

**ORDINANCE NO. 2017-07-4432**

**AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ARKANSAS CITY, KANSAS; INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2017, WITH CERTAIN CHANGES AND ADDITIONS; AMENDING THE CITY OF ARKANSAS CITY MUNICIPAL CODE TO SO REFLECT; RATIFYING AND CONFIRMING CITY OF ARKANSAS CITY MUNICIPAL CODE WHICH MODIFIES PROVISIONS OF THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2017; AND REPEALING ORDINANCE NUMBER 2016-09-4417.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, 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 Arkansas City Kansas, that certain standard traffic ordinances known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2017, 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. The police department, municipal judge and all administrative departments of the city charged with enforcements 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. 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 3: AMENDMENTS TO MUNICIPAL CODE**

- (a) Section 58-18 of the Arkansas City Municipal Code is hereby amended to read as follows (new provisions in italics):

**58-18 Adopted by Reference.**

- (a) The Standard Traffic Ordinance for Kansas Cities, Edition of ~~2017~~ (hereafter “Standard Traffic Ordinance”), is incorporated by reference under provisions of K.S.A. 12-3009 through 12-3012, and 12-3301 and 12-3302, and all acts amendatory thereof or supplemental thereto, which Standard Traffic Ordinance is so incorporated in its entirety in this Chapter by reference and made a part hereof as if fully set forth herein, provided and specifically deleting therefrom sections of the Standard Traffic Ordinance which have been replaced by local City provisions as hereinafter recited or provided for.
- (b) No fewer than one copy of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 2017-07-4432” 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.

**Section 4: DEVIATIONS FROM STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2017**

The City of Arkansas City Municipal Code provides additions, exceptions and modifications to certain sections of the Standard Traffic Ordinance for Kansas Cities, Edition of 2017, which are hereby ratified and confirmed. As described in City of Arkansas City Municipal Code: the Standard Traffic Ordinance is supplemented and amended by Municipal Code Sections 58-20, 58-21, 58-22, 58-24, 58-27, 58-58, 58-59, 58-77, 58-78, 58-79, 58-102, 58-103,

58-104; Standard Traffic Ordinance Section 33 is supplanted by Municipal Code Section 58-19; Standard Traffic Ordinance Section 116 is supplanted by Municipal Code Section 58-23; Standard Traffic Ordinance Section 120 is supplanted by Municipal Code Section 58-25; and Standard Traffic Ordinance Section 114.2 is supplanted by Municipal Code Section 58-26.

**Section 5: REPEAL**

To the extent any provision(s) of Ordinance number 2016-09-4417 conflicts with or is otherwise specifically supplanted by this Ordinance, those provisions of Ordinance number 2016-09-4417 are hereby repealed.

**Section 6: EFFECTIVE DATE**

The City Clerk shall make proper publication of this Ordinance, or a summary thereof, in the official City newspaper, and shall take effect and be in force from and after said publication. That the Mayor, City Clerk, and/or City Administration of the City of Arkansas City, Cowley County, Kansas, are authorized and directed to execute any and all documents necessary to consummate the Legislative purposes and intents as expressed herein and if executed by the Mayor (or other person authorized by law to act in the event of the absence or inability of the Mayor to act), the City Clerk is directed to attest to and affix the Official Seal of the City thereon.

**PASSED AND ORDAINED** by the Governing Body of the City of Arkansas City, Kansas, on July 11, 2017.

Duane L. Oestmann, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM:

Tamara L. Niles, City Attorney