

CHAPTER XIV. TRAFFIC

- Article 1. Standard Traffic Ordinance
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- Article 3. Hazardous Materials
- Article 4. Work-Site Utility and Small Vehicles

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 Galena, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2014, 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 Galena, 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.
(Code 2015)
- 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.
(Code 2015)
- 14-103. **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 be not less than \$10, nor more than \$2500. Any person, upon conviction of an ordinance traffic offense for which a fine has been established in a schedule of fines, shall pay such fine as is fixed by the court in an amount not to exceed \$2500. (Code 2015)
- 14-104. **BOND FOR INFRACTIONS.** In regard to traffic infractions, violators shall be allowed to post bond for their appearance in the amount of the fine set forth in the fine schedule, plus court costs. (Code 2015)

ARTICLE 2. LOCAL TRAFFIC REGULATIONS

- 14-201. THROUGH STREETS. In accordance with the provisions of Section 59 of the Standard Traffic Ordinance incorporated by reference in section 14-101, 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) All streets running north and south in the City of Galena, Kansas;
 - (b) East Fourth Street from Joplin Street to Wood Street;
 - (c) East Fifth Street from Joplin Street to Euclid Avenue;
 - (d) East Sixth Street from Joplin Street to Euclid Avenue;
 - (e) East Eleventh Street from Main Street to Euclid Avenue;
 - (f) West Eleventh Street from Main Street to Dewey Avenue;
 - (g) Twelfth Street from Euclid Avenue to the State Line Road;
 - (h) West Thirteenth Street from Main Street to Dewey Avenue;
 - (i) East Seventeenth Street from Main Street to Wood Street;
 - (j) East Twenty-first Street from Main Street to the State Line Road;
 - (k) West Twenty-first Street from Main Street to the west city limits;
 - (l) East Twenty-second Street from Main Street to Wood Street;
 - (m) East Twenty-third Street from Main Street to Wood Street;
 - (n) Jefferson Street and Columbus Street;
 - (o) East Thirteenth Street from Keller Street to State Line Road.
 - (p) New streets that have been dedicated or brought within the city limits by annexation or otherwise; and
 - (q) Streets designated as through streets by previous ordinances or governing body action.
- (Ord. 84-24, Sec. 2, Code 1988)
- 14-202. SCHOOL ZONE SPEED LIMITS. The following shall constitute school zones in which school zone speed limits shall apply during any time when official flashing indicators of a school zone are activated: 7th Street between Lincoln and Wood and Main Street between 18th Street and 20th Street. (Code 2015)
- 14-203. NO RIGHT TURNS ON RED, AT 7TH AND MAIN, ONTO 7th STREET.
No right turn shall be made at the intersection of 7th Street and Main Street if the right turn is to proceed in a westward direction upon a red light.
(Ord. 12-3; Code 2015)
- 14-204. TRUCK PARKING. (a) No truck shall remain parked more than 45 minutes on any street of the city.
- (b) No truck shall park on any street of the city so as to block the lanes of traffic or hinder the free flow from traffic from either direction.
 - (c) For purposes of loading or unloading at businesses located along Main Street, a truck may park parallel to the curb on Main Street, provided that such truck is otherwise legally parked, including but not limited to the truck not blocking fire hydrants and not parking on curbs.
 - (d) Subsections (b) and (c) shall not apply to a truck smaller than pickup trucks, provided that such truck is otherwise legally parked, including but not limited to the truck not blocking fire hydrants and not parking on curbs.
 - (e) Any violation of this section shall be punishable by a fine of not less than \$30, nor more than \$200. (Ord. 88-5; Code 2015)

14-205. RESERVED.

14-206. ONE-WAY STREETS. The following streets and avenues are hereby designated as one-way traffic streets and avenues:

(a) Traffic shall proceed only in an eastern direction along 19th Street between Joplin Street and Galena Avenue. Traffic shall proceed only in a western direction along 20th Street between Galena Avenue and Joplin Street. Traffic shall proceed only in a southern direction along Galena Avenue between 19th Street and 20th Street.

