

(Published in the Topeka Metro News November 25, 2013)

ORDINANCE NO. 19862

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Sections 10.15.010 and 10.15.020, specifically repealing said original sections, as well as creating Section 10.20.230, all concerning the adoption of the Standard Traffic Ordinance and amendments.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 10.15.010, Incorporation of Standard Traffic Ordinance, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Incorporation of Standard Traffic Ordinance.

(a) Generally – Copies. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the city of Topeka, Kansas, the Standard Traffic Ordinance for Kansas Cities, 41st Edition of 2012(2013), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections or parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. ~~19774~~19862,” 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 the ordinance codified in this chapter and filed with the city clerk to be open to inspection and 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 ordinance shall be supplied, at the cost of the city, such number of official copies of the~~

30 ~~Standard Traffic Ordinance similarly marked as may be deemed expedient.~~

31 (b) Traffic Infractions and Traffic Offenses.

32 (1) A traffic infraction is a violation of any section of this title or of the
33 Standard Traffic Ordinance that prohibits or requires the same behavior as that
34 prohibited or required by a statutory provision that is classified as a traffic
35 infraction in K.S.A. 8-2118, and amendments thereto.

36 (2) All traffic violations which are included within this title and which are
37 not traffic infractions as defined in subsection (b)(1) of this section shall be
38 considered traffic offenses.

39 Section 2. That section 10.15.020, Amendments, of The Code of the City of
40 Topeka, Kansas, is hereby amended to read as follows:

41 **Amendments.**

42 The current edition of the Standard Traffic Ordinance for Kansas Cities, as
43 adopted by reference, shall be amended as follows:

44 (a) Section 33 of the Standard Traffic Ordinance, relating to maximum speed
45 limits, is hereby declared to be and is omitted and deleted and the provisions set forth at
46 TMC 10.20.060 shall be substituted therefor.

47 (b) Section 50 of the Standard Traffic Ordinance relating to right, left and U-
48 turns at intersection – obedience to, is hereby declared to be and is omitted and deleted
49 and the provisions set forth at TMC 10.20.200 shall be substituted therefor.

50 (c) Section 67 of the Standard Traffic Ordinance, relating to pedestrians to
51 use right half of crosswalks, is hereby declared to be and is omitted and deleted.

52 (d) Section 104 of the Standard Traffic Ordinance, relating to inattentive

53 driving, is hereby declared to be and is omitted and deleted and the provisions set forth
54 at TMC 10.20.100 shall be substituted therefor.

55 (e) Section 107 of the Standard Traffic Ordinance, relating to unattended
56 motor vehicles, is hereby declared to be and is omitted and deleted and the provisions
57 set forth at TMC 10.20.125 shall be substituted therefor.

58 (f) Section 116 of the Standard Traffic Ordinance, relating to driving upon
59 sidewalks, is hereby declared to be and is omitted and deleted and the provisions set
60 forth at TMC 10.20.127 shall be substituted therefor.

61 (g) Section 119 of the Standard Traffic Ordinance, relating to parades and
62 processions, is hereby declared to be and is omitted and deleted and the provisions set
63 forth in Chapter 10.50 TMC shall be substituted therefor.

64 (h) Section 194**(b) and (c)** of the Standard Traffic Ordinance, relating to
65 driving while license canceled, suspended or revoked, is hereby declared to be and is
66 omitted and deleted.

67 (i) Section 195.1 of the Standard Traffic Ordinance, relating to operation of a
68 motor vehicle when a habitual violator, is hereby declared to be and is omitted and
69 deleted and the provisions set forth at TMC 10.20.230 shall be substituted therefor.

70 (**j**h) Section 198 of the Standard Traffic Ordinance, relating to vehicle license –
71 illegal tag, is hereby declared to be and is omitted and deleted and the provisions set
72 forth at TMC 10.05.060 shall be substituted therefor.

73 (**k**i) Section 204(b) of the Standard Traffic Ordinance, relating to fines doubled
74 in school zones, is hereby declared to be and is omitted and deleted and the provisions
75 set forth at TMC 10.20.170 shall be substituted therefor.

Section 3. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.20.230, which said section reads as follows:

Operation of a motor vehicle when a habitual violator.

Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, operation of a motor vehicle in this state when one's driving privileges are revoked pursuant to K.S.A. 8-286 and amendments thereto shall be punished by imprisonment for not more than one year or fined not to exceed \$2,500, or both such fine and imprisonment.

Section 4. That original § 10.15.010 and § 10.15.020 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 5. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 6. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 7. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on November 19, 2013.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk