

ORDINANCE NO. 967

AN ORDINANCE AMENDING THE LICENSING OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, ALL TERRAIN VEHICLES AND GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF DOWNS.

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

Section 1. AMENDMENT OF ORDINANCE 918 BY ADDING SECTION 15 to the ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, ALL TERRAIN VEHICLES AND GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF DOWNS PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ORDINANCE NO. 916 SECTION 2 AND ORDINANCE 914 OF THE CODE OF THE CITY OF DOWNS, as adopted by the City of Downs, Kansas in Ordinance Nos. 918: shall be amended as follows:

Section 15. DEALER PERMIT: REGISTRATION AND LICENSE; FEE; APPLICATION:

(a) Before the owner, employee or customer may operate any special use vehicle on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the Dealer shall be registered with the city and a copy of the Dealers permit shall be kept with the vehicle. Dealer means a properly licensed business engaged in selling any type of the special use vehicles in this ordinance. The permit fee shall be One Hundred and Fifty dollars (\$150) per calendar year, payable in advance to the city clerk. The full amount of the permit fee shall be required regardless of the time of year that the application is made. This license shall be kept with the vehicle at all times of operation.

(b) Application for Dealer permits shall be made by the owner or operator of the business entity, in the office of the city clerk. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the address of the business, a copy of the sales tax certificate or business ID Number, and copies of driver licenses of any employee authorized to drive the vehicle. Proof of insurance, as required in Section 6 shall be furnished at the time of application for registration. All new applicants must appear at a meeting of the governing body before they will be given a license. Renewal applicants need not appear.

(c) It shall be the responsibility of the business entity to make the employees aware of, and ensure compliance with the provisions of ordinance 918 as amended.

(d) Before operation of a vehicle it shall be equipped with a high-visibility orange flag on a pole of at least 6' in total length attached vertically to the rear of the vehicle, and have a slow moving vehicle emblem attached.

(e) Only the owner, employees and customers that have a valid drivers license are allowed to drive the vehicle. The owner or employee must accompany any customer on a test drive.

(f) Operation of a special use vehicle permitted under this section is allowed by owners, employees and customers in the normal course of business. This specifically allows test drives by customers and the movement by owners or employees.

Section 2. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this _____ day of _____, 2016.

Signed by the mayor on the _____ day of _____, 2016.

ATTEST:

Jenifer Brush, Mayor

Vickie Oviatt, City Clerk

[SEAL]

Ordinance No. _____ Summary

On _____, the City of Downs, Kansas, adopted Ordinance No. _____, amending Ordinance No. 918, in order to allow a dealer of special use vehicles to obtain a special use permit to operate special use vehicles as defined in ordinance 918 establishing for a fee of \$150.. A complete copy of this ordinance is available at www.downsks.net or at city hall, 715 Railroad St. This summary certified by Bruce Berkley, City Attorney.