CITY OF FAIRWAY, KANSAS
ORDINANCE NO. 1634

AN ORDINANCE RELATING TO THE REGULATION OF TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF FAIRWAY, KANSAS, INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2016, BY AMENDING, REPEALING AND READOPTING CERTAIN PROVISIONS OF ARTICLE II, "STANDARD TRAFFIC ORDINANCE," AND ARTICLE III, "LOCAL TRAFFIC REGULATIONS," OF CHAPTER 10, "TRAFFIC AND VEHICLES," OF THE CODE OF THE CITY OF FAIRWAY, KANSAS.

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

SECTION 1. That existing Section 10-19 entitled "Incorporating Standard Traffic Ordinance" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-19. Incorporating Standard Traffic Ordinance.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City that certain traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2016, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except those articles, parts or portions as are hereafter omitted, deleted, modified or changed, and with those additions thereto as are made by this article or any other ordinance of the City hereafter adopted; this incorporation being authorized by K.S.A. 12-3009 to 12-3012 and 12-3301 and 12-3302, inclusive, as amended. No fewer than three (3) copies of this Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1634," with all sections or portions thereof intended to be changed clearly marked to show any that change, and to which shall be attached a copy of the ordinance from which this article is derived, and shall be filed with the City Clerk to be open to inspection and to be available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City, charged with enforcement of the Standard Traffic Ordinance, shall be supplied, at the cost of the City, the number of official copies of this Standard Traffic Ordinance, similarly marked, as it may be deemed expedient.

SECTION 2. That existing Section 10-19 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 3. That existing Section 10-20 entitled "Traffic Infractions and Traffic Offenses" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-20. Traffic infractions and traffic offenses.

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

(b) All traffic violations that are included within this article and that are not ordinance traffic infractions as defined in Subsection (a) of this section shall be considered traffic offenses.

SECTION 4. That existing Section 10-20 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 5. That existing Section 10-21 entitled "Penalty for Scheduled Fines" of Chapter 10, entitled "Traffic" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-21. 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 ten dollars ($10.00) nor more than one thousand five hundred dollars ($1,500.00). A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the Court not to exceed one thousand five hundred dollars ($1,500.00).

SECTION 6. That existing Section 10-21 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 7. That existing Section 10-22 entitled "Construction of Traffic Ordinances" of Chapter 10, entitled "Traffic" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-22. Construction of traffic ordinances.

In the event that any provision incorporated by reference by Section 10-19 conflicts with a provision of Article III of this chapter, the provisions of Article III of this chapter shall prevail.

SECTION 8. That existing Section 10-22 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 9. That existing Section 10-48 entitled "Penalty" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-48. - Penalty.

Any person violating any provision of this article shall, upon conviction thereof, be punished by a fine of not more than one thousand five hundred dollars ($1,500.00) or by imprisonment for no more than six (6) months, or by both such fine and imprisonment.

State Law reference— Alteration of speed limits. K.S.A. 8-1560.

SECTION 10. That existing Section 10-48 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 11. That existing Section 10-49 entitled "Speed Limit on U.S. Highway 56" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-49. Speed limit on U.S. Highway 56.

The State Highway Commission, having determined upon the basis of engineering and traffic investigation that the speed limit as provided by law upon U.S. Highway 56 is greater than is reasonable or safe under the conditions found to exist and has determined and declared a reasonable and safe speed limit thereon to be thirty-five miles per hour (35 mph) and has erected appropriate signs giving notice thereof, the speed limit on the street for the entire length thereof in the City is hereby set at thirty-five miles per hour (35 mph), unless posted otherwise

State Law reference— Alteration of speed limits, K.S.A. 8-1560.

SECTION 12. That existing Section 10-49 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 13. That existing Section 10-50 entitled "Speed Limits on Residential Streets" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 10-50. Speed limits on residential streets.

The Governing Body, having determined upon the basis of engineering and traffic investigations that the speed limits permitted under State law are greater than is reasonable or safe under the conditions found to exist upon the following residential streets, hereby determines and declares that the following streets and portions of streets in the City are residential in character and the reasonable and safe speed limit on residential streets is twenty-five miles per hour (25 mph), except on the following streets and locations:

(1) Suwanee Road and Tahoe Lane, fifteen miles per hour (15 mph).

