

## ARTICLE 11. STREET RACE CONTESTS

- 11-1101. DEFINITIONS.
- A. Street Race Contest -- The act of conducting a contest upon any street, park or other public place in the city which shall have two or more persons competing over a designated course and who, during the street race contest, shall not be required to follow the regulations set forth in the Standard Traffic Ordinance of Kansas Cities as amended herein. A street race contest does not include any parade as defined in section 11-1001(a) of the city code and does not include any contest utilizing mechanical devices for propulsion, whether powered by physical exertion or otherwise, except that a street race contest shall include participants utilizing wheelchairs which are powered by the participant's own physical efforts.
  - B. The city reserves the right to waive or suspend any or all of the requirements of this article when the applicant is a governmental entity.
  - C. Person -- Any person, firm, partnership, association, corporation, company or organization or entity of any kind  
(Code 1973, 11.18.010; Ord. 2169, Sec. 7, 2008; Ord. 2212, Sec. 12, 2009)
- 11-1102. PERMIT REQUIRED; EXCEPTIONS.
- A. No person shall engage in, participate in, aid, form or start any street race contest unless a street race permit shall have been obtained from the city.
  - B. Exceptions: This article shall not apply to a governmental agency acting within the scope of its functions.  
(Code 1973, 11.18.020; Ord. 2169, Sec. 7, 2008)
- 11-1103. PERMIT APPLICATIONS; PROCEDURES. A person seeking issuance of a street race permit shall file an application with the chief of police on forms provided by such officer no more than 60 days prior to the race and no less than 45 days prior to the race. (Code 1973, 11.18.030; Ord. 2169, Sec. 7, 2008)
- 11-1104. PERMIT APPLICATIONS; CONTENTS. The application for a street race permit shall set forth the following information:
- A. The name, address and telephone number of the person seeking to conduct such race;
  - B. If the race is proposed to be conducted for, on behalf of, or by an organization or other entity, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible representatives of such organization or entity;
  - C. The name address and telephone number of the person who will be the race chairperson and who will be responsible for its conduct;
  - D. The date when the race is to be conducted;
  - E. The route to be traveled, including the starting point at which the race enters the city limits and the termination point or the point at which the race leaves the city limits;
  - F. The approximate number of persons who will participate in the street race contest;
  - G. The hours when such street race contest will start and terminate, including the time when such race will enter the city limits and the time when such race will leave the city limits;

- H. A statement as to whether the race will occupy all or any portion of the width of the streets proposed to be traversed;
- I. The location of any assembly areas or aid stations for participants in such street race contest;
- J. The time at which participants in such street race contest will begin to assemble at any such area or areas;
- K. If the race is designed to be held by any, on behalf of, or for any person other than the applicant, the applicant for such race permit shall file with the chief of police a communication in writing from the person proposed to hold the street race contest, authorizing the applicant to apply for the permit on his, her or its behalf;
- L. The total distance to be traversed within the city;
- M. The name of the liability insurance carrier and the amount of coverage obtained as provided herein;
- N. A statement that the applicant agrees to indemnify the city and hold it harmless for any and all liability which may arise as a result of the street race contest;
- O. A statement that the applicant agrees to reimburse the city for all expense required to hire or to bring in an off-duty police officer or public works personnel to properly control the activity. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a race permit should be issued.

(Code 1973, 11.18.040; Ord. 2169, Sec. 7, 2008)

- 11-1105. PERMIT ISSUE STANDARDS. The Chief of Police shall authorize a permit to be issued, as provided under this article, when, from consideration of the application and from such other information as may be provided to the chief of police, he or she finds that the standards and requirements enumerated below can be met and that the applicant has agreed to be bound by them:
- A. The conduct of the street race contest will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
  - B. The conduct of the race will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the area contiguous thereto as to prevent normal police protection to the city. Further, the applicant shall agree, prior to the approval of the permit, to reimburse the city for all expenses required to hire or bring in off-duty police officers and the public works personnel to properly control the activity and other such equipment as deemed necessary to protect the contestants and the public. The chief of police shall decide the number and placement of the personnel and may request and demand that the applicant furnish personnel to assist traffic at minor intersections.
  - C. The assembly point for contestant shall be approved by the Chief of Police and wherever feasible shall be off the street. Contestants shall not enter onto the roadway until the time designated in the applicant's application. Parking for contestants shall be placed and neither the assembly of race contestants nor parking of their private vehicles shall unduly interfere with proper fire and police protection of or ambulance service to, areas contiguous to such assembly areas.

- D. Race contestants shall be required to leave the roadway upon the approach of an emergency vehicle using emergency equipment and remain off the roadway until emergency equipment has cleared the area.
- E. The conduct of the race is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or to create a disturbance.
- F. The race is scheduled to move from its point of origin or point of entrance within the city limits to point of termination or point of exit without the city limits expeditiously and within the time requirements of the permit. Any person or persons remaining upon the roadway at the termination time shall become a pedestrian or bicycle rider and be required to follow all rules of the Standard Traffic Ordinance as amended and codified in the City code.
- G. The following further regulations shall be met:
  - (1) Any applicant for a race permit for a street race contest shall provide proof of liability insurance coverage in a form acceptable and approved by the Chief of Police, listing the City as an additional insured, for any liability of the applicant which may arise as a result of or out of the conduct of the parade. The insurance coverage shall provide, at a minimum, the following: General Liability – Bodily Injury and Property Damage \$1,000,000 per occurrence, \$2,000,000 aggregate; Automobile - \$1,000,000 per occurrence BI/PD Combined Single Limit (if applicable); and Participant Accident Coverage (if applicable).
  - (2) The applicant shall agree to indemnify the City and defend and hold it harmless for any and all liabilities, including the cost of any legal proceeding it may incur as a result of, or of the conduct of, any street race contest.
  - (3) Street race contests shall be limited to foot and wheelchair races and races of bicycles propelled solely by human power. No motorized vehicles may participate in a street race contest.
  - (4) At no time will runners be allowed to run in opposite directions on all or any portion of the race course.
- H. The applicant is responsible for ensuring that the standards in this section are met and adhered to during the course of the event.  
(Code 1973, 11.18.050; Ord. 1835, Sec. 1; Ord. 2169, Sec. 7, 2008; Ord. 2201, Sec. 1, 2009; Ord. 2291, Sec. 2, 2013)

11-1106. PERMIT ISSUANCE.

- A. The Chief of Police shall act upon the application for a race permit and shall have the authority to approve or disapprove the permit and shall notify the applicant of his or her decision. If approved by the Chief of Police, then the City Clerk shall be instructed to issue the permit in accordance with the direction of the Chief of Police.
- B. If the Chief of Police determines that the proposed street race contest will significantly affect residents whose vehicular access to their property is affected by the street closure, he or she may condition the approval of the permit on the approval of the Governing Body of the City. (Code 1973, 11.18.060; Ord. 2169, Sec. 7, 2008; Ord. 2201, Sec. 1 2009)

11-1107. PERMIT CONTENTS. Each race permit shall state the following information:

- A. Starting time;

- B. Completion time;
- C. The portion of the street to be used, the portion of the street which will be open to vehicle traffic and the portions of the street to be traversed by participants in the street race contest;
- D. The maximum length of the race in miles or fractions thereof;
- E. A statement of all the conditions set out in Section 11-1105 of this article;
- F. Such other information as the chief of police may find necessary to the enforcement of this article.

(Code 1973, 11.18.070; Ord. 2169, Sec. 7, 2008; Ord. 2212, Sec. 13, 2009)

11-1108. DUTIES OF PERMITTEE.

- A. A permittee under this article shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. The street race chairperson or other person overseeing the street race contest shall carry the race permit upon his or her person during the conduct of the race.
- C. Permittee shall be responsible for notifying participants of the rules and regulations pertaining to the race.

(Code 1973, 11.18.080; Ord. 1835, Sec. 1; Ord. 2169, Sec. 7, 2008)

11-1109. PUBLIC CONDUCT DURING STREET RACE CONTEST.

- A. Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any street race contest or race assembly or with any person participating in the street race contest.
- B. Driving through Races. No driver of a vehicle shall drive on any public street or portion thereof on or around which there is a barricade or sign stating that the street or portion thereof is closed, or when a police officer or other emergency official indicates.
- C. The Chief of Police shall have the authority, when reasonable necessary, to prohibit or restrict the parking of vehicles along any roadway constituting a part of the route of the race. The chief of police shall post signs to such effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

(Code 1973, 11.18.090; Ord. 2169, Sec. 7, 2008)

11-1110. PERMIT ISSUANCE OR REVOCATION IN EVENT OF ANY EMERGENCY.

Notwithstanding any other provision in this article, the Chief of Police, or in the absence of the Chief of Police, the Mayor, shall have the authority to deny or revoke a race permit whenever he or she shall declare that an emergency exists. The Chief of Police, or in his or her absence, the Mayor, shall have the authority to order any street race contest which has begun, to cease whenever he or she shall determine that the street race presents a public safety hazard. (Ord. 1835, Sec. 1; Ord. 2169, Sec. 7, 2008)

11-1111. APPEAL PROCEDURES. Any applicant for a street race permit shall have

the right to appeal the decision of the Chief of Police or any portion thereof to the governing body of the City. The applicant must serve a notice of appeal at least 30 days prior to the next scheduled date of the street race contest and at least five days prior to the next regularly schedule meeting of the governing body by serving

the notice of appeal upon the City Clerk. (Code 1973, 11.18.110; Ord. 2169, Sec. 7, 2008)