

**ORDINANCE NO. 351**

**AN ORDINANCE AMENDING THE CITY CODE SECTIONS 14-601 AND 14-605 REGARDING WORK SITE UTILITY VEHICLES IN THE CITY OF AUBURN, KANSAS**

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

**Section 1.** The City Code, Sections 14-601 and 14-605, are amended as follows:

**14-601. Operation of work-site utility vehicles and utility task vehicles; penalty.**

(a) Work-site utility vehicles and utility task vehicles, as defined below, may be operated upon the streets, roads and alleys within the corporate limits of the city, subject to the provisions of this article.

(b) "Work-site utility vehicle" or "Utility task vehicle" means any motor vehicle which is not less than 48 inches in width, has an unladen 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.

(c) No work-site utility vehicle or utility task vehicle shall be operated on any public street, road or alley unless such vehicle shall comply with the equipment requirements under the provisions of article 17, chapter 8 of the Kansas Statutes Annotated. Such requirements include, but are not limited to, requirements for headlights, brake lights, illuminated turn signals, horns, mufflers, mirrors, reflectors and seat belts. No work-site utility vehicle shall be operated on any public street or road between sunset and sunrise unless equipped with lights, illuminated turn signals and the other above-noted equipment as required by law.

(d) Every person operating a work-site utility vehicle or utility task vehicle on the public streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(e) No person shall operate a work-site utility vehicle or utility task vehicle on any public street, road or alley within the corporate limits of the city unless such vehicle is equipped with a factory exhaust system or an exhaust system meeting all manufacturer's specifications.

(f) A violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, Standard Traffic Ordinance, or amendments thereto, or such other similar provision as the city may then have in effect. In addition, the City may revoke any registration of the vehicle as established in Section 14-605.

(g) Chief of Police may deny or repeal a permit should the registered owner or other person operate the UTV in violation of this article.

14-605. **Registration; fee, application, inspection.**

Before operating any vehicle subject to this article on any public highway, street, road, or alley within the corporate limits of the city, the vehicle shall be registered with the police department. Proof of registration shall be either in the vehicle or on the person of the driver or passenger of the vehicle at all times said vehicle is being operated, and the City may issue decals or stickers that must be visibly placed on the vehicle during operation. Upon registration, the owner will allow a City Police Officer to place the decal on the vehicle. Specifically, any such decal or sticker must be placed on a clearly visible part of the vehicle, and not obscured by any part of the vehicle or passengers, so as to be seen from outside of the vehicle, and preferably on the back of the vehicle. The owner may not remove and place the decal in any other location absent direct consultation with a City Police Officer. Any 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, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). The Owner shall also provide an owner's manual or similar booklet showing the specifications of the vehicle. Proof of insurance, as required in Section 14-604 shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$25.00. The full amount of or similar booklet showing the specifications of the vehicle. Proof of insurance, as required in Section 14-604 shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$25.00. The full amount of the registration fee shall be required regardless of the time of year that the application is made. The registration issued hereunder is not transferrable.

An entry or a plea of guilty or no contest or a conviction of violation under this article by an individual with a prior entry or plea of guilty or no contest or conviction of violation under this article shall result in a suspension of the registration of any special purpose vehicles owned by said individual. A violation of this section by operation of a vehicle without a registration shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, Standard Traffic Ordinance, or amendments thereto, or such other similar provision as the city may then have in effect.

**Section 2. Effective Date.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Auburn, Kansas this 6 day of Dec, 2021.

  
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**MARK BROWN**, Mayor

**Attest:**

  
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**CANDI TEMPLE**, City Clerk

