

ORDINANCE NO. 457

AN ORDINANCE REGULATING THE PARKING OF SEMI-TRACTOR AND/OR SEMI-TRAILER ON CITY STREETS WITHIN THE NORTH BOUNDARY OF THE CITY LIMITS TO AND INCLUDING SANTA FE STREET AND FROM SCHARTZ DRIVE ON THE EAST TO PAWNEE COUNTY 280TH AVENUE ON THE WEST; REPEALING ALL CONFLICTING ORDINANCES; AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF.

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

SECTION 1: Semi-tractor/Semi-trailer Parking

(a) In order to protect the city streets and city utility lines; it shall be unlawful for any person, firm, corporation, or other entity, including property owners and/or tenants, to park or allow to stand any semi-tractor and/or semi-trailer, with a gross weight rating in excess of twenty-four thousand (24,000) pounds, to be parked on any city street in an area zoned residential, including R-1, R-2, and R-3

(b) Gross vehicle rating means the maximum weight of a vehicle and the load it is designed to carry as designated by the manufacturer of such vehicle. Such rating is usually found on a plate attached by the manufacturer to the door frame on the driver's side of the vehicle.

(c) Semi-tractor means 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.

(d) The prohibitions contained herein shall not apply to the operation of emergency vehicles, maintenance and construction trucks engaged in any repair, maintenance or construction work performed on the property, or delivery trucks engaged in the delivery of goods or merchandise to the subject property.

SECTION 2: Violation:

(a) Citations for violation of the terms of this ordinance may be issued to the operator of the semi-tractor and/or semi-trailer, the owner of the semi-tractor and/or semi-trailer or the resident of the property located adjacent to the street where the semi-tractor and/or semi-trailer is located.

(b) Any person, firm, corporation, or other entity violating the provisions of this ordinance shall be punished by a fine of not more than \$500. Each day any violation hereof is found to exist or continues to exist shall be a separate offense and punishable as such hereunder.

SECTION 5: Notice Hearing:

(a) Any person, firm, corporation, or other entity receiving said citation has the right to a hearing before the City Council and/or designated city employees.

(b) The request for a hearing must be in writing and filed with the city clerk within three (3) working days after receiving the said citation. Upon receipt of a request for a hearing, the City Clerk shall advise the recipients(s) of said citation of the date, time, and place of the hearing which shall be held within three (3) working days.

SECTION 6: Hearing Findings:

(a) Following the hearing, if the City Council and/or designated city employees find that grounds for the citation are not in accordance with the ordinance, and then notice of such findings shall be presented to the city clerk. If the City Council and/or designated city employees find the citation to be valid, any person, firm, corporation, or other entity having requested the hearing will be required to pay a fine which shall be fixed by the City Council in an amount not to exceed \$500.00.

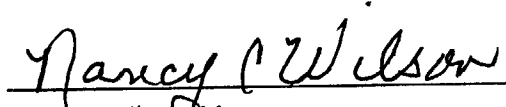
(b) The dollar amount of the fine is due upon finding of the hearing and must be paid to the City of Rozel within (3) business day after the hearing. Any unpaid fine may be collected by the City of Rozel by any lawful means, including but not limited to a lien upon property owned by said person, firm, corporation, or other entity.


SECTION 7: Charge for Insufficient Funds Checks:

(a) A charge of \$30.00 per check shall be levied against any person, firm, corporation, or other entity that pays a fine with an insufficient funds check. This charge is in addition to any bank charges which may be levied as well.

SECTION 8: EFFECTIVE DATE: This ordinance herein above shall become effective during the month of February 2017 as appropriate and upon its adoption by the City Council of Rozel and publication in the official City newspaper.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Rozel, Kansas, this 13 day of February, 2017.


Nancy C Wilson Mayor

ATTEST: 
Helen Thorne, City Clerk