(2) 53rd Street from the Mission Road and Reinhardt intersection east to Chadwick Road, thirty miles per hour (30 mph).

(3) Roe Avenue from the south boundary of the City to the north boundary of the City, thirty-five miles per hour (35 mph), except from the intersection of 62nd Terrace north to the intersection of 61st Terrace, twenty miles per hour (20 mph) between the hours of 7:30 a.m. to 8:30 a.m.; 11:00 a.m. to 12:30 p.m.; and 2:45 p.m. to 3:30 p.m. on days when school is in session.

(4) Chadwick Road from 53rd Street south to Shawnee Mission Parkway, twenty miles per hour (20 mph).

(5) Canterbury Road from 53rd Street south to Shawnee Mission Parkway, twenty miles per hour (20 mph).

(6) Falmouth Road from 53rd Street south to Shawnee Mission Parkway, twenty miles per hour (20 mph).

(7) 53rd Street east from Norwood Road to the dead end, fifteen miles per hour (15 mph).

(8) Mission Road from Shawnee Mission Parkway south to Wyncote Lane, twenty-five miles per hour (25 mph).

(9) Mission Road from 58th Street south to 63rd Street, thirty miles per hour (30 mph).

(10) Neosho Lane from 53rd Street to Shawnee Mission Parkway, twenty miles per hour (20 mph).

State Law reference— Alteration of speed limits, K.S.A. 8-1560.

SECTION 14. That existing Section 10-50 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 15. That existing Section 10-51 entitled "Trespass by Motor Vehicle" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-51. Trespass by motor vehicle.

No person shall operate a motor vehicle over private property of another, except on a private road or driveway, as defined in Section 1 of the Standard Traffic Ordinance incorporated by reference in Section 10-19, and then only with expressed or implied permission from the owner.

SECTION 16. That existing Section 10-51 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 17. That existing Section 10-52 entitled "Trespass by Motor Vehicle" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-52. Trucks prohibited on certain streets.

When signs are erected giving notice thereof, no person shall at any time drive a motor truck of a State licensing rating of one (1) ton or more upon any of the streets of the City except as follows:

(1) Shawnee Mission Parkway;

(2) Belinder Road from Shawnee Mission Parkway to the northern City limits;

(3) Norwood Road from Shawnee Mission Parkway to the 53rd Street;

(4) The south side of 55th Street between Shawnee Mission Parkway and the westernmost entrance to the Fairway Office Park;

(5) Motor trucks constructed for the purpose of carrying passengers;

(6) Motor trucks engaged in the repair or construction of streets within the City;

(7) Vehicles carrying goods, merchandise or other articles to or from any residential property with an address in the City;

(8) Tow trucks or repair vehicles for stalled or damaged motor vehicles located within the City;

(9) Pickup trucks;

(10) Emergency vehicles (fire trucks and apparatus, mobile command centers and ambulances), regardless of whether en route to an emergency within or without the City; or

(11) Motor vehicles carrying goods, merchandise or other articles to or from any commercial property with an address on Mission Road in the City may be driven upon Mission Road.

State Law reference— Truck routes authorized, K.S.A. 8-1912.

SECTION 18. That existing Section 10-52 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 19. That existing Section 10-53 entitled "Main Trafficways" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-53. Main trafficways.

The streets set out in this section as follows are hereby designated as main trafficways, pursuant to K.S.A. 12-685 and Traffic \way connections, pursuant to K.S.A. 12-686:

(1) Belinder Road - State Park Road to Shawnee Mission Parkway;

(2) Norwood Road - State Park Road to Shawnee Mission Parkway;

(3) Fairway Road - State Park Road to 53rd Street;

(4) Aberdeen Road - State Park Road to 53rd Street;

(5) Chadwick Road - State Park Road to 53rd Street;

(6) Canterbury Road - State Park Road to 53rd Street;

(7) Falmouth Road - State Park Road to 53rd Street;

(8) Pawnee Lane - Shawnee Mission Parkway to 53rd Street;

(9) Mohawk Lane - Shawnee Mission Parkway to 53rd Street;

(10) Neosho Lane - Shawnee Mission Parkway to 53rd Street;

(11) Windsor Drive - Reinhardt Drive to Eastvale Road;

(12) Cherokee Drive - Windsor Drive to Eastvale Road;

(13) Reinhardt Drive - 63rd Street to Mission Road;

(14) Sunrise Drive - Reinhardt Drive to Eastvale Road;

(15) Lockton Lane - Reinhardt Drive to 61st Terrace;

(16) Howe Drive- Reinhardt Drive to 63rd Street;

(17) Eastvale Road - Mission Road to Windsor Drive;

(18) 61st Terrace - Mission Road to Reinhardt Drive;

(19) Glenfield Drive - Howe Drive to 63rd Street;

(20) Brookridge Drive - Shawnee Mission Parkway to Sheridan Drive;

(21) Buena Vista Street -58th Street to 56th Street;

(22) Sheridan Drive -58th Street to Shawnee Mission Parkway;

(23) 57th Street - Buena Vista to Mission Road;

(24) 57th Terrace - Buena Vista to Mission Road;

(25) 58th Street - Fontana Drive to Mission Road;

(26) Neosho Avenue - 57th Street to 56th Street;

(27) Granada Lane - 59th Street to Granada Street;

(28) South side of 55th Street - Shawnee Mission Parkway to Granada;

(29) Fontana Drive - 59th Street to 58th Street;

(30) El Monte Drive - 59th Street to Alhambra Drive;

(31) Alhambra Drive - 59th Street to 58th Street;

(32) State Park Road - Mission Road to Belinder Road;

(33) South half of 53rd Street - Buena Vista Drive to Mission Road;

(34) South half of 53rd Street - Shawnee Mission Parkway to Mission Road;

(35) East half of Buena Vista Drive - Shawnee Mission Parkway to 53rd Street;

(36) North half of 63rd Street - Mission Road to Reinhardt Drive;

(37) Alhambra Street - 61st Street to 59th Street;

(38) Buena Vista Street - 62nd Street to 59th Street;

(39) Catalina Street - 62nd Street to 59th Street;

(40) Delmar Street - 62nd Terrace to 59th Street;

(41) El Monte Street - 62nd Street to 59th Street,

(42) Fontana Street - 62nd Street to 59th Street;

(43) Granada Street - 62nd Street to Granada Lane;

(44) 62nd Terrace - Roe Avenue to cul-de-sac;

(45) 62nd Street - Roe Avenue to Mission Road;

(46) 61st Street - Roe Avenue to Mission Road;

(47) 60th Street - Roe Avenue to Mission Road;

(48) 59th Street - Roe Avenue to Mission Road;

(49) 61st Terrace - Roe Avenue to Granada Street;

(50) 60th Terrace - Roe Avenue to Granada Street;

(51) 59th Terrace - Roe Avenue to Granada Street;

(52) Mission Road, within the City limits;

(53) Shawnee Mission Parkway - within the City limits;

(54) Windsor Lane - Shawnee Mission Parkway to cul-de-sac;

(55) Suwanee Road - Mission Road to cul-de-sac;

(56) Tahoe Lane - Suwanee Road to cul-de-sac;

(57) Wyncote Lane - Mission Road to cul-de-sac;

(58) 56th Street - Buena Vista to Neosho Avenue;

(59) 58th Street - Mission Road to cul-de-sac;

(60) 57th Terrace - Reinhardt Drive to cul-de-sac;

(61) Windsor Circle - Windsor Drive to cul-de-sac;

(62) Cherokee Circle - Mission Road to cul-de-sac;

(63) Neosho Lane - Shawnee Mission Parkway to cul-de-sac; and

(64) North side of 53rd Street - Aberdeen to Belinder.

SECTION 20. That existing Section 10-53 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 21. That existing Section 10-54 entitled "Through Streets" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-54. Through streets.

In accordance with the provisions of Section 59 of the Standard Traffic Ordinance incorporated by reference in Section 10-19, and when signs or signals are erected giving notice thereof, drivers of vehicles shall stop or yield as the sign directs, at every intersection, before entering any of the following streets or parts of streets hereby designated as through streets:

(1) Shawnee Mission Parkway, except at its intersection with Mission Road and Belinder Road.

(2) Roe Avenue, except at its intersection with 60th Street.

(3) 63rd Street.

(4) Belinder Road from the north City limits to Shawnee Mission Parkway.

(5) 53rd Street, except at its intersection with Buena Vista Street, Mission Road, Norwood Road and Shawnee Mission Parkway.

(6) Sheridan Drive, except at its intersection with Shawnee Mission Parkway.

(7) 59th Street, except at its intersection with Roe Avenue and Mission Road.

(8) 60th Street, except at its intersection with Roe Avenue, Delmar Street and Mission Road.

(9) 61st Street, except at its intersection with Roe Avenue and Mission Road.

(10) Mission Road, except at its intersection with 53rd Street and Shawnee Mission Parkway.

(11) State Park Road, except at its intersection with Shawnee Mission Parkway, Canterbury Road and Fairway Road.

State Law reference— Authority to designate through streets, K.S.A. 8-2002(a)(6).

SECTION 22. That existing Section 10-54 of the City of Fairway, Kansas, is hereby repealed.

SECTION 23. That existing Section 10-55 entitled "No Passing on 63rd Street" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-55. No passing on 63rd Street.

Motor vehicular passing is hereby prohibited on 63rd Street, and no driver shall at any time drive on the left side of the roadway, except when an obstruction exists making it necessary to do so and only then upon yielding the right-of-way to any vehicular traffic traveling in the opposite direction within that distance which is necessary to avoid an immediate hazard.

State Law reference— Authority to establish no passing zones, K.S.A. 8-1520.

SECTION 24. That existing Section 10-55 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 25. That existing Section 10-56 entitled "Stop Intersections other than on Through Streets" of Chapter 10, entitled "Traffic" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-56. Stop intersections other than on through streets.

In accordance with the provisions of the Standard Traffic Ordinance incorporated by reference in Section 10-19, the following intersections are hereby designated as stop intersections and when signs or signals are erected at one (1) or more entrances as stated, the drivers of vehicles shall stop, as provided by Section 59 of the Standard Traffic Ordinance, before entering the intersection:

(1) Intersection of 61st Terrace and Howe Drive, east, west, north and south entrances;

(2) Intersection of 61st Terrace and Granada Street, west entrance;

(3) Intersection of Eastvale Road and Reinhardt Drive, east, west, north and south entrances;

(4) Intersection of Eastvale Road and Howe Drive, north, south, east and west entrances;

(5) Intersection of Reinhardt Drive and Windsor Drive, east entrance;

(6) Intersection of Lockton Lane and Eastvale Drive, north and south entrances;

(7) Intersection of Granada Street and 62nd Street, north, south, east and west entrances;

(8) Intersection of Delmar Street and 62nd Terrace, east and west entrances;

(9) Intersection of Granada Street and 62nd Terrace, east, west, north and south entrances;

(10) Intersection of Buena Vista Drive and 58th Street, north and east entrance;

(11) Intersection of Buena Vista Drive and Sheridan Drive, west entrance;

(12) Intersection of Alhambra Drive and 58th Street, south entrance;

(13) Intersection of 57th Terrace at Howe Drive, west entrance;

(14) Intersection of Buena Vista Drive and 57th Street, north and south entrance;

(15) Intersection of Catalina and 61st Street, east, west, north and south entrances;

(16) Intersection of State Park Road and Canterbury Road, east and north entrance;

(17) Intersection of State Park Road and Fairway Road, east and north entrance;

(18) Intersection of 53rd Street and Norwood Road, east, west, and north entrances;

(19) Southbound traffic at Norwood Road and Shawnee Mission Parkway intersection;

(20) Eastbound traffic at 53rd Street and Shawnee Mission Parkway intersection;

(21) Southbound traffic from Belinder Road parking lot at 53rd Street;

(22) Eastbound traffic on 61st Terrace at its intersection with Reinhardt Drive;

(23) Intersection of El Monte Street and 59th, east, west, north and south entrances;

(24) Intersection of Delmar Street and 62nd Street, east, west, north and south entrances;

(25) Intersection of Brookridge Drive and Sheridan Drive, east, west, north and south entrances;

(26) Intersection of Reinhardt Drive and Sunrise Drive, north, south and west entrances; and

(27) Intersection of Reinhardt Drive and Lockton Lane, north, south and west entrances.

