

CITY OF WESTWOOD HILLS, KANSAS  
ORDINANCE NO. 147

WHEREAS, the Governing Body has determined that it is advisable to amend the Municipal Code of the City to adopt the most recent edition of the Standard Traffic Ordinance for Kansas Cities.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS, as follows:

Section 1. Section 11-101 of the Code of the City of Westwood Hills, 1979 Edition, is hereby amended to read as follows:

11-101. INCORPORATING STANDARD TRAFFIC ORDINANCE.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Westwood Hills, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1988, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said standard traffic ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Westwood Hills, Kansas", 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 section, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Section 11-102 of the Code of the City of Westwood Hills is hereby amended to read as follows:

11-102. SPEED LIMITATIONS AND RESTRICTIONS. The

Governing body has determined that the speed limits permitted under state law and Section 33 of the Standard Traffic Ordinance is less than reasonable and safe in all business districts and also is more than reasonable and save in all residential districts, and does determine and declare that the reasonable and safe speed limits within the City of Westwood Hills (except when a special hazard exists that requires lower speed for compliance with Section 32) are the limits specified in this section, or established as hereinafter authorized, and shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

| <u>Street</u>   | <u>Portion Controlled</u> | <u>Applicable<br/>Speed Limit</u> |
|---|---------------------------|-----------------------------------|
| 48th Street Terr., 49th Street, 49th Street Terr., 50th Street, 50th Street Terr., Glendale | Within City Limits        | 25 mph                            |

|                   |                    |        |
|-------------------|--------------------|--------|
| Rainbow Boulevard | Within City Limits | 35 mph |
|-------------------|--------------------|--------|

|                 |                    |        |
|-----------------|--------------------|--------|
| State Line Road | Within City Limits | 30 mph |
|-----------------|--------------------|--------|

The maximum speed limit established by or pursuant to this section shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of maximum speed limits in excess thereof, and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this section shall not be of any force or effect.

The Chief of police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets.

Section 3. EXHIBITION OF SPEED OR ACCELERATION DEFINED.  
Section 37 of the Standard Traffic Ordinance is supplemented by adding to said Section 37 the following subsection (d):

(d) "Exhibition of speed or acceleration" is defined to include, but is not limited to, those acts which cause or create unnecessary rapid acceleration, unnecessary tire squeal, skid, smoke, or slide upon acceleration or stopping including the casting of tread, gravel, dirt or other road surface materials from the tires; acts that simulate a temporary race and acts that cause the vehicle to unnecessarily turn abruptly, sway or lose traction with the road surface.

Section 4. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires that same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118 as amended.

(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.

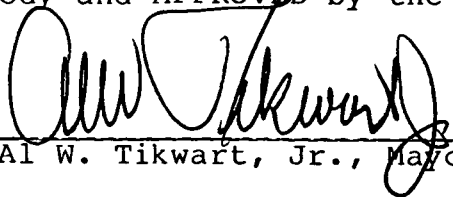
Section 5. PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$1.00 nor more than \$500.00. A person tried and convicted of an ordinance traffic infraction

or other traffic offenses for which a fine has been established in a schedule of fines shall pay a fine fixed by the court in an amount not to exceed \$500.00.

Section 6. REPEAL AND SAVINGS CLAUSE. Ordinance Numbered 140 and all other ordinances inconsistent herewith are repealed; however, the repeal of said ordinances does not effect any right which has accrued, any duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the ordinance repealed. The provisions of any ordinance, so far as they are the same as those of any prior ordinance, shall be construed as a continuation of such provisions, and not as a new enactment.

Section 7. This Ordinance shall be effective upon its passage, approval by the Mayor and publication once in the official city newspaper.

PASSED by the Governing Body and APPROVED by the Mayor this 1st day of August, 1988.

  
Al W. Tikwart, Jr., Mayor

Attest:

  
Patti Fuhrman, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martasin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

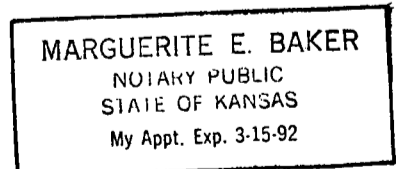
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for One consecutive One (weeks, days) the first publication thereof being made as aforesaid on the 10th day of August 1988, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_\_

*Deanna Martasin*

Subscribe and sworn to before me this 10th day of August 1988

*Marguerite E. Baker*  
NOTARY PUBLIC



My Commission expires: 3-15-92  
Printer's Fee \$ 42.34  
Additional copies \$ \_\_\_\_\_

First Published in the Johnson County Sun, Wednesday, August 10, 1988.  
CITY OF WESTWOOD HILLS, KANSAS  
ORDINANCE NO. 146  
WHEREAS, the governing body of the City of Westwood Hills, Kansas, has determined that the collection of solid waste before the hour of 7:00 o'clock a.m. and after the hour of 9:00 o'clock p.m. is a nuisance and is opposed to the health, safety and welfare of the residents of the City.  
THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS, as follows:  
Section 1. The Code of the City of Westwood Hills is hereby amended by adding Article 5 to Chapter IV of said Code which reads as follows:  
ARTICLE 5.  
SOLID WASTE COLLECTION  
4-501. DEFINITIONS. For the purposes of this Article, the following terms, phrases, words and their derivation shall have the meaning given in this Section:  
a. "Solid Waste" means unwanted or discarded waste materials in a solid or semiliquid state, including but not limited to refuse, garbage, ashes, street refuse, rubbish, yard wastes and discarded appliances.  
4-502. REGULATION OF SOLID WASTE COLLECTION, HOURS. No person, firm, organization or business shall use the streets of the City or otherwise engage in the collection of solid waste within the City between the hours of 9:00 o'clock p.m. and 7:00 o'clock a.m.  
4-503. PENALTY. Any person violating the provision of this Article, upon conviction thereof, shall be punished by a fine in an amount not exceeding \$200.00 or confinement in the county jail for a period not to exceed 90 days, or by both such fine and confinement.  
Section 2. This ordinance shall be effective upon its passage, approval by the Mayor and publication once in the official City newspaper.  
PASSED by the Governing Body and APPROVED by the Mayor this 1st day of August, 1988.  
(s) Al W. Tikwart, Jr.  
Mayor  
Attest:  
(s) Patti Fuhrman  
City Clerk  
(4482 1W)

AFFIDAVIT OF PUBLICATION

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That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 10th day of, August 1988, with subsequent publications being made on the following dates:

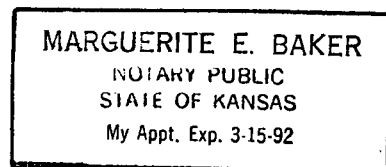
\_\_\_\_\_, 19\_\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_\_

Deanna Martasin

Subscribe and sworn to before me this 10th day of August 1988

Marguerite E. Baker  
NOTARY PUBLIC



My Commission expires: 3-15-92  
Printer's Fee \$ 135.50  
Additional copies \$ \_\_\_\_\_

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Mayor

Attest.

(s) Patti Fuhrman

City Clerk

(4483 1W)