

(b) For a second conviction within one year after the first conviction, a fine of not more than \$200 or imprisonment for not more than 20 days or by both such fine and imprisonment.

(c) For the third conviction within one year of the first conviction, a fine of not more than \$500 or imprisonment for not more than six months, or by both such fine and imprisonment.  
(ORD1057/060496)

16-208.

EMERGENCY SNOW ROUTES. SECTION 1. That for purposes of this ordinance the following definitions shall apply:

a) "Emergency Snow Route" shall mean and include Bertrand Avenue (US 24) from the west city limits to the east city limits, North Sixth Street (K63) from Bertrand Avenue to the north city limits, and South Sixth Street from Bertrand to the Transfer Station.

b) A "Snow Emergency" shall exist anytime when two (2) or more inches of snow, or 1/4" of ice, is forecasted to fall within a 24 hour period, by the National Weather Service, or when the St. Marys City Commission or City Manager so declare, and the emergency snow routes have not been plowed or otherwise cleared. The snow emergency ends when the St. Marys City Commission or City Manager has declared the streets open and the snow emergency terminated.

c) "Vehicle" means every device, licensed or unlicensed, upon or by which any person or property is or may be transported, whether such device be in running condition or not.

SECTION 2. Any vehicle parked on a street designated as an emergency snow route may be towed by the City of St. Marys, its employees, agents or designees, and all expenses associated with towing and/or storing said vehicle shall be paid by the owner thereof.

a) Once a snow / ice emergency exists, the public must remove vehicles parked on the roadway within the city limits that have been designated as snow routes. Vehicles not removed shall be towed and the vehicle shall be released to the owner upon payment of all costs associated with the towing and storage and any fines or fees that maybe associated with the removal of the vehicle.

b) Signage declaring the roadways as emergency snow routes shall be posted by the City, on the designated routes.

SECTION 3. Removal of vehicles.

a) The City Manager, or designee, may have a vehicle removed from a location where a parking prohibition is in effect when:

1. The vehicle is parked in any location where a parking prohibition is in effect pursuant to this ordinance;
2. The vehicle is stalled and the owner has not taken immediate action to have the vehicle removed to a place where there is not a parking prohibition in effect;

3. The vehicle is parked in violation of any parking ordinance or provisions of law and is interfering with or about to interfere with snow removal or similar operations;
4. Prior to the vehicle being removed an attempt will be made to contact the owner/operator of the vehicle. If contact is made the owner/operator will have 30 minutes to have the vehicle removed before the vehicle is towed;
5. The City of St. Marys, or its employees, shall not be liable for damages occasioned by reason of the towing, removal or storage of such vehicle.

16-209. SAME; VIOLATION. The penalty for violating this ordinance shall be as follows: \$25.00 for the first occurrence, \$50.00 for the second occurrence and \$75.00 for the third and any subsequent occurrence within a twelve month period, plus court costs. (ORD1248/122011)

### **ARTICLE 3. BICYCLES**

16-301. CARELESS OPERATION. (a) No person shall operate any bicycle upon any street heedlessly, or without due caution and circumspection, or at a speed, or in a manner so as to endanger or be likely to endanger any person or property.

(b) Every rider shall remain alert and give full attention to the safe operation of his or her bicycle while it is in motion and shall not engage in any activity which interferes with the safe control of his or her bicycle. (ORD 751, Sec. 2)

16-302. BICYCLE RIDING IN DOWNTOWN BUSINESS DISTRICT. (a) It shall be unlawful to ride a bicycle or roller skates or riding in or by means of any coaster toy vehicle, skate board or similar device, on the sidewalk in the business district of the City of St. Marys, Kansas. Nothing herein shall be constructed to prohibit an individual from walking or carrying any of the devices listed in this ordinance on the sidewalks adjacent to the streets in the business district.

(b) For the purpose of this ordinance the business district will include the south side of Bertrand from 408 W Bertrand to 5th Street. The north and south side of Bertrand from 5th Street to 6th Street. The south side of Bertrand from 6th Street to 7th Street. The east and west side of 6th Street from Mission to Palmer and the east and west side of 5th Street from south side of alley behind 501 Bertrand to north side of alley behind 502 Bertrand.

(c) Violation of this section will be punished as follows: 1st Offense - the vehicle will be confiscated for 1 day; 2nd Offense - the vehicle will be confiscated for 3 days and a \$10 fine; 3rd Offense - the vehicle will be confiscated for 7 days and a \$25.00 fine. (ORD911/050989)