

(Published in the Mullinville Merchant Directory on the 25 day of April, 2024)

**ORDINANCE NO. 407**

**AN ORDINANCE REGULATING THE DRIVING AND THE PARKING OF TRUCKS AND THE TRANSPORTATION OF LIVESTOCK IN THE CITY OF HAVILAND, KANSAS; AND REPEALING ORDINANCE 406.**

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

**SECTION 1. DEFINITIONS.** For the purpose of the ordinance, the following terms, phrases, words and their deviations shall have the meaning given herein:

- a) "City" is the City of Haviland, Kansas.
- b) "City Streets" are any streets or roadways or portion of streets or roadways dedicated to or maintained by the City of Haviland.
- c) "Person(s)" is any person, firm, partnership, association, corporation, company, organization, or other entity of any kind.
- d) "Truck" is any vehicle and/or trailer designed or operated for the transportation of property and whose body weight or whose combined body and load weight exceeds twenty-four thousand (24,000) pounds.
- e) "Livestock" are hogs, sheep, horses, goats, cattle or other similar domesticated animals utilized for labor, agricultural, or husbandry purposes.
- f) "Livestock truck" is a truck, as defined herein, designed and utilized to haul livestock.

**SECTION 2. PARKING OF TRUCKS.** It shall be unlawful for any person(s) to cause or permit a truck to be parked on any City Street in the City of Haviland, Kansas.

**SECTION 3. DRIVING OF LIVESTOCK TRUCKS.** It shall be unlawful for any person(s) to cause a livestock truck to be driven within the City of Haviland, Kansas, except on US 54 Highway and Main Street.

**SECTION 4. PARKING OF LIVESTOCK TRUCKS.** It shall be unlawful for any person(s) to cause or permit a livestock truck to be parked within the limits of the City of Haviland, Kansas.

**SECTION 5. EXCEPTION.** This ordinance shall not prohibit:

- a) The driving or parking of emergency vehicles for the purpose of attending emergency situations.
- b) The driving or parking of a truck for the purpose of loading or unloading merchandise, furniture or any other goods, for so long as reasonably necessary to complete the same, not to exceed twenty-four (24) hours.
- c) The driving or parking of a truck for the purpose of loading and unloading construction material at construction or building location, for so long as reasonably necessary to complete the same.

- d) The parking of a truck which is incapacitated or unable to move, for so long as reasonably necessary to remove the same, not to exceed twenty-four (24) hours.
- e) The driving or parking of trucks owned or operated by the City, public utility and contractor of the City while engaged in the repair, maintenance or construction of streets, street improvements, utility service or conducting refuse collection.
- f) The temporary parking of a truck or livestock truck for less than One (1) hour.

**SECTION 6. PENALTY.** Any person convicted of a violation of this ordinance shall be punished by a fine not to exceed two hundred & fifty dollars (\$250.00). Each day a violation continues shall be a separate offense.

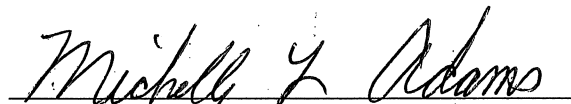
**SECTION 7. EFFECTIVE DATE.** This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication once in the official City newspaper.

**SECTION 8. SAVINGS CLAUSE.** If any section, sentence, clause or phrase of this ordinance is invalid or unconstitutional, the remaining portions of this ordinance shall remain valid and forcible existence.

**SECTION 9. REPEAL OF CONFLICTING ORDINANCES.** Ordinance No. 406 is hereby repealed, and all ordinances or parts of ordinances enacted prior to this ordinance in conflict with this ordinance are hereby repealed.

Passed and adopted by the Governing Body of the City of Haviland this 10<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
Brad Lingafelter, Mayor

  
\_\_\_\_\_  
Attest: Michelle Adams, City Clerk

