

Ordinance No. 3128 Summary

On August 14, 2018, the City of Paola, Kansas, adopted Ordinance No. 3128, amending Section 300.010 of the Code of the City of Paola, Kansas, 2009, incorporating by reference the "Standard Traffic Ordinance for Kansas Cities, Edition of 2018", omitting Section 114.1 - Unlawful Operation of All-Terrain Vehicle; Section 114.4 - Unlawful Operation of a Golf Cart; and Section 195.1 - Operation of a Motor Vehicle When a Habitual Violator; and amending Section 194 - Driving While License Canceled, Suspended or Revoked; Penalty; and affirming that Section 305.060 Unlawful Operation of All-Terrain and Unregistered Vehicles and Section 305.070 Operation of Golf Carts of the Code of the City of Paola, Kansas, 2009, are not amended, modified or repealed. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 19 E Peoria Street or at www.cityofpaola.com. This summary is certified by Lee H. Tetwiler, Paola City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO 3128

AN ORDINANCE AMENDING SECTION 300.010 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2018", WITH CERTAIN OMISSIONS AND AMENDMENTS; AND AFFIRMING THAT SECTION 305.060 UNLAWFUL OPERATION OF ALL-TERRAIN AND UNREGISTERED VEHICLES AND SECTION 305.070 OPERATION OF GOLF CARTS OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, ARE NOT AMENDED, MODIFIED OR REPEALED.

Be it Ordained by the Governing Body of the City of Paola, Kansas:

Section 1. That Section 300.010 of the Code of the City of Paola, Kansas, 2009, is hereby amended as follows:

"SECTION 300.010: STANDARD TRAFFIC ORDINANCE

- A. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Paola, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities, Edition of 2018" prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No less than one copy of the Standard Traffic Ordinance shall be marked or stamped "OFFICIAL COPY AS ADOPTED BY ORDINANCE NO. 3128", and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open for 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 the Standard Traffic Ordinance similarly marked, as may be deemed expedient.

- B. OMISSION. The following section of the Standard Traffic Ordinance for Kansas Cities, Edition of 2018, relating to the following matter, is hereby omitted and deleted:

Section 114.1	Unlawful Operation of All-Terrain Vehicle
Section 114.4	Unlawful Operation of a Golf Cart
Section 195.1	Operation of a Motor Vehicle When a Habitual Violator

- C. AMENDMENT. That Section 194 of the Standard Traffic Ordinance for Kansas Cities, Edition of 2018 shall be amended to read as follows:

Sec. 194. Driving While License Canceled, Suspended or Revoked; Penalty.

- (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked, shall upon first conviction be punished by imprisonment for not more than six months or fined not to exceed \$1,000, or both such fine and imprisonment. On a second or subsequent conviction of a violation of this section such person shall be punished by imprisonment of not more than one year or fined not to exceed \$2,500, or both such fine and imprisonment. The court may place the person convicted under a house arrest program or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.
- (2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license.
- (3) Every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.
- (b) For the purposes of determining whether a conviction is a first, second, or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section."

Section 2. That Section 305.060: Unlawful Operation of All-Terrain and Unregistered Vehicles of the Code of the City of Paola, Kansas, 2009, is hereby affirmed and said Section 305.060 is not intended to be amended, modified, or repealed by this ordinance.

Section 3. That Section 305.070: Operation of Golf Carts of the Code of the City of Paola, Kansas, 2009, is hereby affirmed and said Section 305.070 is not intended to be amended, modified, or repealed by this ordinance.

Section 4. That this ordinance shall become effective after its passage, approval and publication in the official city newspaper pursuant to KSA 12-3001, et seq.

PASSED AND APPROVED by the Governing Body this 14th day of August, 2018.

APPROVED by the Mayor this 14th day of August, 2018.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk