



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 7/2/2024

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**FOCUS AREA:** Legal

**STAFF CONTACT:** Ron Shaver and Bob Gallimore

**SUBJECT:** Proposed amendments to Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).

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**TITLE:**

Report regarding proposed amendments to Title 10 of the Olathe Municipal Code (the Olathe Traffic Ordinance).

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**SUMMARY:**

Every summer, staff prepares updates to certain sections of the Olathe Traffic Ordinance within the Olathe Municipal Code ("O.M.C.") to align them with state law, make changes proposed by the prosecutors and police, and make technical corrections. These changes can be found in the proposed Ordinance 24-XX (**Attachment A**). Source statutes for proposed changes 2) and 4) are also attached (**Attachment B**).

The proposed ordinance amends the following sections:

- 1) Section 10.01.001 (Definitions) by amending the definition of "street or highway" to clarify that it includes sidewalks and other non-roadway parts of a street and the definition of "work upon a highway" to clarify that it refers to work where the highway is the object of the work.
- 2) Section 10.01.023 (Accident Involving Death or Personal Injuries; Duties of Drivers; Reports; Penalties) by removing redundant language, unnecessary references, and an apparent loophole if total property damage is exactly \$1,000.
- 3) Section 10.01.085 (Stopping, Standing or Parking Prohibited in Specific Places) by prohibiting parking in a space reserved for access to an electric vehicle charging station other than for the purpose of charging an electric vehicle.
- 4) Section 10.01.195 (Driving in Violation of Restrictions) by updating statutory references.
- 5) Section 10.01.201 (Penalties) by aligning the potential penalties outlined in this section with those provided throughout the rest of the Olathe Traffic Ordinance.

Note: 2024 SB 500 will require amendments to Section 10.01.201.1 (Failure to Comply with Traffic Citation). However, the state law amendments do not take effect until January 1, 2025, so an ordinance addressing those amendments will be brought later this year.

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**FINANCIAL IMPACT:**

None.

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**ACTION NEEDED:**

Accept the report. Unless directed otherwise, staff will prepare the ordinance for formal consideration on July 16, 2024.

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**ATTACHMENT(S):**

A - Ordinance No. 24-XX

B - Source statutes