ORDINANCE NO. 1096

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF BELLEVILLE, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2026, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENANLTIES AND REPEALING ORDINANCE NO. 1083.

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

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Belleville, Kansas, that certain standard traffic ordinance known as the Standard Traffic Ordinance for Kansas Cities, Edition of 2025, prepared and published in book form, by the League of Kansas Municipalities, Topeka, Kansas. A copy of said Standard Traffic Ordinance shall be marked or stamped "Official copy as Adopted by Ordinance 1083" 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 ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City charged with the enforcement of the ordinance, shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

SECTION 2. Section 85 of said Standard Traffic Ordinance is hereby changed to read as follows:

Sec. 85. Stopping, Standing or Parking Prohibited in Specified Places. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(a) Stop, stand or park a vehicle:

(1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
(2) On a sidewalk;
(3) Within an intersection;
(4) On a crosswalk;
(5) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
(6) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
(7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
(8) On any railroad tracks;
(9) On any controlled-access highway;

(10) In the area between roadways of a divided highway, including crossovers; or
(11) At any place where official signs prohibit stopping.
(12) In the area between the street curb and sidewalk, except on an established driveway.
(13) In the area between the street curb and street right-of-way boundary, except on an established driveway.

(b) Stand or park a vehicle, whether occupied or not except momentarily to pick up or discharge a passenger or passengers:

(1) In front of a public or private driveway;
(2) Within 15 feet of a fire hydrant;
(3) Within 20 feet of a crosswalk at an intersection;
(4) Within 30 feet upon the approach to any flashing signal, stop sign or traffic-control signal located at the side of a roadway;
(5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance, when properly sign-posted;
(6) At any place when official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading property or passengers:

(1) Within 50 feet of the nearest rail of a railroad crossing;
(2) At any place where official signs prohibit parking.

(d) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

(e) No person shall stand or park a vehicle in areas designated as fire lanes upon public or private property.
(K.S.A. 8-1571)

SECTION 3. Section 114.1 of the Standard Traffic Ordinance is hereby changed to read as follows:

OPERATION OF ALL-TERRAIN VEHICLE.

(a) It shall be lawful to operate an All-Terrain Vehicle (ATV) within the corporate limits of the City of Belleville.

(b) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles. (K.S.A Supp. 8-15,100)

SECTION 4. Section 114.2 of the Standard Traffic Ordinance is hereby changed to read as follows:

OPERATION OF MICRO UTILITY TRUCK.

(a) It shall be lawful to operate a Micro Utility Truck (MUT) within the corporate limits of the City of Belleville.

(b) No micro utility truck shall be operated on any public highway or street, unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto.

(c) The provisions of subsection (a) shall not prohibit a micro utility truck from crossing a federal or state highway. (K.S.A Supp. 8-15,106)

SECTION 5. Section 114.4 of the Standard Traffic Ordinance is hereby changed to read as follows:

OPERATION OF GOLF CART.

(a) It shall be lawful to operate a Golf Cart within the corporate limits of the City of Belleville.

(b) The provisions of subsection (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour.

(c) Any golf cart operated within the Belleville city limits must be affixed with a “slow moving vehicle” emblem defined as a triangular-shaped emblem of substantial construction having equal sides of 14 inches and an altitude of 12 inches, and such emblem shall be painted a fluorescent yellow-orange color and bordered with reflective red colored strips having a minimum width of 13 ¼ inches, with the vertices of the overall triangle truncated in such a manner that the remaining altitude shall be at least 14 inches. (K.S.A. 8-1717(e)(2))

(d) No golf cart shall be operated on any public street or highway between one-half hour before sunset to one half-hour after sunrise, except as follows: (K.S.A. Supp. 8-15,108)

(1) Any golf cart may be operated within city limits from one-half hour before sunset to one half-hour after sunrise when permanently affixed with two (2) lighted lamps upon the front thereof capable of revealing persons and vehicles one hundred (100) feet ahead, provided that at no time shall it be operated at a speed in excess of twenty-five (25) miles per hour. (K.S.A. Supp. 8-1727)

(2) “Permanently affixed” in this section means the head lamps must be wired directly into the golf cart, and cannot be removed without the use of tools.

SECTION 6. Section 114.5, is hereby added to the Traffic Ordinance, to read as follows:

OPERATION OF POCKET BIKES & MINI ALL-TERRAIN-VEHICLES

(a) DEFINITIONS
For the purposes of this section, the following definitions apply:
Pocket bike/Mini bike/Mini all-terrain-vehicles shall be defined as small-scale replicas of full-sized motorcycles and all-terrain-vehicles, propelled by gasoline or electric motor, with 2, 3, or 4 wheels, and no vehicle identification number is located on the vehicle, nor can ownership of the vehicle be registered.

(b) The operation of pocket bikes, mini bikes, and mini all-terrain vehicles on the streets, sidewalks, roads, municipally owned parking lots, and alleys within the corporate limits of the City of Belleville is prohibited.

