

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

For the purpose of this traffic code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the Fire Department (fire patrol), police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.
(Prior Code, § 10.04.020)

BUSINESS DISTRICT. Includes the territory contiguous to a highway or street when 50% or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.
(Prior Code, § 10.04.030)

CROSSWALK. The portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.
(Prior Code, § 10.04.040)

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INTERSECTION. The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more streets or highways which join one another at an angle, whether or not one such street or highway crosses the other.
(Prior Code, § 10.04.050)

MOTOR VEHICLE. Every vehicle, as defined in this chapter, which is self-propelled.
(Prior Code, § 10.04.060)

OPERATOR. Any person who is on actual physical control of a vehicle.
(Prior Code, § 10.04.070)

PARKING. The standing of a vehicle whether attended or unattended, upon a roadway or street otherwise than temporarily for the purpose of and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals.
(Prior Code, § 10.04.080)

RESIDENTIAL DISTRICT. Includes the territory contiguous to a highway not comprising a business district when the frontage of such highway for a distance of 300 feet or more is mainly occupied by dwellings and buildings not in use for business.
(Prior Code, § 10.04.090)

VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon a stationary rails or tracks.
(Prior Code, § 10.04.100)

§ 70.02 DUTY TO OBEY.

Any person propelling any push cart or riding a bicycle or an animal upon a roadway and every person driving any animal shall be subject to the provisions of this title applicable to the operator of any vehicle, except those provisions of this traffic code with reference to the equipment of vehicles and except those provisions which, by their very nature, can have no application.
(Prior Code, § 10.08.010)

TRAFFIC-CONTROL DEVICES**§ 70.15 AUTHORIZATION TO INSTALL.**

(A) The City Council shall, by resolution, determine and designate the character or type of all official traffic signs and signal; provided that, all traffic signs and signals now erected and in operation are designated official traffic signs and signals.

(B) Subject to this selection, the Chief of Police is authorized, and as to those signs and signals required hereunder, it shall be his or her duty to place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall be as approved by the City Council and, as far as practicable, standard throughout the city.

(C) No provisions of this traffic code for which signs are required shall be enforceable against an alleged violator, if, at the time and place of the alleged violation the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person.
(Prior Code, § 10.12.010)

§ 70.16 UNAUTHORIZED DISPLAY PROHIBITED.

It is unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic. Every such prohibited sign, signal or device is declared to be a public nuisance, and the Chief of Police is empowered to remove the same, or cause it to be removed without notice.
(Prior Code, § 10.12.040) Penalty, see § 10.99

§ 70.17 INTERFERENCE PROHIBITED.

It is unlawful for any person to willfully deface, injure, move, obstruct or interfere with any official traffic sign or signal.
(Prior Code, § 10.12.050) Penalty, see § 10.99

§ 70.18 CROSSWALKS.

The Chief of Police, with the approval of the City Council, is authorized to establish and to designate and shall thereafter maintain, by appropriate devices, marks or line upon the surface of the roadway, crosswalks approximately equal in width to the adjacent sidewalk at all intersections where, in his or her opinion, there is particular danger to pedestrians crossing the roadway.
(Prior Code, § 10.12.060)

§ 70.19 SAFETY ZONES AND LANES.

(A) The Chief of Police, with the approval of the City Council, is empowered to establish safety zones of such kind and character and at such places as he or she may deem necessary for the protection of pedestrians.

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(B) The Chief of Police, with the approval of the City Council, is also authorized to mark lanes for traffic on street pavements at such places as he or she may deem advisable, consistent with the provisions of this traffic code.

(Prior Code, § 10.12.070)

CHAPTER 71: TRAFFIC AND PARKING RULES

Section

Traffic Regulations

71.01 Speed limits generally

Parking Regulations

71.15 Restricted parking signs

71.16 Removal of illegally parked vehicles

71.17 Parking over 48 hours prohibited

TRAFFIC REGULATIONS

§ 71.01 SPEED LIMITS GENERALLY.

Any person driving a vehicle on a street or highway shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the street or highway and to any other conditions existing, and no person shall drive any vehicle upon a highway or street at such a speed as to endanger the life, limb or property of any person.

(Prior Code, § 10.16.010) Penalty, see § 10.99

PARKING REGULATIONS

§ 71.15 RESTRICTED PARKING SIGNS.

The Chief of Police, with the approval of the City Council, is authorized to limit or prohibit parking in such places and at such times as in his, her and its discretion is necessary by reason of traffic or other local conditions and to place at such restricted or limited spaces appropriate signs indicating such restriction or limitations and it is unlawful for any vehicle to park in such restricted or limited area contrary to the regulations as indicated by the signs.

(Prior Code, § 10.28.060) Penalty, see § 10.99

§ 71.16 REMOVAL OF ILLEGALLY PARKED VEHICLES.

Any vehicle, machinery or farm implement parked in violation of this subchapter may be removed from the streets by the Police Department and placed in public storage and the owner thereof, in addition to the fines and penalties provided for violation of this traffic code, shall pay the charges for towing and storing of the vehicle removed by the Police Department and such vehicle, farm machine or implement shall not be released until such fees and costs have been paid. All money so collected by the Police Department shall be immediately deposited with the city's Finance Officer.

(Prior Code, § 10.28.090)

§ 71.17 PARKING OVER 48 HOURS PROHIBITED.

(A) It is unlawful for any person, persons, firms or corporation to park or leave standing any motor vehicle, tractor, trailer or farm implement, or machinery, upon or along any streets, alleys or boulevards within the city limits, continuously for a period of time longer than 48 hours.

