

ORDINANCE NO. 2053

AN ORDINANCE AMENDING CHAPTER XIV, ARTICLE 2 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE CODE SECTION 14-206 REGARDING LIMITATIONS ON VEHICLE HEIGHT, WEIGHT, LENGTH AND WIDTH ON HIGHWAYS AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

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

**SECTION 1.** Chapter XIV, Article 2 of the City Code of the City of Edgerton, Kansas, is hereby amended to include section 14-206 which shall read as follows:

14-206. VEHICLE HEIGHT, WEIGHT, LENGTH AND WIDTH.

- (a) No person, association, firm, partnership, corporation, or other business or commercial entity shall operate a motor vehicle or combination of vehicles the height or length of which, including any load thereon, exceeds the limitations as to such prescribed by K.S.A. 8-1904 or any amendments thereto, which are incorporated by reference as if set out in full herein.
- (b) No person, association, firm, partnership, or corporation shall operate a motor vehicle or combination of vehicles the total outside width of which, or any load thereon, exceeds the limitations as to such prescribed by K.S.A. 8-1902 or any amendments thereto, which are incorporated by reference as if set out in full herein.
- (c) No person, association, firm, partnership, or corporation shall operate a motor vehicle or combination of vehicles the gross weight of which, as to wheel and axle load, exceeds the limitations as to such prescribed by K.S.A. 8-1908 or any amendments thereto, which are incorporated by reference as if set out in full herein.
- (d) No person, association, firm, partnership, or corporation shall operate a motor vehicle or combination of vehicles unless such motor vehicle is registered and licensed according to gross weight as prescribed in K.S.A. 8-143 or any amendments thereto, which are incorporated by reference as if set out in full herein.
- (e) No person, association, firm, partnership, or corporation shall operate a motor vehicle or combination of vehicles the gross weight of which exceeds the limitation as to such prescribed by K.S.A. 8-1909 or any amendments thereto, which are incorporated by reference as if set out in full herein.
- (f) It shall be unlawful to operate within this City a vehicle or combination of vehicles whose weight, with cargo, is in excess of the gross weight for which the vehicle, truck or truck tractor propelling the same is licensed and registered except as provided by K.S.A. 8-1911 or any

amendments thereto and K.S.A. 8-143 or any amendments thereto. Pursuant to 8-1911, all City of Edgerton vehicles, and those contracted to serve the City of Edgerton specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations for the citizens and businesses of Edgerton are hereby granted special permit status to operate anywhere within the corporate City limits of Edgerton for any time when the maximum gross weight limitations exceed the limitations contained in K.S.A. § 8-1909.

(g) Whenever a police officer, upon weighing a vehicle or combination of vehicles, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle or combination of vehicles or remove or redistribute the gross weight on any axle or tandem axles to such limits as permitted in this section. All material so unloaded shall be cared for by the owner, lessee, or operator of such vehicle at the risk of such owner, lessee or operator.

(h) Every person, association, firm, partnership, corporation or commercial entity who is convicted of a violation of this section shall be fined according to the following schedule:

Weight up to the first 1000 lbs. over limit - \$50.00

-- Per lb. Over 1000 lbs. - \$.10

Height, Length, Width over limit - \$30.00 plus \$1.00 per inch

For a second violation of this section within two (2) years, such person, association, firm, partnership, corporation or commercial entity shall, upon conviction, be fined 1½ times the applicable amount based on the above fine schedule.

For a third violation of this section within two (2) years, such person shall, upon conviction, be fined two times the applicable amount from the above fine schedule. For a fourth and each succeeding violation of this subsection within two (2) years, such person, upon conviction, shall be fined 2½ times the applicable amount from the above fine schedule.

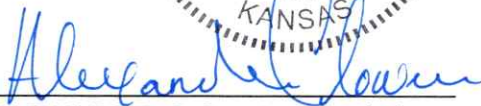
**SECTION 2. REPEAL OF CONFLICTING ORDINANCES.** All ordinances or sections of ordinances in conflict herewith are hereby repealed.

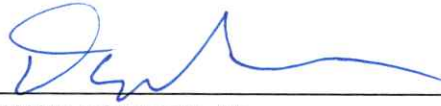
**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED by the Council and APPROVED by the Mayor on this 12<sup>th</sup> day of November, 2020.



ATTEST:

  
ALEXANDRIA CLOWER, City Clerk

  
DONALD ROBERTS, Mayor

APPROVED AS TO FORM:

  
LEE W. HENDRICKS, City Attorney