

## CHAPTER XIV. TRAFFIC

- Article 1. Standard Traffic Ordinance
- Article 2. Local Traffic Regulations
- Article 3. Reserved
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### ARTICLE 1. STANDARD TRAFFIC ORDINANCE

- 14-101. INCORPORATING STANDARD TRAFFIC ORDINANCE. (a) There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Phillipsburg, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. One copy of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Phillipsburg, Kansas," 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 this section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- (b) Section 195 of the 2013 Standard Traffic Ordinance is amended to read as follows:
- Any person guilty of violating this section, for violating restrictions on a driver's license or permit imposed pursuant to K.S.A. 8-237, 8-296, 8-2,100 or 8-2,101 and amendments thereto. (Code 2013)
- 14-102. SAME; SPEED LIMITS; POSTED. Notwithstanding anything to the contrary contained in this article and/or any other ordinance(s), the speed limit on U.S. Highway 183 and U.S. Highway 36 within the city limits shall be as posted and given. (Ord. 1204, Sec. 2; Code 1999, 17-102)
- 14-103. SAME; 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 that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
- (b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses. (Ord. 1349 Code 1999, 17-103; Code 2010)
- 14-104. 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 \$10.00 nor more than \$500.00, except for speeding which shall not be less than \$10.00 nor more than \$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 \$500.00. (Ord. 1349; Code 2010)

- 14-105. SAME; SECTION 33(a) AMENDED. Speed limits in Residence Districts and Public Parks. Paragraph (a) of said section 33, of said Standard Traffic Ordinance is hereby amended to read as follows: "(a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits;
- (1) Twenty (20) miles per hour in any business district.
  - (2) Thirty (30) miles per hour in any residence district.
  - (3) Twenty (20) miles per hour in any park, and
  - (4) Fifty-five (55) miles per hour in all other locations. The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of maximum speed limits in excess thereof, and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this paragraph shall not be of any force of effect."
- (Ord. 1053, Sec. 2; Code 1999, 17-105)

## ARTICLE 2. LOCAL TRAFFIC REGULATIONS

- 14-201. TRAFFIC CONTROL DEVICES AND MARKINGS. The Standard Traffic Ordinance as adopted is hereby modified by adding thereto the following:  
The governing body may, by resolution, establish and fix the location of such traffic control devices as may be deemed necessary to guide and warn traffic under the provisions of this chapter, other traffic ordinances and the state laws. The city shall place and maintain such traffic control signs, signals and devices when and as may be required by the authority of the governing body to make effective the provisions of this chapter and other ordinances for the regulation of traffic. Any official traffic control device placed pursuant to this section shall be marked and labeled on a map of the City of Phillipsburg for the purpose of displaying all such traffic control devices and shall be filed with the city clerk to be open to inspection and available to the public at all reasonable hours of business. (Code 2010)
- 14-202. ANGLE PARKING. Angle parking is permitted in areas designated on the following streets:  
(a) "F" Street from Second Street to Fourth Street.  
(b) North side of "F" Street in front of the Community Building.  
(c) Third Street and Fourth Street from "E" Street to "G" Street.  
(d) "G" Street from Third Street one-half block west.  
(e) "E" Street for one-half block on each side of Third Street.  
(f) "G" Street for one-half block on the south side west of Fifth Street.  
(g) Within the Courthouse Square  
(h) Near any church or school where an authorized angle parking space is provided by widened curb lines.  
(Code 1971, 17-102; Code 1999, 17-201)
- 14-203. CENTER PARKING. Center parking is permitted within the lines so designated therefore on the following streets:  
(a) Third Street from "E" Street to "G" Street.  
(b) Fourth Street from "E" Street to State Street.  
(c) "F" Street from Second Street to Fourth Street.  
(Code 1971, 17-103; Code 1999, 17-202)
- 14-204. TRUCK PARKING. All trucks and/or trailers, except one ton pickups or smaller, shall be center parked parallel to the curb, in the following truck zones, and on no other streets in the city, to-wit: in the streets adjacent to the courthouse square to the north and east sides thereof, vehicle may be double parallel parked along the south side of F Street from Fourth Street to the alley east and at such other places within the city as may from time to time be permitted by the police department when those streets are not available, on condition that a permit in writing shall be required for each such parking other than on the north and east side of the courthouse square, and along the south side of F Street from Fourth Street to the alley east. The police department shall not issue a permit for parking of a loaded truck on any street other than one paved with bricks. All such overnight parked trucks shall be permitted to so park only between 7:00 p.m. and 7:00 a.m. and provided further that trucks with motors of any kind left running overnight shall be required to park as far as possible from any dwelling, houses or apartments. Provided that trucks, except those loaded with explosive or flammable cargo may be

parked overnight or in case of emergency in the above designated area. (Code 1971, 17-104; Code 1992; Code 1999, 17-203)

14-205. PARKING AFTER SUNDOWN. No person shall park a vehicle on any street after sundown where signs are erected giving notice that no parking is allowed after sundown. (Code 1971, 17-105; Code 1999, 17-204)

14-206. THROUGH STREETS. The following streets are designated through streets and stop or yield signs continued as now erected or new ones erected as may be necessary before entering thereon:

U.S. Highways No. 36 and No. 183; Second, Third, Fourth, and Seventh Streets south of State Street.

(Code 1971, 17-106; Code 1999, 17-205)

14-207. STOP OR YIELD INTERSECTIONS. The following are declared to be stop or yield intersections and stop or yield signs erected as follows:

4th Street entering "F" street from the north.

Walnut Street entering 1st street from the west.

Both sides of "F" Street entering 1st street.

Sunset Drive entering Fischer Drive from the south.

8th Street entering Kansas Avenue from the north.

"G" Street entering City Park.

Both exits of City Park onto old U.S. 36.

Both sides of 5th Street entering Nebraska.

Both sides of "G" Street entering 5th street.

Both sides of Middles Drive entering Park Street

Both sides of 6th Street entering Nebraska Avenue.

Both sides of "I", "G" & "H" Streets entering 6th Street.

Both sides of 7th street entering "F" Street.

Both sides of Maple Street entering 1st Street.

Maple Street entering Cable Road from the east.

Both sides of "G" Street entering 1st Street.

"F" Street entering 4th Street from the east.

Both sides of 6th Street entering "F" Street.

Both sides of 8th Street entering "F" Street.

Southwest 2nd entering from the south intersection with Fischer Drive.

3rd street entering Nebraska Avenue from the north.

Fischer Drive entering 7th Street from the west.

(Code 1971, 17-107; Code 1999, 17-206)

14-208. SIGNAL LIGHT INTERSECTION. There shall be a stop light signal at the corner of State and Third street. (Code 1971, 17-108; Code 1999, 17-207)

14-209. CERTAIN TRUCKS PROHIBITED. No truck or other commercial vehicle with a rated carrying capacity of 8,000 pounds or more, shall be operated on any of the hard surfaced streets in the city, except on U.S. Highways 36 and 183, and on those streets hard surfaced with bricks, unless the operator shall have a pickup or unload destination within the city limits on said street or route, and in which case parking shall be only for a reasonable time for the loading and unloading operation.

(Code 1971, 17-109; Code 1999, 17-208)

- 14-210. TIME LIMIT VEHICLE PARKING. No vehicle of any kind shall be parked upon any streets of the city for a period of more than 48 hours. (Ord. 846, Sec. 1; Code 1999, 17-209)
- 14-211. VEHICLE PARKING ON SECOND STREET. It shall be unlawful for any person to stand or park whether occupied or not except momentarily to pick up or discharge a passenger or passengers on either side of Second Street, from the north city limits of the city to the north side of Park Street, in the city. (Ord. 1306, Sec. 1; Code 2010)
- 14-211a. VEHICLE PARKING IN FORMER MUNICIPAL POOL PARKING LOT. It shall be unlawful to park any motor vehicle in the upper park parking lot between the hours of 10:00 p.m. and 6:00 a.m. (Code 2013)
- 14-212. RESERVED HANDICAPPED PARKING SPACES. Reserved parking spaces for use only by vehicles identified as used by handicapped persons will be established in front of each public building, as required by law; and placed, at the discretion of the governing body of the City of Phillipsburg, in those areas zoned as C-2, Central Business District. (Ord. 1074, Sec. 1; Code 1999, 17-211)
- 14-213. CARELESS DRIVING. It shall be unlawful for any person to drive or operate a vehicle upon a highway or street in a careless or heedless or an inattentive manner, or without due caution and circumspection, or in any manner not constituting reckless driving, but so as to endanger or be likely to endanger any person or property.  
Every person convicted of careless driving shall be punished upon a first conviction by imprisonment for a period of not less than five days, or by a fine of not less than \$30.00, and not more than \$100.00 or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than 10 days nor more than 30 days, or by a fine of not less than \$50.00 nor more than \$500.00 or by both such fine and imprisonment. (Ord. 1106, Sec. 1; Code 1999, 17-212)
- 14-214. MAIN TRAFFICWAYS. (a) It is hereby authorized, ordered and directed that State Street (U.S. Highway 36) in the city shall be and hereby is designated and established as a main trafficway within the city, the primary function of which is the movement of through traffic within the city, under the authority of K.S.A. 12-685.  
(b) It is hereby authorized, ordered and directed, under the authority of the Act, that Second Street (U.S. 183) and State Street (U.S. 36) located within the limits of the City are hereby designated and established as main trafficways.  
(Ord. 1133, Ord. 1357; Code 2013)
- 14-215. DECLARATION OF TRAFFIC EMERGENCY. Whenever snow has accumulated or there is a possibility that snow will accumulate to such a depth that snow removal operations will be required, the mayor, the emergency management coordinator, or the public works supervisor, or in the absence of the above mentioned, the succession shall follow the lines of continuity of government as outlined in the Phillips County Emergency Operations Plan, may declare a traffic emergency and until such traffic emergency is terminated it shall be unlawful:  
(a) To park a vehicle on any street designated an emergency snow route in section 17-217; or,

