

ORDINANCE NO. 1980

AN ORDINANCE PROHIBITING OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE CITY LIMITS OF BURLINGAME, KANSAS.

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

Section 1. Unlawful Operation of All-Terrain Vehicles within the City of Burlingame, Kansas, to wit:

(a) Except as provided in subsection (b), it shall be unlawful for any person to operate an all-terrain vehicle:

- (1) On any interstate highway, federal highway or state highway; or
- (2) Within the corporate limits on any alley, street or any City owned or controlled public property or park of the City of Burlingame, Kansas

(b) Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas department of transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway or by any City employee or authorized representative during the course of their employment or duties upon a city street, alley or City property.

(c) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(d) For purposes of this ordinance, the definition of "all-terrain vehicle" shall be defined as in the Standard Traffic Ordinance For Kansas Cities as may be adopted by the City of Burlingame, Kansas.

Section 2. It shall be unlawful for any person to violate the provisions of this ordinance, and any person found guilty or convicted or upon entry of a plea of guilty or nole contendre for a violation of this ordinance, shall be subject to a fine in an amount not less than \$10.00 nor more than \$100.00 for each violation.

PASSED AND APPROVED BY THE GOVERNING BODY this 2nd day of December, 2002.

/s/ Donald D. Parker, Mayor

ATTEST: /s/ Cheryl D. Holloway, City Clerk