State Law reference— Authority to designate stop streets, K.S.A. 8-2002(a)(6), 8-2008.

SECTION 26. That existing Section 10-56 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 27. That existing Section 10-57 entitled "No Left Turn Permitted" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-57. No left turn permitted.

No left turn is permitted by traffic proceeding from Brookridge Drive onto Shawnee Mission Parkway.

State Law reference— Authority to prohibit turns, K.S.A. 8-2002(a)(9).

SECTION 28. That existing Section 10-57 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 29. That existing Section 10-58 entitled "Stopping, standing and parking; where prohibited" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-58. Stopping, standing and parking; where prohibited.

(a) No driver of a vehicle shall stop, stand or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal:

(1) On private property or upon an area privately developed as an off-street parking facility, without the consent of the owner, lessee or person in charge of that private property or facility;

(2) On privately developed parking areas, adequate notice shall be given in the immediate area by signs indicating privately developed parking for certain businesses;

(3) On lawns or other areas of lots zoned for residential use between the building line and the street, except on established driveways;

(4) On either side of Mission Road between Shawnee Mission Parkway and West 63rd Street; and

(5) On any street for more than twenty-four (24) hours at any one (1) time. Summons may be issued by the City upon written complaint of the private property owner, lessee or person in charge of any private property or facility. Upon receiving a complaint or finding a vehicle in violation of this section, a police officer may affix written notice to the vehicle stating the date and time of the violation. If after a twenty-four (24) hour period the violation has not been abated a summons may be issued. If the violation still has not been abated after forty-eight (48) hours and a summons has been issued, a police officer is authorized to have the vehicle removed by a licensed towing service approved by the Chief of Police to do business with the Police Department to a secure facility at the cost of the vehicle's owner. Summons may be issued by the City upon written complaint of the private property owner, lessee or person in charge of any private property or facility.

(b) The following shall be exempt from the provisions of this section:

(1) Emergency public safety vehicles;

(2) Emergency activities of or at the direction of the Fire, Police or Public Works Departments;

(3) Emergency activities of any utility company;

(4) Any commercial vehicle providing a bona fide delivery service;

(5) Any activities approved by the Governing Body.

State Law reference— Authority to regulate or prohibit stopping, standing or parking, K.S.A. 8-2002(a)(1).

SECTION 30. That existing Section 10-58 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 31. That existing Section 10-59 entitled "Chief of police; removal of a vehicle" of Chapter X, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-59. Chief of police; removal of vehicle.

The Chief of Police is hereby authorized, upon written complaint of the private property owner or facility, to remove from any private property or area developed as an off-street parking facility, any vehicle parked thereon when the police department has made diligent effort to locate the owner or person in control of the vehicle without success, and has caused the same to be sent to the closest designated storage garage at the cost of the owner; provided that the Chief of Police shall keep a record in his office of all these vehicles so removed, as provided in this article, and shall also keep a record of the designated garages to which these vehicles may be removed; provided further, this section, Section 10-61, any other section of this Code and Section 84 or any other section of the 2016 Standard Traffic Ordinance for Kansas Cities that authorize the removal of vehicles shall constitute authority of the Chief of Police or any City Police Officer to tow such vehicle; provided additionally, the maximum rate for wrecker or towing services shall be one hundred-fifty dollars ($150.00) per hook-up and five dollars ($5.00) per mile for each mile the vehicle is towed. The maximum storage fee shall be fifty dollars ($50.00) per calendar day. The owner of each vehicle towed shall have access to personal property in that vehicle on or before forty-eight (48) hours after the vehicle is towed and the wrecker or towing service shall report the location of the vehicle to the Police Department within two (2) hours of the conclusion of the tow.

SECTION 32. That existing Section 10-59 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 33. That existing Section 10-60 entitled "Parking: traffic hazard, prohibited" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-60. Parking: traffic hazard, prohibited.

(a) No person shall park, stop or leave standing any vehicle in any street, alley or avenue, whether attended or unattended, in a manner or in a position so as to create a traffic hazard or so as to endanger vehicular or pedestrian travel on that street. This section shall not apply to the driver of any vehicle that is disabled to the extent that it is impossible to avoid stopping and temporarily

leaving that disabled vehicle stopped in that position, who takes reasonable prompt action to have the vehicle removed to a safe place.

(b) Parking is prohibited at all times at the following locations:

(1) On the north side of 62nd Street from a point thirty feet (30') west of Mission Road to Mission Road and from a point 30 feet east of the entrance to the City park parking lot to the entrance to the City park parking lot;

(2) On the east side of Roe Avenue from the south City limits to the north City limits, except in designated marked parking areas;

(3) On the west side of Mission Road from Shawnee Mission Parkway north five hundred feet (500');

(4) From 7:00 a.m. to 6:00 p.m. on the east side of Mission Road from Shawnee Mission Parkway to 53rd Street;

(5) On the east side of Buena Vista from Shawnee Mission Parkway to 53rd Street;

(6) On the south side of 53rd Street from Chadwick to Norwood;

(7) On the east side of Belinder from State Park Road to Shawnee Mission Parkway;

(8) On the north side of 62nd Street from a point approximately 86.11 feet east of Roe Avenue to Roe Avenue;

(9) Belinder Road, both sides, north of Shawnee Mission Parkway to the City limit;

(10) On the east side of Fairway Road from Shawnee Mission Parkway to 53rd Street;

(11) On the south side of 62nd Street from a point approximately 36 feet west of Mission Road to Mission Road;

(12) On the north side and south side of 60th Street from a point approximately one hundred and fifty feet (150') east of Roe Avenue to Roe Avenue;

(13) On the west side of Fairway Road from a point approximately ninety-five feet (95') north of Shawnee Mission Parkway to Shawnee Mission Parkway;

(14) On the south side of 55th Street from Shawnee Mission Parkway west five hundred and eighty-seven feet (587'); and

(15) On the south side of 62nd Street from Roe Avenue to Granada Street.

State Law reference— Authority to regulate or prohibit stopping, standing or parking, K.S.A. 8-2002(a)(1).

SECTION 34. That existing Section 10-60 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 35. That existing Section 10-61 entitled "Removal of any vehicle parked in violation of Section 10-60" of Chapter X, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-61. Removal of any vehicle parked in violation of Section 10-60.

Whenever a police officer finds a vehicle standing upon a street, alley or avenue in violation of Section 10-60, that officer is authorized to move that vehicle or require the driver or other person in

charge of that vehicle to move the vehicle to a position of safety or, if necessary, to be towed away and stored in a garage at the expense of the owner of the vehicle.

SECTION 36. That existing Section 10-61 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 37. That existing Section 10-62 entitled "Abandoned vehicles" of Chapter 10, entitled "Traffic" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-62. Abandoned vehicles.

No person shall abandon and leave a motor vehicle in any street, alley or avenue, whether attended or unattended, in a manner or in a position so as to create a traffic hazard or so as to endanger vehicular or pedestrian travel on that street. This section shall not apply to the driver of any vehicle that is disabled to the extent that it is impossible to avoid stopping and temporarily leaving that disabled vehicle stopped in that position, who takes reasonable prompt action to have the vehicle removed to a safe place.

SECTION 38. That existing Section 10-62 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 39. That existing Section 10-63 entitled "On-street parking in residential areas" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-63. On-street parking in residential areas.

(a) Except as otherwise provided in Subsection (d) of this section and subject to the additional restrictions contained in Subsection (b) of this section, no person shall, park, stand, or store, for more than twelve (12) hours on any day on any street, alley or avenue in an area zoned for residential use, a trailer, semi-trailer, boat, bus, camper, recreational vehicle, mobile home (self-propelled or otherwise), oversized motor vehicle, tractor or other type of wheeled vehicle, other than passenger vehicles and motorcycles.

(b) For purposes of this section, the term "oversized motor vehicle" means any of the following: any motor vehicle exceeding twenty-eight feet (28') in length, any motor vehicle with a licensed gross weight exceeding twelve thousand pounds (12,000 lbs.).

(c) Except as otherwise provided in Subsection (d) of this section, in areas zoned for residential use, where on-street parking is otherwise permitted, no person shall park, stand or store, on the street, any motor vehicle that exceeds seven and one-half feet (7½') in width in its widest point.

(d) Exceptions to the provisions of this section may be authorized by a permit issued by the Police Department, where the exceptions will not endanger the public safety or welfare of the residents of the area or motorist of the street. No such permit shall be granted for a period exceeding seven (7) days.

State Law reference— Authority to regulate or prohibit stopping, standing or parking, K.S.A. 8-2002(a)(1).

SECTION 40. That existing Section 10-63 of the City of Fairway, Kansas, is hereby repealed.

SECTION 41. That existing Section 10-64 entitled "Emergency regulations under hazardous conditions" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-64. Emergency regulations under hazardous conditions.

When snow, sleet or freezing rain is causing slippery or hazardous conditions that might lead to serious traffic congestion or safety, the Mayor may declare a traffic emergency, and until that emergency is terminated, no vehicles shall be parked on any streets. All vehicles parked on a street, in this instance, must be removed within two (2) hours after the declaration of an emergency or be considered in violation of this section.

SECTION 42. That existing Section 10-64 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 43. That existing Section 10-65 entitled "Careless driving" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-65. - Careless driving.

It shall be unlawful for any person to drive or operate a vehicle upon any street or alley or driveway in a careless or heedless manner or without due caution and circumspection or in a manner so as needlessly to endanger or be likely to endanger any person or property.

SECTION 44. That existing Section 10-65 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 45. That existing Section 10-66 entitled "Prohibited right turns on red signal lights" of Chapter 10, entitled "Traffic and Vehicles" of the Code of the City of Fairway, Kansas, be readopted to read as follows:

Sec. 10-66. - Prohibited right turns on red signal lights.

The Governing Body, having determined on the basis of engineering and traffic investigations that permitting right turns on a steady red signal is unreasonable or unsafe under the conditions found to exist as certain intersections of the City, hereby determines and declares that right turns on a steady red signal are prohibited at the following locations: Southbound Belinder Road at its intersection with Shawnee Mission Parkway between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 46. That existing Section 10-66 of the Code of the City of Fairway, Kansas, is hereby repealed.

SECTION 47. Ordinance No. 1583 is hereby repealed.

SECTION 48. Interpretation: This ordinance shall be construed as follows:

a. Liberal Construction: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in futherence of the public health, safety, welfare and convenience.

b. Savings Clause: The repeal of any ordinance or code section, as provided herein, shall not revive an ordinance previously repealed, nor shall the repeal affect any right that accrued, any duty imposed, any penalty incurred or any proceedings commenced, under or by virtue of the ordinance repealed. Any ordinance or code repealed continues in force and effect after the passage, approval, and publication of this ordinance for the purpose of pursuing these rights, duties, penalties or proceedings.

c. Invalidity: If for any reason any chapter, article, section, subsection, sentence, portion or part of this ordinance, or the application thereof to any person or circumstance, is declared to be unconstitutional or invalid, that decision shall not affect the validity of the remaining sections of this ordinance, City Code or other ordinances.

SECTION 49. That this Ordinance shall become effective upon adoption and publication in the official City newspaper.

PASSED by the City Council the 10th day of October 2016, **APPROVED** by the Mayor.

CITY OF FAIRWAY CORPORATE SEAL JOHNSON COUNTY JUNE 21 1949 STATE OF KANSAS

Jerry Wiley, Mayor

ATTEST:

Kathy Axelson, City Administrator /City Clerk

APPROVED AS TO FORM

Stephen P. Chinn, City Attorney