(b) To operate a vehicle, unless it is capable of safely traveling through the designated emergency snow route and will not impede snow removal or cause a traffic hazard.  
(Ord. 1257, Sec. 2; Code 1999, 17-214)

14-216. NOTICE OF PARKING EMERGENCY; TERMINATION. Upon declaring a traffic emergency the mayor, (emergency management coordinator, or public works supervisor, etc.), shall forthwith cause appropriate notice thereof to be given through the local press, radio, TV override, and other media. The parking emergency shall be terminated by notice given substantially in the same manner as the parking emergency was declared. (Ord. 1257, Sec. 3; Code 1999, 17-215)

14-217. REMOVAL OF PARKED VEHICLES. All vehicles parked on emergency snow routes must be removed within two hours after declaration of a traffic emergency has been given. All stranded or abandoned vehicles impeding snow removal or causing traffic congestion on any city street shall be removed immediately. After declaration of a traffic emergency, any vehicle parked on an emergency snow route after two hours notice and any vehicle impeding snow removal operations or causing traffic congestion may be removed or caused to be removed by law enforcement to the nearest garage or other place of safety and the vehicle may not be recovered until the towing and storage charges are paid by the owner of the vehicle. (Ord. 1257, Sec. 4; Code 1999, 17-216)

14-218. EMERGENCY SNOW ROUTES; ESTABLISHMENT; SIGNS. Upon announcement that the Emergency Snow Ordinance is "in effect", the streets listed in this section shall be designated and marked with "Emergency Snow Route" signs. These signs shall be posted on the right hand side of the driving lane at intervals not to exceed four blocks. The emergency snow routes are as follows:

- (a) Second Street from Walnut to Park Street;
- (b) Fischer Drive from SW 2<sup>nd</sup> Street to Seventh Street;
- (c) Seventh Street from C Street to the Airport;
- (d) Park Street from Seventh to Highway 183;
- (e) Fourth Street from State Street to D Street;
- (f) E Street from Fourth Street to Fifth Street;
- (g) C Street From Second Street to Seventh Street;
- (h) Nebraska from Second to Seventh Street;
- (i) State Street from the East City Limits to the West City Limits.

Appropriate signs shall be installed along each of the streets designated emergency snow routes.  
(Ord. 1257, Sec. 5; Code 1999, 17-217)

14-219. PENALTY. Any operator of a vehicle who shall violate the provisions of this article shall, upon conviction thereof, be guilty of a traffic infraction and fined an amount not to exceed \$100.00. (Ord. 1257, Sec 6; Code 1999, 17-218)

14-220. ALL HAZARD EMERGENCY ROUTE. This article is designated primarily as a snow removal ordinance; however it can also be used as an All Hazard Emergency Route in the event of any other emergency conditions. (Ord. 1257, Sec. 7; Code 1999, 17-219)

14-221. PROHIBITION OF MECHANICAL EXHAUST DEVICES. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the city any mechanical exhaust device designed to aid in the stopping or braking of a vehicle in a manner so as to create excessive, loud, or unusual explosive noise from a vehicle. This prohibition shall include, but not be limited to, the procedure commonly known as jake-braking. (Ord. 1259, Sec. 1; Code 1999, 17-220)

14-222. UTILITY ALL-TERRAIN VEHICLES, GOLF CARTS, MICRO UTILITY TRUCKS, AND WORK- SITE UTILITY VEHICLES; DEFINITIONS.