(c) If any child under the age of sixteen (16) years shall operate or ride any such pocket bike, mini bike, or mini all-terrain vehicle in the corporate limits of the City of Belleville as described above, the officer may take possession of such pocket bike, mini bike or mini all-terrain vehicle and take same to the police department in the city and there keep the same until the parents or guardian of such child are notified and until arrangements are made by such parent or guardian to comply with the requirements of this ordinance".

SECTION 7. ANNUAL REGISTRATION-

(a) All-Terrain Vehicle (ATV), Micro Utility Truck (MUT) and GOLF CART that operates within the City of Belleville shall be registered with the City Clerk. The owner of the ATV and/or MUT and/or GOLF CART shall provide the City Clerk the following documentation:

1. Make, Model, year and serial number of the ATV and/or MUT and/or GOLF CART;
2. Copy of the owner's Current Driver's License;
3. Proof of Vehicle Liability Insurance as required by Section 200; and
4. Pay an annual Registration Fee of $21.00.

Upon the owner providing the above documentation and paying the Registration Fee of $21.00, the city clerk shall issue to the owner a Registration Decal to be affixed to the ATV and/or MUT and/or GOLF CART.

(b) Violation of this section shall be punishable by a fine of not more than $100.00 or by imprisonment for not more than Thirty (30) days or both such fine and imprisonment.

(c) Registration Exemption. Registration of vehicles described in Section 10.04.060 (a) shall be exempt from annual registration during the North Central Kansas Free Fair each year, along with the two days prior and one day after the NCK Free Fair. All other sections of Chapter 10.04 shall remain in full force and effect.

SECTION 8. Section 142 of the Standard Traffic Ordinance is hereby changed to read as follows:

EQUIPMENT FOR MOTORCYCLE OR ALL TERRAIN VEHICLE OPERATOR OR RIDER.

(a)No person under the age of 18 years shall operate or ride upon a motorcycle or a motorized bicycle or an All-Terrain Vehicle unless wearing a helmet which complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(b)No person shall allow or permit any person under the age of 18 years to:

(1) Operate a motorcycle or motorized bicycle or All-Terrain Vehicle or to ride as a passenger upon a motorcycle or motorized bicycle or an All-Terrain Vehicle without being in compliance with the provisions of subsection (a); or

(2) Operate a motorcycle or to ride as a passenger upon a motorcycle without being in compliance with the provisions of subsection (c).

(c)(1) No person shall operate a motorcycle unless he or she is wearing an eye- protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the motorcycle is equipped with a windscreen which has a minimum height of 10 inches measured from the center of the handlebars.

(2) No person under the age of 18 years shall ride as a passenger on a motorcycle or All-Terrain Vehicle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.

(d) This section shall not apply to persons riding within an enclosed cab or on a golf cart, nor shall it apply to any person operating or riding any industrial or cargo-type vehicle having three wheels and commonly known as a truckster. (K.S.A. Supp.8-1598)

SECTION 9. Section 175.1 of the Standard Traffic Ordinance is hereby changed to read as follows:

COMPRESSION RELEASE ENGINE BRAKING SYSTEM.

(a) It shall be unlawful for the driver of any motor vehicle to use or cause to be used any compression release engine braking system; provided, however, that such brakes may be used in an emergency situation where the use of an engine braking mechanical exhaust device is necessary for the protection of persons or property.

(b) Upon a first conviction of this section, the defendant shall be mandated to appear in court and shall be fined not less than $200.00 nor more than $1,000.00. Upon a conviction of a second offense of this section, within a twenty-four (24) month period, the defendant shall be mandated to appear in court and shall be fined not less than $350.00 nor more than $1,000.00. Upon a conviction of a third or subsequent offense of this section, within a twenty-four (24) month period, the defendant shall be mandated to appear in court and shall be fined not less than $500.00 nor more than $1,000.00.

(c) As used in this section, “compression release engine braking system” means a “dynamic brake,” “Jake brake,” “Jacobs brake,” “C-Brake,” “Paccar Brake,” or any other hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

SECTION 10. Section 192 of the Standard Traffic Ordinance is hereby changed to read as follows:

DRIVER'S LICENSE.

No person, except those expressly exempted, shall drive or operate any motor vehicle or motorized bicycle or All-Terrain Vehicle or Micro Utility Truck or Golf Cart upon any highway in this city unless such person has a valid driver's license.

Violation of this section is punishable by a fine of not more than $1,000.00 or by imprisonment for not more than six months or by both such fine and imprisonment. (K.S.A. 8-235)

SECTION 11. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance 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. 8-2118.

(b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection, (a) of this section, shall be considered traffic offenses.

SECTION 12. PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than $10.00 not more than $1,500.00.

SECTION 13. REPEAL. Ordinance number 1083 is repealed.

SECTION 14. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body and approved and signed by the Mayor this 12th day of October, 2026.

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James Doyle, Mayor

ATTEST:

Russell Piroutek, City Clerk