

ORDINANCE NO. 2054

AN ORDINANCE AMENDING CHAPTER XIV, ARTICLE 2 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO REPLACE CODE SECTION 14-203 AND REPEAL 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, Section 14-203 of the City Code of the City of Edgerton, Kansas, which is titled "MISCELLANEOUS TRUCK RESTRICTIONS", is hereby amended to read as follows:

14-203. MISCELLANEOUS TRUCK RESTRICTIONS.

(a) For the purposes of this Section, the following terms, phrases, words and their derivations shall have the following meanings:

- (1) Truck Tractor: Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- (2) Trailer: Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon the towing vehicle.
- (3) Semitrailer: Every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (4) Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracts.

(b). **Heavy Trucks Prohibited.** It shall be unlawful for any person, firm or corporation to operate any truck, truck tractor, semitrailer, other commercial vehicle, or any combination of vehicles with a gross weight of 24,000 pounds or more upon any street within the City of Edgerton, Kansas except on a designated Truck Route as described in Subsection (c) Truck Routes below.

These provisions shall not be applicable to the following:

- (1) police, fire or ambulance vehicles;
- (2) city, county or franchised utility maintenance vehicles while engaged in repair, maintenance or construction activities;
- (3) garbage collection vehicles while engaged in collection activities from premises adjacent to the restricted streets;

- (4) U.S. Postal delivery vehicles;
- (5) school buses and school district vehicles;
- (6) City or County owned or sponsored public transportation vehicles while engaged in public transportation activities;
- (7) moving vans while engaged in moving activities at premises on the restricted streets;
- (8) vehicles involved in delivery or other service activities to premises on restricted streets so long as such moving, delivery, and/or service vehicles take the most direct route when entering or leaving the premises;
- (9) the owner/agent of any truck tractor shall be permitted to enter upon street not designated as truck route at the cross street nearest to the house or premises in the direction in which the vehicles are moving for the purpose of parking the truck tractor on private property at the residence of the owner/agent. Nothing in this section shall allow the maintenance of a nuisance or the disturbance of peace of any resident of the Edgerton City area.

(c) **Truck Routes.** The following streets are designated and assigned as Truck Routes in the City of Edgerton:

- 1st Street: 56 Highway to McCarty Street
- East 2nd Street: 56 Highway to Braun (207th Street)
- East 4th Street: Nelson Street to 56 Highway
- West 8th Street (Edgerton Road): Braun (207th Street) to 56 Highway
- McCarty Street: 1st Street to 2nd Street
- Nelson Street: from Sunflower Road to 4th Street
- Sunflower Road: I-35 to Nelson Street
- Braun (207th Street): Sunflower Road to 8th Street (Edgerton Road)
- 181st Street: Waverly Road west to termination
- 183rd Street: Montrose Street east to Edgerton City Limits
- 185th Street: Waverly Road to Montrose Street
- 187th Street: Kill Creek Road to Waverly Road
- 191st Street: Four Corners Road east to Edgerton City Limits
- 193rd Street: Essex Street to Homestead Lane
- 196th Street: Montrose Street west to Edgerton City Limits
- 207th Street: Homestead Lane east to Edgerton City Limits
- Homestead Lane: 191st Street to 207th Street
- Kill Creek Road: 191st Street to 187th Street
- Waverly Road: 196th Street to 181st Street
- Montrose Street: 183rd Street to 196th Street
- Essex Street: 191st Street to termination south of 193rd Street

(d) **Weight Restrictions on Truck Routes.** It shall be unlawful for any person, firm or corporation to operate any truck, truck tractor, semitrailer, other commercial vehicle, or any combination of vehicles with a gross weight of 80,001 pounds or more upon any Truck Route within the City of Edgerton, Kansas except as permitted on an Overweight Corridor Route as described in Subsection (e) Overweight Corridor Routes below.

These provisions shall not be applicable to the following:

- (1) the owner of livestock or producer of farm products transporting livestock of such owner or farm products of such producer to market in a motor vehicle of such owner or producer, or the motor vehicle of a neighbor on the basis of barter or exchange for service or employment, or to such owner or producer transporting supplies for the use of such owner or producer, or in the motor vehicle of a neighbor on the basis of barter or exchange for service or employment;
- (2) persons operating motor vehicles which have an ad valorem tax situs in and are registered in the State of Kansas, and used only to transport grain from the producer to an elevator or other place for storage or sale for a distance of not to exceed 50 miles;
- (3) motor vehicles used to transport water for domestic purposes or livestock consumption;
- (4) the operation of vehicles used for servicing, repairing or transporting of implements of husbandry, as defined in K.S.A. 8-1427, and amendments thereto, by a person actively engaged in the business of buying, selling or exchanging implements of husbandry, if such operation is within 100 miles of such person's established place of business in this state.

(e) **Overweight Corridor Routes.** The following streets are designated and assigned as Overweight Corridor Routes in the City of Edgerton:

- 181st Street: Waverly Road west to termination
- 183rd Street: Montrose Street east to Edgerton City Limits
- 185th Street: Waverly Road to Montrose Street
- 187th Street: Kill Creek Road to Waverly Road
- 191st Street: Four Corners Road east to Edgerton City Limits
- 193rd Street: Essex Street to Homestead Lane
- 196th Street: Montrose Street west to Edgerton City Limits
- Essex Street: 191st Street to termination south of 193rd Street
- Homestead Lane: 191st Street to Interstate 35
- Kill Creek Road: 191st Street to 187th Street
- Waverly Road: 196th Street to 181st Street
- Montrose Street: 183rd Street to 196th Street

(f) **Weight Restrictions on Overweight Corridor Routes.** It shall be unlawful for any person, firm or corporation to operate any truck, other commercial vehicle, or any combination of vehicles with a gross weight of 96,001 pounds or more upon any Overweight Corridor Route within the City of Edgerton, Kansas.

(g) **Parking of a Truck Tractor.** The owner/agent of any truck tractor shall be permitted to enter upon a street not designated as a truck route at the cross street nearest to the house or premises in the direction in which the vehicles are moving for the purpose of parking the truck tractor on private property at the residence of the owner/agent. Nothing in this section shall allow the maintenance of a nuisance or the disturbance of the peace of any resident of the area.

