

ORDINANCE NO. 2452

AN ORDINANCE RELATING TO THE DERBY TRAFFIC ORDINANCE FOR THE CITY OF DERBY, KANSAS; AMENDING AND REPEALING SECTIONS 10.04.114.4 CONCERNING OPERATION OF GOLF CARTS WITHIN THE CITY.

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

Section 1. Section 10.04.114.4 of the Derby Municipal Code is hereby amended to read as follows:

“10.04.114.4 – Unlawful operation of a golf cart.

A. It shall be unlawful for any person to operate a golf cart on any interstate highway, federal highway, state highway or street within the corporate limits of the city, except:

1. On streets located in an area bounded on the north by the south right-of-way line of Patriot Avenue, on the east by the west right-of-way line of Rock Road, on the south by the north right-of-way line of Meadowlark Boulevard and on the west by the east right-of-way line of Woodlawn Boulevard; and

2. For purposes of traveling by the nearest and most direct route:

i. Between residences or between residences and amenities owned by an HOA or golf course (ex. pools, clubhouses, pickleball courts, golf course);

or

ii. Along an improved golf cart path where such path crosses the public street.

B. Notwithstanding the provisions of Section 10.04.114.4.A above, no golf cart shall suddenly leave a curb, sidewalk, golf cart path, or other place of safety and drive or proceed into the path of a vehicle which is so close as to constitute an immediate hazard.

C. Notwithstanding any other provisions of this code, no golf cart shall be operated on a public highway or street between sunset and sunrise unless equipped with: (1) lights as required by state law for motorcycles; and (2) a properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717, and amendments thereto.

D. The provisions of this section shall not prohibit the operation of any golf cart in the course of authorized duties on behalf of any governmental entity.”

Section 2. Original section 10.04.114.4 of the Derby Municipal Code is hereby repealed.

Section 3. All other provisions of the Municipal Code of the City of Derby, Kansas shall remain in full force and effect except as specifically amended herein. All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 4. Severability. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

Section 5. Effective Date

This Ordinance shall take effect and be in force from and after its passage and publication of the ordinance or a summary thereof once in the City’s official newspaper as provided by State law.

PASSED by the City Council this 9th day of March, 2021 and **SIGNED** by the Mayor.

Seal:



Attest:

Lynn Ciarleglio
Lynn Ciarleglio, City Clerk

Randy White
Randy White, Mayor

Approved as to form:

Jacqueline R. Butler
Jacqueline R. Butler, City Attorney