(a) "Utility All-Terrain Vehicle" is defined as any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, a designed seat straddled by the operator, manufactured with some or all of the following: low fenders, rack on the back, quiet mufflers, and four-wheel drive. Utility all-terrain vehicle does not include sport all-terrain vehicle.

(1) "Nonhighway Tire" is defined as applicable to Utility All-Terrain Vehicle only, means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.

(b) "Golf Cart" is defined as a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver.

(c) "Micro Utility Truck" is defined as any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hours as originally manufactured, is equipped with four or more tires, a steering wheel and bench or bucket type seating allowing at least two people to sit side by side, has a fully enclosed manufactured metal or metal reinforced cab, has front and rear bumpers, and may be equipped with a bed or cargo box for hauling materials. Micro utility truck does not include a work-site utility vehicle.

(d) "Work-site Utility Vehicle" is defined as any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 200 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. Work-site utility vehicle does not include a micro-utility truck.

(e) "Special Purpose Vehicle" is defined as Utility All-Terrain Vehicle, Golf Cart, Micro-Utility Truck, Work-Site Utility Vehicle, individually or collectively. Special purpose vehicle does not include sport all-terrain vehicle.

(f) "Sport All-Terrain Vehicle" is defined as any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,000 pounds or less, traveling on four nonhighway tires, a designed seat straddled by the operator, manufactured with some or all of the following: High fenders; no driving lights; no turn signals; no brake lights; no rack; loud exhaust; ant two-wheel drive. Sport all-terrain vehicle does not include utility all-terrain vehicle.  
(Ord. 1355; Code 2010)

14-223.

SAME; OPERATION. (a) Utility All-Terrain Vehicles may be operated upon the public highways, streets, roads, and alleys within the corporate limits of the City of Phillipsburg, Kansas, provided the following restrictions are complied with, to wit:

(1) No utility all-terrain vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless equipped with head light, turn signal and brake light.

(2) A person operating a utility all-terrain vehicle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a utility all-terrain vehicle, unless such utility all-terrain vehicle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the utility all-terrain vehicle at the rear of the operator.

(3) A person shall ride upon a utility all-terrain vehicle only while sitting astride the seat, facing forward, with one leg on each side of the utility all-terrain vehicle.

(4) No person shall operate a utility all-terrain vehicle while carrying any package, bundle, or other article which prevents such person from keeping both hands of the handlebars.

(5) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the utility all-terrain vehicle or the view of the operator.

(6) Utility all-terrain vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any utility all-terrain vehicle of the full use of a lane. This subsection shall not apply to utility all-terrain vehicles operated two (2) abreast in a single lane.

(7) The operator of a utility all-terrain vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(8) No person shall operate a utility all-terrain vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

(9) Utility all-terrain vehicles shall not be operated more than two (2) abreast in a single lane

(10) Subsections (6) and (7) shall not apply to police officers in the performance of their official duties.

(11) No person riding upon a utility all-terrain vehicle shall attach himself/herself or the utility all-terrain vehicle to any other vehicle on a roadway.

(12) No operator of a utility all-terrain vehicle shall allow any person to attach himself/herself to the utility all-terrain vehicle for towing purposes.

(13) No person under the age of 18 years old shall ride upon a utility all-terrain vehicle unless wearing a helmet which complies with minimum guidelines established by the National Highway traffic Safety Administration pursuant to the National Traffic Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(14) No person shall operate or ride as a passenger on a utility all-terrain vehicle, unless wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shield which are shatter proof and impact resistant, except when the utility all-terrain vehicle is equipped with a widescreen which has a minimum height of 10 inches measured from the center of the handlebars.

(b) Golf carts may be operated upon the public highways, streets, roads within the corporate limits of Phillipsburg, Kansas.

(1) No golf cart may be operated upon any public highway, street, road and alley in the city with a posted speed limit in excess of 30 miles per hour.

(2) No golf cart may be operated upon any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than 30 miles per hour.

(3) All operators of a golf cart upon a highway, street, road and alley in the City of Phillipsburg, Kansas, must display thereon affixed to the rear of the golf cart an orange flag on a six foot pole.

(4) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(5) No person riding upon a golf cart shall attach himself/herself or the golf cart to any other vehicle on a roadway.

(6) No operators of a golf cart shall allow any person to attach himself thereof to the golf cart for towing purposes.

(c) Micro utility trucks may be operated upon the public highways, streets, roads, alleys within the corporate limits of the city.

(1) No micro utility truck shall be operated on any public highway, street, road or alley, unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(2) No micro utility truck shall be operated on any interstate highway, federal highway to state highway; provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway.

