

ORDINANCE NO. G-1119

AN ORDINANCE AMENDING TITLE III. TRAFFIC CODE, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS, BY TO AMEND REGULATIONS REGARDING OBSTRUCTIONS ON CITY HIGHWAYS, ROADS, BRIDGES, STREETS, AVENUES, LANES AND ALLEYS.

WHEREAS, Junction City has recognized the need to remove obstructions that are placed on the cities highways, roads, bridges, streets, avenues, lanes, and alleys.

WHEREAS, the need to remove these obstructions is in the interest of public safety.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. ARTICLE III. TRAFFIC CODE, of the Municipal Code of the City of Junction City, Kansas, is hereby amended by adding the following section to CHAPTER 305: MISCELLANEOUS REGULATIONS:

SECTION 305.060: Prohibition of Roadway Obstructions

A. The placement of basketball goals, portable goals or any obstruction upon any of the public highways, roads, bridges, streets, avenues, lanes, or alleys of the city or interfering or obstructing the side ditches or drains thereof or encroaching upon the same with other obstructions or in any other manner, shall be guilty of an infraction, punishable by a fine not to exceed \$100 for each offense plus court costs.

B. If the basketball goal, portable goal or obstruction is deemed to be an immediate traffic hazard to vehicles traveling on the cities highways, roads, bridges, streets, avenues, lanes, or alleys, the Police Department is authorized to immediately remove the hazard from it's location in the interest of public safety, and to recoup the cost from the person, persons, business or corporation who placed it there. These removal costs will be ordered by the Municipal Judge, in addition to the fine and court costs arising out of this action.

C. Any basketball goal, portable goal or obstruction located within or on the public highways, roads, bridges, streets, avenues, lanes, or alleys of the city street may be declared a nuisance unless the said item is a traffic hazard, as defined in Section (B), the owner of said item shall be provided notice of the violation by posting a notice of such violation on the basketball goal, portable

goal or obstruction. The owner of such device(s) will have 48 hours to remove said item from its location, unless the portable goal or obstruction is deemed a traffic hazard as specified in Section (B) of this ordinance, in which the traffic hazard shall be removed immediately and without notice. After the 48 hour period has passed, the Junction City Police Department has the authority to remove the nuisance, store it until it is claimed or dispose of it at the county landfill if it is not claimed within 15 days of its removal. These removal costs will be ordered by the Municipal Judge, in addition to any fine or court costs that arise out of this action.

D. On occasion there may be situations where obstructions such as dumpsters or other objects may need to be placed in the city street to facilitate a construction project or other event. If this occurs, the owner of the property or his contractor or designee may apply for a permit from the Police Department for the approval of said placement of the dumpster or obstruction on the cities highways, roads, bridges, streets, avenues, lanes, or alleys. The Police Department shall inspect the location where the placement is requested and approve said placement with the intent of ensuring the dumpster or obstruction is not a traffic hazard.

Section 2. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS 4th DAY OF September, 2012.



PAT LANDES, MAYOR

ATTEST:



TYLER FICKEN, CITY CLERK