(b) Traffic shall proceed only in a northern direction along Water Street between 6th Street and 7th Street. (Ord. 07-21; Code 2015)

14-207. TRUCK ROUTE. This section applies only to tractor-trailer rigs or 18 wheelers.

(a) The following are hereby designated as truck routes for the use of tractor-trailer rigs or 18 wheelers in the City of Galena, as follows:

(1) Commencing at the intersection of Main Street and Clark Street, then along Clark Street eastward to the intersection of Clark Street and Old Highway 66, then eastward along Old Highway 66 to Stateline Road, then southward along Stateline Road to the intersection of Stateline Road and Seventh Street, then southward along Stateline Road to the intersection of 11th Street extended eastward and Stateline Road;

(2) All of 7th Street;

(3) All of Highway 26;

(4) Main Street from the intersection of 7th Street and Main Street to the intersection of Main Street and Clark Street.

(b) It shall be a violation of this section for any of the above described vehicles to be operated on any street in the City of Galena, Kansas, that is not a designated truck route, except when said vehicles are making a pick-up or delivery of freight or merchandise in areas within the city not accessible solely by travel along a designated truck route and such vehicles are on the most direct route between a designated truck route and the place of pick-up or delivery.

(c) Any person convicted of a violation of this section shall be guilty of the offense of "Failure to Follow a Truck Route" and upon such conviction shall be subject to a fine of not less than \$50 or more than \$250.

(Ord. 07-05; Code 2015)

ARTICLE 3. HAZARDOUS MATERIALS

- 14-301. HAZARDOUS MATERIAL DEFINED. As used in this article, the term hazardous material shall mean any material or combination of materials which, because of its quantity, concentration, or physical, chemical, biological, or infectious characteristics, poses a substantial present or potential hazard to human health or safety or the environment if released into the workplace or environment or when improperly treated, stored, transported, or disposed of or otherwise managed. (Code 2015)
- 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. (Code 2015)
- 14-303. TRANSPORTATION OF HAZARDOUS MATERIALS. Except as provided in section 14-304 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 2015)
- 14-304. HAZARDOUS MATERIALS ROUTES. The provisions of section 14-303 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) Seventh Street within the city
 - (b) Hwy. 26 within the city.
 - (c) (Reserved)
- (Code 2015)
- 14-305. PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS. It shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material, except as follows:
- (a) 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 14-304 of this section.
- (Code 2015)
- 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, the officer may cause it to be immediately removed. (Code 2015)
- 14-307. UNATTENDED VEHICLES. No vehicle shall be left unattended by the operator or owner thereof. (Code 2015)
- 14-308. VIOLATIONS; PENALTY. It shall be unlawful to commit any violation of this article. (Code 2015)

ARTICLE. 4 WORK-SITE UTILITY AND SMALL VEHICLES

14-401. DEFINITIONS. The following definitions shall apply: Small vehicles shall include all of the following vehicles listed within this subsection, as follows:

(a) An “all-terrain vehicle” means any motorized non-highway vehicle which is 48 inches or less in width, having a dry weight of 1,000 pounds or less, traveling on three or more low-pressure tires, having a seat designed to be straddled by the operator. As used in this section, “low-pressure tire” means any pneumatic tire six inches or more in width, designed for use on wheels with a 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) A “work-site utility vehicle” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an un-laden weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. “Work-site utility vehicle does not include a micro utility truck;

(c) A “micro utility truck” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 inches, has an un-laden weight, including fuel and fluids, of more than 1500 pounds, can exceed 40 miles per hour as originally manufactured, and is manufactured with a metal cab. A “micro utility truck” does not include a work-site utility vehicle;

(d) A “low speed vehicle” means any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles pursuant to 49 C.F.R. 571.500;