(3) No operator of a micro utility truck shall allow any person to attach himself/herself to the micro utility truck for towing purposes.

(d) Work-site utility vehicles may be operated upon the public highway, streets, roads and alleys within the corporate limits of the city.

(1) No work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights as required by law for motorcycles.

(2) No work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a work-site utility vehicle from crossing a federal or state highway.

(3) No operator of a work-site utility truck shall allow any person to attach himself/herself to the work-site utility vehicle for towing purposes.

(e) Sport all-terrain vehicles are prohibited and shall not be operated on any highway, street, road or alley within the City of Phillipsburg, Kansas. Violation of this subsection (e) of Section 2 is punishable by a fine of not more than \$500.00 or by imprisonment for not more than 30 days or both such fine and imprisonment.

(Ord. 1355; Code 2010)

14-224.

SAME; LICENSE REQUIRED. No person shall operate a special purpose vehicle (Utility All-Terrain Vehicle, Golf Cart, Micro Utility Truck, and Work-site Utility Vehicle) on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license and is 18 years of age or older. Violation of this section is punishable by a fine of not more than \$1,000.00 or by imprisonment for not more than six months or by the such fine and imprisonment. (Ord. 1355; Code 2010)

- 14-225.           INSURANCE REQUIRED. (a) Every owner of a special purpose vehicle within the City of Phillipsburg, Kansas, shall provide liability coverage in accordance with Section 200 of the 2010 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.
- (b) All provisions of Section 200 of the 2009 Standard Traffic Ordinance and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of special purpose vehicles. (Ord. 1355; Code 2010)
- 14-226.           SAME; PENALTY. Unless specifically provided herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the 2009 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. (Ord. 1355; Code 2010)
- 14-227.           PARKING ON SEVENTH STREET. It shall be unlawful to park any motor vehicle on either side of South Seventh Street, from the south city limits of the City to the south side of Middle Drive. (Ord. 1347; Code 2010)
- 14-228.           SAME; PENALTY. Any operator who shall violate the provisions of this ordinance shall, upon conviction thereof, be guilty of a traffic infraction and fined an amount not to exceed \$100.00. (Ord. 1347; Code 2010)

### **ARTICLE 3. RESERVED**

## ARTICLE 4. HAZARDOUS MATERIALS

- 14-401. HAZARDOUS MATERIAL DEFINED. As used in this article, the term hazardous material shall mean any material or combination of materials which, because of its quantity, concentration, or physical, chemical, biological, or infectious characteristics, poses a substantial present or potential hazard to human health or safety or the environment if released into the workplace or environment or when improperly treated, stored, transported, or disposed of or otherwise managed. (Code 2010)
- 14-402. SAME; EXCEPTIONS. The provisions of this article shall not apply to any container which shall have a capacity of 150 gallons or less which shall be used for the purpose of supplying fuel for the vehicle on which it is mounted. These provisions shall also not apply to vehicles, trailers, containers or tanks containing anhydrous ammonia or other material primarily used by farmers for fertilizer purposes when such vehicles, trailers, containers or tanks are parked or housed upon property designated for the placement of such vehicle, trailer, container or tank by any farmers cooperative, elevator company or farm supply store located within the city limits. (Code 2010)
- 14-403. TRANSPORTATION OF HAZARDOUS MATERIALS. Except as provided in section 14-404 it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city. (Code 2010)
- 14-404. HAZARDOUS MATERIALS ROUTES. The provisions of section 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public right-of-ways within the city except those specified within this section where transportation of hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the following streets, avenues, highways or roadways:
- (a) U.S. Highway 183
  - (b) U.S. Highway 36
- (Code 2010)
- 14-405. PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS. (a) Except as provided in subsections (b) and (c), it shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material within any of the following city zoning districts as defined in Chapter 16 of this code:
- (1) (Reserved)
  - (b) Subsection (a) shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour where such vehicles, trailers or semi-trailers are parked along those routes specified in section 14-404 of this code.
  - (c) Subsection (a) shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation. (Code 2010)
- 14-406. REMOVAL OF ILLEGALLY PARKED TRAILERS. If any vehicle, trailer or a semi-trailer is found parked in violation of the provisions of this article, the fire chief or assistant chief or any law enforcement officer may require the owner, operator or

lessee of the trailer to move it within two hours. If such removal is not accomplished on the order of any such officer, it may be accomplished by any such officer, by any reasonable means, if the continued presence of the trailer or semi-trailer at its parked location constitutes, adds to or prevents correction of a situation threatening imminent injury or damage to persons or property. (Code 2010)