

(Summary Published in the Rose Hill Reporter on September 5, 2024)

ORDINANCE NO. 727

**AN ORDINANCE AMENDING CHAPTER XIV, ARTICLE 1 OF THE CODE OF THE CITY OF ROSE HILL REGARDING THE REGULATION OF TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ROSE HILL, KANSAS: INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, 51<sup>st</sup> EDITION (2024) PREPARED AND PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES WITH CERTAIN ADDITIONS: PRESCRIBING ADDITIONAL PENALTIES AND REPEALING ORDINANCE NUMBER 712.**

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

**SECTION 1. Chapter XIV Article 1 of the Rose Hill Code is hereby repealed and amended as follows:**

**14-101. Standard Traffic Ordinance Incorporated**

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Rose Hill, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, 51<sup>st</sup> Edition (2024), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Incorporated by Ordinance No. 727,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omissions or change 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 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.

**14-102. Same; traffic infractions and traffic offenses.**

(a) An ordinance traffic infraction is a violation of any section of this ordinance that proscribes or requires the same behavior as that described 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 ordinance, and which are not ordinance traffic infractions, as defined in this subsection (a) of the section, shall be considered traffic offenses.

**14-103. Same; penalty for scheduled fines.**

The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Rose Hill Municipal Judge establishes a fine in a fine schedule shall not be less than twenty dollars (\$20.00), nor more than five hundred dollars (\$500.00) except that the Municipal Judge shall establish a fine schedule for an ordinance parking violation in an amount not less than one dollar (\$1.00) nor more than one hundred dollars (\$100). A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the Court not to exceed five hundred dollars (\$500.00).

#### **Section 14-104. Amendments to the standard traffic ordinance.**

Article 13 (Stopping, Standing and Parking) of said Standard Traffic Ordinance is hereby supplemented by adding the following sections:

##### SEC. 88.1 TRESPASS TO PARK

Trespass to park is:

- (a) driving a vehicle upon the real property of another for the purpose of parking a vehicle without the express authority or permission of the owner or occupant to do so; or
  - (b) driving a vehicle upon the real property of a commercial establishment during business hours to park a vehicle,
    - (1) without conducting any business at the commercial establishment; or
    - (2) not removing the vehicle from the property of the establishment within a reasonable time after completing a business transaction at the establishment.
- (K.S.A. 8-1336; K.S.A. 8-1546)

##### SEC. 93.1 PARKING CERTAIN VEHICLES AND TRAILERS IN PROHIBITED AREAS

- (a) Unless written permission, from an authorized city official, is first obtained, no vehicle, including but not limited to transport, truck tractors, semitrailers, commercial trailer not mechanized, recreational vehicles or truck of a rated capacity of more than 1 ½ tons or being in an aggregate length of 20 feet or more, including one or more connected vehicles, shall be, at any time, parked or left unattended on any street, avenue or public way within those portions of the city that are zoned: A-1; R-1; R-2; R-3; B-1; C-1; PDO and Public Parks, provided, that nothing herein shall deny the right to park any such vehicles for emergency refueling or making an emergency repair or for the purpose of making delivery or pick up within prohibited areas; provided further, that all such vehicles may be parked in areas of the city so long as such parking shall not be contrary to other ordinances of the city relating to the parking of such vehicles.
- (b) It shall be unlawful for any person or persons to park vehicles as set forth in this section and any such person so violating any of the provisions shall upon conviction thereof, be punished by a fine of not more than \$50.

Article 14 of said Standard Traffic Ordinance is hereby supplemented by adding the following section:

Article 14 of said Standard Traffic Ordinance is hereby supplemented by adding the following section:

SEC. 127. CARELESS DRIVING.

No person shall operate, drive or halt any vehicle upon the streets, road or alleys of the City of Rose Hill or in any vehicle area open and accessible to the public, said area being within the corporate city limits of Rose Hill, in such a manner as to indicate a careless disregard for, or negligent inattention of, the rights or safety of others, or in such a manner as to endanger or be likely to endanger any person or property. This section shall not apply to a vehicle driven by a person on private property owned by him or her.

**SECTION 5. REPEAL.** Ordinance number 712 is hereby repealed. All ordinances or portions thereof in conflict with this ordinance are repealed.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper or upon publication of a summary certified as legally accurate and sufficient by the City Attorney.

PASSED BY THE Governing Body of Rose Hill, Kansas, on this 5<sup>th</sup> day of September 2024.

(Seal)

\_\_\_\_\_  
Gary Weaver, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Mendoza, City Clerk