

ORDINANCE NO. 2136

AN ORDINANCE AUTHORIZING THE OPERATION OF MICRO UTILITY TRUCK ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF BURLINGAME; PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF SECTION 114.2 OF THE STANDARD TRAFFIC ORDINANCE AS PART OF THE CODE OF THE CITY OF BURLINGAME.

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

Section 1. OPERATION OF A MICRO UTILITY TRUCK; PENALTY. (a) Micro Utility Trucks may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(b) "Micro Utility Truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. Micro-utility truck does not include a work site utility vehicle as that term is defined in K.S.A. 8-126, as amended.

(c) No micro utility truck shall be operated on any public highway, 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.

(d) Every person operating a micro utility truck on the public highways, 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) Every person operating a micro utility truck within the city of Burlingame shall maintain proof of insurance on such micro utility truck and maintain a current copy at City Hall.

(f) Every micro utility truck shall be registered at City Hall, at which time, current insurance shall be presented and an annual fee of \$25.00 shall be paid.

(g) Every person operating a micro utility truck on any public highway, street, road or alley within the corporate limits of the City shall have a valid driver's license.

Section 2. A violation of this ordinance shall be deemed a traffic infraction and 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, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 3. REPEAL. Section 114.2 of the Standard Traffic Ordinance, as adopted by the City as part of the Code of the City of Burlingame as Ordinance No. 2135, is hereby repealed.

Section 4. This Ordinance shall be effective upon it's passage by the governing body, approval by the Mayor, and publication for one time in the official City newspaper, The Osage County Herald-Chronicle.

PASSED by the governing body and **APPROVED** by the Mayor of the City of Burlingame, Kansas, this _____ day of _____, 2008.

Brenda Dorr,
Mayor

ATTEST:

Patti Gilbert
City Clerk, Burlingame, KS