

(Summary Published in the Rose Hill Reporter on Oct 9th, 2025)

ORDINANCE NO. 737

**AN ORDINANCE AMENDING CHAPTER XIV OF THE ROSE HILL CODE REGARDING THE REGULATION OF TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY; INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, 52<sup>nd</sup> EDITION (2025) PREPARED AND PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES WITH CERTAIN AMENDMENTS: PRESCRIBING ADDITIONAL PENALTIES AND REPEALING ALL ORDINANCES OR PORTIONS IN CONFLICT WITH THIS ORDINANCE.**

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

**SECTION 1.** Section 14-101 of the Code of the City of Rose Hill is hereby amended to read 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”, 52<sup>nd</sup> Edition (2025), 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 one (1) copy of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Incorporated by Ordinance No. 737,” 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, Municipal Prosecutor, City Attorney, City Clerk, 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.

**SECTION 2:** Section 14-104 of the Code of the City of Rose Hill is hereby amended to read as follows:

**14-104. Amendments to the Standard Traffic Ordinance**

The Standard Traffic Ordinance for Kansas Cities, 52<sup>nd</sup> Edition (2025), is amended as follows:

## **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 or 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 trailers not mechanized, recreational vehicles or trucks 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:

## **Sec. 104.1. 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.

**Sec. 114.1 (All-Terrain Vehicle); 114.2 (Micro Utility Truck); 114.4 (Golf Carts) and 114.5 (Work-Site Utility Vehicle) is amended with the provisions of Chapter XIV Article 5 (Special Purpose Vehicles).**

**Sec. 135.1. is replaced with the following:**

135.1. Micromobility Devices, Traffic Law Application.

(a) Definitions. For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them in this section:

(1) “micromobility device” is defined as a small, lightweight, low-speed vehicle designed to be operated by a single person for personal transportation over a short distance using any combination of human powered, combustion and electric based propulsion. Micromobility devices include but are not limited to bicycles, scooters, minibikes, two-wheeled caster boards, electric assisted scooters, electric assisted bikes (e-bikes), hoverboards, and skateboards.

(2) “Minibike” means a two-wheeled motorized vehicle that is smaller in size than a standard motorcycle and is not manufactured or intended for operation on public roadways. A minibike is generally characterized by a gasoline or electric motor of less than 125 cubic centimeters (cc) engine displacement, or equivalent power output; a low seat height, typically less than 26 inches; and small-diameter wheels, typically less than 14 inches. The term “minibike” includes “pocket bikes,” “mini motorcycles,” and other similar small-scale motorized vehicles. It does not include children’s non-motorized bicycles and toys.

(b) No Micromobility Device may be operated upon any public highway, street, road or alley with a posted speed limit in excess of 30 miles per hour. Micromobility Devices may use Rose Hill Rd only for the shortest distance to get to a legal side street. Operation of micromobility devices are only permitted upon a street, highway or roadway, designated bicycle and multiuse paths, and in designated areas upon full compliance with the provisions set forth herein.

(c) Traffic regulations applicable to bicycles, Sections 127 to 133, inclusive, shall be applicable to Micromobility Devices. Every person riding a Micromobility Device upon a street, highway or roadway shall be granted all of the rights and shall be subject to all of the duties applicable to bicycles.

(d) Every person operating a Micromobility Device upon a street, highway or roadway at less than the normal speed of traffic shall ride as near to the right side of the street, highway or roadway as practicable except when:

- (1) Preparing to make a left turn at an intersection or into a private drive or roadway; and
  - (2) Reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or other conditions that make it unsafe to continue along the right-hand edge of the street, highway or roadway.
- (e) Persons riding Micromobility Devices upon a street, highway, or roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (f) No person shall operate a minibike on any sidewalk, park, trail, or other property owned or maintained by the City, unless specifically authorized by law.
- (g) No Micromobility Device shall be used to carry more persons at one time than the number for which it is designed or equipped.
- (h) It shall be unlawful for any person while riding a Micromobility Device on the streets, highways, bicycle or multiuse paths of the City, to hitch or otherwise attach him or herself onto other moving vehicles.
- (i) A person operating a Micromobility Device across a street, highway or a roadway or along a crosswalk or sidewalk shall yield the right of way to any pedestrian and shall give the audible signal before overtaking and passing such pedestrian.
- (j) Any person operating a Micromobility Device across a roadway or along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances.
- (k) It shall be unlawful for any person to operate a Micromobility Device at nighttime, unless equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and either: (1) A red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; (2) a lamp on the rear that shall emit a red light visible from a distance of 500 feet to the rear; or (3) the operator shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

As used in this section, nighttime means any time from sunset until a half hour before sunrise, or at any other time when due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets, highway or roadways are not clearly discernable at a distance of 1000 (one thousand) feet ahead.

(l) It shall be unlawful for any person to operate a Micromobility Device at a speed in excess of twenty (20) miles per hour.

(m) All minibikes operated on a street or roadway shall have a fluorescent or brightly colored flag, not less than 6 inches by 8 inches in dimension, affixed to a vertical pole extending at least 5 feet above the ground when the device is standing upright.

(n) Vehicle registration and driver's license shall not be required for operation of a Micromobility Device.

(o) It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor to permit such minor to operate a micromobility device in or upon the public streets, roads, alleys, playgrounds, sidewalks, vacant lots, unsupervised places, or other public grounds, public places, or public parks between the hours of 11:00 pm and 6:00 am.

(p) It shall be unlawful for any parent, guardian, or other adult person having the care and custody of a minor thirteen (13) years of age or younger to permit such minor to operate a Micromobility Device upon a street, highway or roadway unsupervised and without a properly fitting helmet designed for use with the type of Micromobility Device.

(q) Any parent, guardian or person in charge of a minor thirteen (13) years of age or younger who shall permit such minor to violate the provisions of this section shall be fined not more than \$250.00 or sentenced to a term of confinement of not more than ten (10) days or both.

(r) Penalty: Any person violating any of the provisions of 135.1 shall, upon conviction, be punished by a fine not exceeding the sum of \$250.00.

Sec. 135.2. Operation of Micromobility Device while under the influence of drugs or alcohol.

(a) No person shall ride or attempt to ride a Micromobility Device on any sidewalk, street, roadway, highway, or public path set aside for the exclusive use of pedestrian and bicycle traffic, including all public parks and playgrounds or other property under the ownership, jurisdiction or control of the city, or any other agency created to provide a public service, while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug to a degree which renders such person a hazard.

(b) Any person arrested for a violation of this section may request to have a chemical test made of the person's blood, breath, or urine for the purpose of



determining the alcoholic or drug content of that person's blood, and, if so requested, the arresting officer shall have discretion as to the appropriate test to be performed.

(c) Any person, who, within the corporate limits of the city, violates any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$500.00, or by six months imprisonment, or by both such fine and imprisonment.

**Sec. 135.3.** The provisions of this ordinance are severable and should any such provision be declared unconstitutional or unenforceable, such a declaration shall not affect any of the remaining provisions hereof.

**SECTION 3.** Sections 14-501 of the Code of the City of Rose Hill is hereby amended to read as follows:

14-501. As used in this article, "Special purpose vehicle" means golf cart, work-site utility vehicle, micro-utility vehicle and all-terrain vehicle as defined in the Standard Traffic Ordinance for Kansas Cities, 52nd Edition (2025) as amended and Utility Task Vehicles (UTV) defined for the purpose of this section as a utility vehicle with a minimum of two seats positioned side by side and enclosed within a roll cage structure.

**SECTION 4.** Section 14-502 of the Code of the City of Rose Hill is hereby amended to read as follows:

14-502. Operation of special purpose vehicles on city streets; special conditions and restrictions on operation.

(a) Special Purpose Vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city, except as follows:

- 1) No Special Purpose Vehicle may be operated upon any public highway, street, road or alley with a posted speed limit in excess of 30 miles per hour with the exception of Special Purpose Vehicles originally designed and manufactured for speeds exceeding 30 mph that are licensed by the City. All other Special Purpose Vehicles may use Rose Hill Rd only for the shortest distance to get to a legal side street.
- 2) No Special Purpose Vehicle shall be operated on any public highway, street, road, or alley at nighttime, unless equipped with lights as required for motorcycles by Sections 183 through Section 188 of the 2025 Standard Traffic Ordinance. As used in this section, nighttime means any time from sunset until a half hour before sunrise, or at any other time when due to insufficient light or unfavorable atmospheric conditions, persons and

vehicles on the streets, highway or roadways are not clearly discernable at a distance of 1000 (one thousand) feet ahead.

