per hour on the following streets or parts of streets during such hours:

- (1) From approximately 500 feet East of Fifth Street on Avenue A, which is also U.S. Highway 50, to approximately 250 feet West of Second Street on Avenue A, which is also U.S. Highway 50, in Cimarron, Kansas;
 - (2) Fifth Street in the City of Cimarron, between Kansas Avenue on the South and Prairie Avenue on the North.
- (b) The governing body hereby determines and declares that a special hazard exists requiring a safe and reasonable speed limit on the following streets or parts of streets to be 20 miles per hour at all times and when appropriate signs are erected giving notice thereof, no person shall drive a vehicle in excess of 20 miles per hour on the following streets or parts of streets;
- (1) Hillcrest Avenue in the City of Cimarron, between Main Street on the West and Third Street on the East.
- (c) The governing body hereby determines and declares that a special hazard exists requiring a safe and reasonable speed limit on the following streets or parts of streets to be 20 miles per hour every day from 8:30 a.m. to 4:30 p.m., and when appropriate signs are erected giving notice thereof, no person shall drive a vehicle in excess of 20 miles per hour on the following streets or parts of streets during such hours:
- (1) Second Street in the City of Cimarron, between Kansas Avenue on the South and Prairie Avenue on the North.
 - (2) Prairie Avenue in the City of Cimarron, between First Street on the West and Fifth Street on the East.
 - (3) East Cimarron Avenue in the City of Cimarron, between First Street on the West and Second Street on the East.
 - (4) Court Avenue in the City of Cimarron, between First Street on the West and North Third Street on the East.
- (Ordinance 879 – 9/10/1996)

SPEED LIMITS IN CONSTRUCTION ZONES. (Ordinance 893 – 10/22/1999)

1. Speed Limit. The maximum speed permissible in a road construction zone shall be 20 miles per hour.
2. Definition of “Road Construction Zone.” “Road construction zone” means the portion or portions of a street or highway which are identified by posted or moving signs as being a construction or maintenance work area. The zone starts at the first sign identifying the zone and continues until a posted or moving sign indicates that the road construction zone has ended.
3. Penalty for Violation of Ordinance. The penalty for exceeding the maximum speed permissible in a road construction zone shall result in a fine which is double the fine provided for by prior ordinance.
4. Inconsistent Ordinances Repealed. All prior ordinances and parts of ordinances in conflict herewith are hereby repealed.

- 14-207. CITY PARK. (a) The governing body hereby determines and declares that a special hazard exists on the roadway on property owned by the city and maintained as a city park that requires a safe and reasonable speed limit on such roadway to be 15 miles per hour at all times and when appropriate signs are erected giving notice thereof, no person shall drive a vehicle in excess of 15 miles per hour on any of the roadways in the park maintained by the City.
- (b) The governing body hereby determines that the roadway through the area maintained as a park by the city is narrow and will allow for traffic to flow only in one direction and it is therefore determined that all traffic shall enter at the northern roadway into the park and proceed as indicated by appropriate one way signs in a counter clockwise direction around the park and that exit from the park shall be made at the southern roadway out of the park only.
- (c) The governing body determines that a special hazard exists in the area of the park maintained as campground because of dangers to pedestrians and campers and therefore the area designated by appropriate signs as a campground is not a public thoroughfare and may be entered only by vehicles having legitimate reason to use the campground area.

(Ord. 733, Sec. 1:3)

14-208. PENALTY. Any violation of the provisions of this article shall be punishable as set out in section 197 of the Standard Traffic Ordinance incorporated by section 14-101 of this chapter. (Code 1986)

14-209. PROHIBITING DECELERATION OF ANY TRUCK OR TRUCK-TRACTOR BY THE USE OF A JACOB'S ENGINE BRAKE WITHIN CITY LIMITS; AND ESTABLISHING A PENALTY THEREFOR. (Ordinance 858 – 7/12/1993)

1. That the driver of any truck or truck-tractor shall not cause the deceleration of such motor vehicle by the use of a Jacobs Engine Brake, being the use of a low gear for deceleration by engine compression created by the engine brake, on the streets or highways of Cimarron. This provision shall not prevent the use of Jacobs Engine Brake for the deceleration of any truck or truck-tractor upon the failure of any other braking system such truck or truck-tractor may possess.
2. Any person violating the provision of Section 1, above, shall be assessed a fine of not less than Ten Dollars (\$10.00) and not more than Fifty Dollars (\$50.00).

14-210. PROHIBITING THE DRIVER OF ANY VEHICLE ON MAIN STREET NORTH FROM THE ARKANSAS RIVER TO COURT STREET IN CIMARRON, KANSAS, FROM TURNING SUCH VEHICLE ACROSS THE CENTER LINE OF SUCH PORTION OF MAIN STREET FOR THE PURPOSE OF PARKING SUCH VEHICLE AT OR ALONG THE OPPOSITE SIDE OF THE SUCH PORTION OF MAIN STREET (COMMONLY KNOWN AS A "J-TURN"); PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OF THE CITY OF CIMARRON, KANSAS, IN CONFLICT HEREWITH. (Ordinance 897 – 3/06/2000)

1. Prohibition against J-Turns. It shall be unlawful for the driver of any vehicle on Main Street north from the Arkansas River to Court Street in Cimarron, Kansas, from turning such vehicle across the center line of such portion of Main Street for the purpose of parking such vehicle at or along the opposite side of such portion of Main Street.
2. Penalty. Every person convicted of a violation of this ordinance shall be punished by a fine of not less than \$25 nor more than \$250.

14-211. AN ORDINANCE PROHIBITING EXCESSIVE SOUND AMPLIFICATION IN MOTOR VEHICLES IN THE CITY OF CIMARRON, KANSAS. (Ordinance 909 – 5/07/2001)

1. Excessive sound amplification prohibited. No person operating or occupying a motor vehicle on a street, highway, alley, parking lot or driveway shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of 25 or more feet from the vehicle.
 - a. “Sound amplification system” means any radio, tape player, compact disc player, loud speaker or other electronic device used for the amplification of sound.
 - b. “Plainly audible” means any sound produced by a sound amplification system from within the vehicle which clearly can be heard at a distance of 25 feet or more. Measurement standards shall be by the auditory senses, base upon direct line of sight. Words or phrases need not be discernable and bass reverberations are included. The motor vehicle may be stopped, standing, parked or moving on a street highway, alley, parking lot or driveway.
2. Exceptions. The restrictions set forth above shall not apply under any of the following circumstances:
 - a. When the sound amplification system is being operated to request medical or vehicular assistance to warn off a hazardous road condition.
 - b. When the vehicle was an emergency or public safety vehicle.
 - c. When the vehicle was owned and operated by the City of Cimarron or a gas, electric, communications or refuse company.
 - d. When the sound amplification system was used for the purpose of giving instructions, directions, talks, addresses or lectures to any person or assemblages of persons in compliance with ordinances of the City of Cimarron.

- e. When the vehicle was used in an authorized public activity such as parades, fireworks, sports events, musical productions, and other activities which have the approval of the department of the City authorized to grant such approval.
3. Penalty. Any person convicted of a violation of this section shall be punished by a fine not to exceed \$500 or by imprisonment of not more than six months, or by both such fine and imprisonment. Each day any violation hereof is found to exist or continues to exist shall be a separate offense and punishable as such hereunder.