(e) A “motorized bicycle” means every device having two tandem wheels or three wheels which may be propelled by either human power or helper motor, or by both, and which has:

- (1) a motor which produces not more than 3.5 brake horsepower;
- (2) a cylinder capacity of not more than 130 cubic centimeters;
- (3) an automatic transmission; and
- (4) the capability of a maximum design speed of no more than 30 miles per hour, except a low power cycle; and,

(f) An “electric-assisted bicycle” means a bicycle with two or more wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle’s electric motor must have a power output of not more than 1000 watts, be incapable of propelling the device at a speed of more than 20 miles per hour on level ground and incapable of further increasing the speed of the device when human power alone is used to propel the device beyond 20 miles per hour.

(g) “Operation” means the operation of a small vehicle upon the streets and roads of the city of Galena, Kansas.

(Ord. 08-12; Code 2015)

14-402. OPERATION OF SMALL VEHICLES; INSPECTION. (a) All vehicles described in Section 14-401 shall not be operated within a half hour after dawn and a half hour before dusk, except that a “work-site utility vehicle” may be operated without regard to the time of the day.

(b) The operator of a “micro utility truck” shall be required to carry motor vehicle liability insurance upon such vehicle.

(c) The operators of all small vehicles upon authorized streets within the city shall by December 31st before the upcoming year obtain an annual inspection of the small vehicle by the City of Galena before operating such small vehicle upon the streets of the city. The inspection fee shall be paid at the time of the inspection and shall be \$35 for a micro-utility vehicle and \$20 for all other small vehicles. An inspection shall be made and approved by the city before any small vehicle may operate therein.

(d) Upon an approved inspection, a permit shall be issued by the city to be affixed to the small vehicle prior to the operation of such vehicle upon city streets.

(e) In the event the request for inspection is done for the purpose of operating a small vehicle during the same year in which the request is made, the inspection fee shall be as stated immediately above, and such fee shall not be subject to proration. (Ord. 08-12, Code 2015)

14-403.

LIMITATIONS UPON OPERATION. (a) No small vehicles may be operated within the city on 7th Street or on Main Street from the southern boundary of the intersection of Main Street and 1st Street southward to the southern city limits, except a micro-utility vehicle which may be operated upon any streets within the city. However, small vehicles may cross Main Street and 7th Street in the areas of such streets where the operation of small vehicles are otherwise prohibited, provided the length of travel along such prohibited street shall not be greater than the entry point upon such prohibited street to the next intersection such prohibited street has with a non-prohibited street.

(b) All operators of small vehicles upon streets within the city shall have a valid driver’s license.

(c) No all-terrain vehicles shall be operated upon streets in the city unless such vehicle has a 4 cycle engine with a standard muffler. No all-terrain vehicle with 2 cycle engine shall be operated upon the streets of the city.

(d) No person under 18 years of age shall operate, or be a passenger during the operation of, a small vehicle upon the streets of Galena, Kansas, without wearing a helmet that meets the standards set forth in the Code of Federal Regulations of the United States of America in Title 49, Section 571.218, that fits snugly to the head of the operator or passenger, and contains no visible defects.

(e) Small vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any small vehicle of the full use of a lane. The operator of a small vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken. No person shall operate a small vehicle between lanes of traffic or between the adjacent lines or rows of vehicles. No small vehicles shall pass any other vehicles upon the streets of the city.

(Ord. 08-12; Code 2015)

14-404.

PENALTIES FOR VIOLATIONS. No person shall knowingly operate a small vehicle, as described above, within the corporate limits of the City of Galena, Kansas, in violation of the terms of this Article 4 of Chapter 14 of the Code of the City of Galena, Kansas. Violation of the terms hereof shall constitute the offense of “Unlawful Operation of a Small Vehicle” and shall be punishable by a fine of not less than \$100, nor more than \$500. (Ord. 08-12; Code 2015)