

ORDINANCE NO. 1836

AN ORDINANCE AMENDING SECTIONS 34-40 AND 34-44 OF ARTICLE III OF CHAPTER 34 OF THE CODE OF THE CITY OF NEODESHA AND PROHIBITING THE OPERATION OF MOTORIZED SCOOTERS AND REPEALING PRIOR SECTIONS 34-40 AND 34-44 OF ARTICLE III OF CHAPTER 34 OF THE CODE OF THE CITY OF NEODESHA AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Be it ordained by the Governing Body of the City of Neodesha:

Section 1 Sections 34-40 and 34-44 of Article III of Chapter 34 of the City of Neodesha are hereby amended to read as follows:

Sec. 34-40. - Definitions.

For purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them

- (a) *All-terrain vehicle* means any motorized nonhighway vehicle, other than an electric-assisted bicycle, 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less, and traveling on three or more nonhighway tires.
- (b) *City* means the City of Neodesha, Kansas.
- (c) *Golf cart* means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.
- (d) *Micro-utility truck* means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. Micro-utility truck does not include a work-site utility vehicle or recreational off-highway vehicle.
- (e) *Motor vehicle* means every vehicle, other than a motorized bicycle, electric-assisted bicycle or a motorized wheelchair, that is self-propelled.
- (f) *Pocket bike* shall be defined as every device having two tandem wheels, or three wheels, which may be propelled by a gasoline engine and which the headlights are lower than 24 inches, its tailpipe is lower than 15 inches, and no vehicle identification number is located on the vehicle nor can ownership of the vehicle be registered.
- (g) *Public highway* means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (h) *Recreational off-highway vehicle* means any motor vehicle not greater than 75 inches in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 3,500 pounds or less, traveling on four or more nonhighway tires.
- (i) *Motorized scooter* shall be defined as a vehicle consisting of a deck or pegs between at least two wheels, with a handle(s) or steering device to control the scooter, propelled by an electric or gasoline motor.
- (j) *Special purpose vehicle* means golf carts, micro utility trucks, and work-site utility vehicles.
- (k) *Taxing entity* means any division of local government created by or pursuant to state statute and operated for public purposes.
- (l) *Vehicle* means every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks
- (m) *Work-site utility vehicle* means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. Work-site utility vehicle does not include a micro utility truck or recreational off-highway vehicle.

Sec. 34-44. - Prohibition of operation of all-terrain vehicles, pocket bikes and motorized scooters.

The operation of all-terrain vehicles, pocket bikes and motorized scooters on the streets, roads and alleys within the corporate limits of the City of Neodesha, Kansas is prohibited and unlawful.

Section 2 **PRIOR SECTIONS REPEALED** Prior Sections 34-40 and 34-44 of Article III of Chapter 34 of the Code of the City of Neodesha and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3 **EFFECTIVE DATE** This ordinance shall be effective upon publication the official city newspaper or on the city's official website **neodesha.org**.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 26th day of August, 2026.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk