

ORDINANCE NO. 2052

AN ORDINANCE AMENDING CHAPTER XIV, ARTICLE 2 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE CODE SECTION 14-207 REGARDING THE PROHIBITION OF SPILLING LOADS 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 14-207 which shall read as follows:

14-207. SPILLING LOADS ON HIGHWAYS PROHIBITED; BOND.

(a) No vehicle shall be driven or moved on any street, highway, road or alley of the City of Edgerton, Kansas, unless such vehicle is so constructed, or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, and no vehicle shall be driven or moved upon any street, highway, road, or alley in the City of Edgerton, Kansas, if such vehicle places mud, dirt, or debris upon any said street, highway, road or alley by reason of mud, debris, or dirt dropping from the tires of said vehicle. The dropping of sand for the purpose of securing traction, or water, or other substances being sprinkled upon any street, highway, road or alley in the cleaning or maintaining of such street, highway, road, or alley is hereby excepted from the provisions of this Section.

(b) Any person who shall operate on any street, highway, road, alley or parking lot of the City of Edgerton, any vehicle with a load which has the potential, due to the nature of the load (i.e. dirt, gravel, sand, chat, etc.), to drop, leak, blow, or otherwise escape, shall, in addition to the requirements noted in Subsection (a), be required to have a cover, which cover shall be securely fastened so as to prevent said cover or the load from spilling, dropping, leaking, blowing, becoming loose, detached or in any manner a hazard to other users of the highway.

(c) No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

(d) *Bond. When required.* Any person, firm or corporation engaged in the act of moving dirt and other substances upon the public thoroughfares of the City of Edgerton, Kansas, shall within the discretion of the Governing Body of the City of Edgerton, Kansas, be required to deposit with said Governing Body a bond in the penal sum of Five Hundred Dollars (\$500.00) in a form approved

by said Governing Body conditioned that the principal under said bond shall save harmless and indemnify the City of Edgerton, Kansas.

**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.

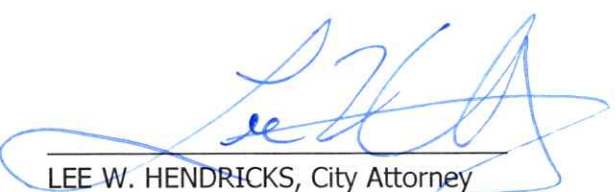
ATTEST:

  
ALEXANDRIA CLOWER, City Clerk



  
DONALD ROBERTS, Mayor

APPROVED AS TO FORM:

  
LEE W. HENDRICKS, City Attorney