**SECTION 5.** Section 14-503 of the Code of the City of Rose Hill is hereby amended to read as follows:

14-503. Registration and valid driver's license required; penalty; duties and responsibilities.

- (a) No person shall operate a special purpose vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid, unrestricted, driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.
- (b) It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor to permit such minor to operate a special purpose vehicle upon the public streets, roads, or alleys within the corporate limits of the city without a valid, unrestricted, driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.
- (c) All persons are required to wear seatbelts in all special purpose vehicles if originally equipped by the manufacturer. Every person under the age of 18 shall be required to wear a helmet if operating or riding an all-terrain vehicle and shall be required to either wear a helmet or use a factory installed seatbelt if operating or riding in a micro-utility truck, work-site utility vehicle or Utility Task Vehicle. For purposes of this section, a helmet must meet the minimum performance requirements by the National Highway Traffic Safety Administration for a motorcycle helmet. It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor to permit such minor to operate a special purpose vehicle without a helmet or use of a factory installed seatbelt. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.
- (d) No Special Purpose Vehicle shall be used to carry more persons at one time than the number for which it is designed or equipped.
- (e) No person shall operate a special purpose vehicle between lanes of traffic or between adjacent lines or rows of vehicles. Subsection (e) shall not apply to police officers in the performance of their official duties.

- (f) In addition to any equipment required by law, all special purpose vehicles shall be equipped with at least one rear view mirror.
- (g) All special purpose vehicles shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.
- (h) Every person operating a special purpose vehicle on the public highways, streets, roads or alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

**SECTION 6.** Section 14-505 of the Code of the City of Rose Hill is hereby amended to read as follows:

14-505. Same; registration and license; fee; application; inspection; penalty.

- (a) Before operating any special purpose vehicle on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the city each calendar year and a license shall be obtained and placed on the special purpose vehicle. The full amount of the license fee shall be required regardless of the time of year that the application is made.
- (b) Application for registration shall be made by the owner, or owner's agent, in the office of the City Clerk. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, and a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance shall be furnished at the time of application for registration.
- (c) Prior to the issuance of the registration and license, each applicant for a special purpose vehicle license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, originally designed for speeds exceeding 30 miles per hour if applicable, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be recorded and then filed with the police department.
- (d) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such license during the time in which the same is operative.
- (e) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section,



the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

- (f) In the event a license is lost or destroyed, the City Clerk, upon proper showing by the licensee and the payment of the required fee, shall issue a new license in accordance with the provisions of this section.
- (i) It shall be unlawful for any person to:
  - (1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any micro utility truck, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.
  - (2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$50.00 and the forfeiture of the improper receipt, license or decal. A mandatory court appearance shall be required of any person violating this subsection.
  - (3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.
  - (4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any micro utility truck. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.
  - (5) Carry or display a registered number plate or plates or registration decal upon any micro utility truck not lawfully issued for such vehicle.
  - (6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$300.00; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$300.00.


**SECTION 5. REPEAL.** The existing Sections 14-101, 14-401, 14-404, 14-501, 14-502, 14-503, 15-505 and all ordinances or portions thereof in conflict with this ordinance are hereby 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.

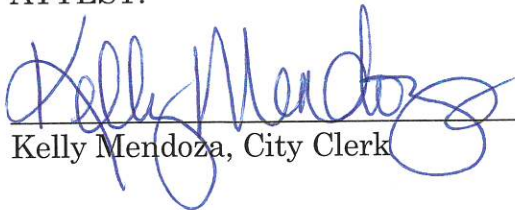
PASSED BY THE Governing Body of Rose Hill, Kansas, on this 15<sup>th</sup> day of September 2025.

(Seal)

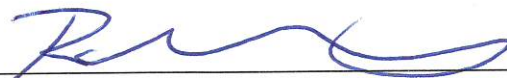


  
\_\_\_\_\_  
Jeanine Schantz, Council President  
(Authority to sign pursuant to K.S.A. 15-311)

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Richard A. Samaniego, City Attorney