

CITY OF WESTWOOD HILLS, KANSAS
ORDINANCE NO. 159

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 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 1992, 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 safe 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 Speed Limit</u>
48th Street Terrace, 49th Street, 49th Street Terrace, 50th Street, 50th Street Terrace, 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 _____ 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 February, 1993.


Al W. Tikwart, Jr., Mayor

Attest:


Patti Fuhrman, City Clerk

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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 safe 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:

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Section 6. REPEAL AND SAVINGS CLAUSE. Ordinance Numbered 154 and all other ordinances inconsistent herewith are repealed; however, the repeal of said ordinances does not affect 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.

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Attest:
Attest:
Attest: W. Tikwart, Jr., Mayor

Attest:
Attest: Patti Fuhrman, City Clerk

(11490-1W)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georglann Thacker 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, 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 day (weeks/days) the first publication thereof being made as aforesaid on the 17th day of, March 19 93, with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____

_____, 19_____, _____, 19_____

Georglann Thacker

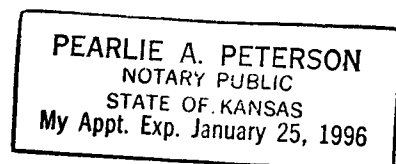
Subscribe and sworn to before me this 17th day of March 19 93

Pearlie A. Peterson
NOTARY PUBLIC

My Commission Expires _____

Printer's Fees 167.94

Additional copies \$ _____



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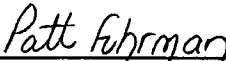
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