

(First published in the Western Butler County Times July 15, 1971)

ORDINANCE NO. 156

AN ORDINANCE DEFINING THE TERM MOTORCYCLE, AND PROHIBITING CERTAIN UNLAWFUL OPERATION THEREOF WITH OUT A VALID KANSAS MOTOR VEHICLE OPERATOR'S LICENSE OR OUTSIDE THE LIMITS OR RESTRICTION OF SUCH LICENSE, AND PROVIDING A PROCEDURE FOR PENALTY AGAINST THE GUARDIAN OR CUSTODIAN OF A MINOR UNDER THE AGE OF 14 YEARS OPERATING A MOTOR VEHICLE IN VIOLATION OF THIS ORDINANCE AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND PROVIDING A SAVINGS CLAUSE AND WAIVING THE EFFECT OF ORDINANCE NO. 147 OF SAID CITY

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

Section 1. DEFINITION: For the purpose of this ordinance the term "motorcycle" shall be meant to include every motor vehicle having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, but excluding those vehicles commonly known and used as tractors or mowers, and including but not limited to, so-called motor scooters, motor bikes and trail bikes.

Section 2. From and after the enactment of this ordinance it shall be unlawful for any person to operate a motorcycle on streets, alleys, parks or public property within the corporate limits of the City of Andover, Kansas, without first having obtained a valid Kansas motor vehicle operator's license sufficient to permit such operation on the roadways of the State of Kansas, and if the license held by such operator is limited or restricted then the same must be operated within such limits or restrictions.

Section 3. That should the Marshal or any other police officer of the City of Andover, Kansas, find that a minor under the age of 14 years is operating a motor vehicle in violation of any portions of Section 2 of this ordinance, then and in that event, he shall furnish written warning to the guardian or custodian of such minor child of the violation of this ordinance by such minor child, and should said minor child thereafter commit a smimlar offense for a second time, then and in that event, said guardian or custodian of said minor child, who has been notified and warned fof the first offense, shall be liable under the penal provisions of this ordinance.

Section 4. Any person found guilty of the violation of any of the provisions of this ordinance may be fined not less than \$5.00 nor more than \$100.00, or sentenced to serve 30 days in jail, or both such fine and imprisonment.

Section 5. That pursuant to Section 2 of Ordinance No. 147 as adopted by the Governing Body of the City of Andover, Kansas, it is hereby declared that the adoption of this ordinance is urgent and necessary, and the first reading of the same is suspended by the Governing Body.

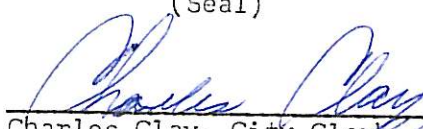
Section 6. That should any section or portion of section of this ordinance be determined unconstitutional, then notwithstanding such unconstitutionality, the remaining section or portions of sections of such ordinance shall be in full force and effect.

The above ordinance duly passed and adopted by the Governing Body of the City of Andover, Kansas, this 29 day of ~~July~~ June, 1971.

Eugene Miller, Mayor

ATTEST:

(Seal)



Charles Clay, City Clerk, *Acting*