(B) Any vehicle parked or left standing in violation of division (A) above may be removed by the Police Department or the Street Department, and placed in public storage, and the owner thereof, in addition to all other penalties prescribed for violation of a city ordinance, shall be required to pay the costs of towing or storage, and such vehicle, trailer, tractor, farm implement or machinery shall not be released until such fees and costs have been paid.

(Prior Code, § 10.28.100) (Ord. 231, passed - -1965) Penalty, see § 10.99

CHAPTER 72: RECREATIONAL VEHICLES

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Golf Carts

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72.16 Operation generally
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72.35 Unattended vehicles
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GENERAL PROVISIONS**§ 72.01 TRAFFIC LAWS TO APPLY TO BICYCLES.**

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this act, except as to special regulations in this traffic code and except as to those provisions of this act which, by their nature, can have no application. (Prior Code, § 10.40.010)

GOLF CARTS**§ 72.15 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GOLF CART. A wheeled vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

OPERATOR. Any person who operates or who is in actual physical control of a golf cart.

OWNER. Any person other than a lien holder having legal title or ownership to a golf cart and entitled to the use or possession thereof.
(Prior Code, § 10.60.010) (Ord. 2010-5-3, passed 8-5-2010)

§ 72.16 OPERATION GENERALLY.

(A) Golf carts shall not be allowed to operate within the city, except as authorized by state statute or by this subchapter. Golf carts properly registered pursuant to this subchapter shall be allowed to travel on the roadway portion of public streets, alleys and other roadways within the city, except those highways where golf carts are prohibited by state statute.

(B) An operator of a golf cart shall comply with all city and state traffic rules and regulations applying to vehicles generally; except that, a golf cart shall not be required to have a bell, horn or directional turn signals.

(Prior Code, § 10.60.020) (Ord. 2010-5-3, passed 8-5-2010) Penalty, see § 72.99

§ 72.17 OPERATOR REQUIREMENTS.

It is unlawful to operate a golf cart on the streets, alleys, roadways or other public places within the city limits unless the operator has a valid driver's license or permit and proof of insurance. It is unlawful for any person to board or alight from a golf cart while the golf cart is in motion.
(Prior Code, § 10.60.030) (Ord. 2010-5-3, passed 8-5-2010) Penalty, see § 72.99

§ 72.18 SEATING.

It shall be unlawful for more than two people to occupy the front seat while the golf cart is in motion. In golf carts equipped with a rear seat, no more than two people may occupy the rear seat while the cart is in motion.
(Prior Code, § 10.60.050) (Ord. 2010-5-3, passed 8-5-2010) Penalty, see § 72.99

SNOWMOBILES

§ 72.30 REGISTRATION AND LICENSING.

(A) Snowmobiles must be registered and licensed.

(B) Snowmobiles must be registered and licensed in order to be operated within the municipality, in order to travel into and out of the municipality.

(C) Operators of the snowmobiles must be licensed.

(Prior Code, § 10.50.010) (Ord. 2008-1-1, passed 2-4-2008)

§ 72.31 REGULATION OF THE MOVEMENT.

Snowmobiles are to be operated on the shoulder of the roadway or as close as possible, along the designated routes in and out of the municipality. Operation on public property is prohibited, and operation, crossing, private property done only with the owner's consent. All traffic laws apply to snowmobiles and operators, and where practical, state laws will be utilized for enforcement thereof. Snowmobiles are to utilize snowmobile routes going out of and into the municipality. The only operation of snowmobiles within the municipality will be going to and from the designated routes, and on the designated routes in and out. No person shall operate a snowmobile on private property of his or her own or another between the hours of 10:00 p.m. and 7:00 a.m. the following day; except that, a person returning to his or her residence as hereinbefore provided may do so after the hour of 10:00 p.m.
(Prior Code, § 10.50.020) (Ord. 2008-1-1, passed 2-4-2008) Penalty, see § 72.99

§ 72.32 IN DECLARED EMERGENCY.

In a declared emergency, the above regulations may be lifted in order to assist the public's welfare and being.

(Prior Code, § 10.50.030) (Ord. 2008-1-1, passed 2-4-2008)

§ 72.33 USE AS PER EXCEPTIONS.

The operator of a snowmobile shall be subject to all existing traffic ordinances of the city and traffic laws of the state and in addition, such operator shall:

(A) Display a lighted headlight and taillight at all times during such an operation;

(B) Slow speed of such snowmobile to 15 mph or less when entering any uncontrolled intersection; and

(C) Have a valid South Dakota driver's license in his or her possession.

(Prior Code, § 10.50.040) (Ord. 2008-1-1, passed 2-4-2008) Penalty, see § 72.99

§ 72.34 EQUIPMENT REQUIRED.

All snowmobiles operated within the city shall have the following equipment:

(A) Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle, and no person shall use a muffler cutout, bypass or similar device on such vehicle;

(B) Adequate brakes in good working condition; and

(C) A safety or "dead man" throttle in operating condition, such device which when the pressure is removed from the accelerator, the throttle causes the motor to disengage from the driving track.

(Prior Code, § 10.50.050) (Ord. 2008-1-1, passed 2-4-2008) Penalty, see § 72.99

§ 72.35 UNATTENDED VEHICLES.

No owner or operator of a snowmobile shall leave or allow the snowmobile to be or remain unattended on public property or streets while the motor is running or where the keys for starting the vehicle are left in the ignition.

(Prior Code, § 10.50.060) (Ord. 2008-1-1, passed 2-4-2008) Penalty, see § 72.99

§ 72.36 TOWING.

No person operating a snowmobile shall tow any person or object behind such snowmobile, except when such a person or object is situated upon a conveyance which is attached to such snowmobile by means of a rigid hitch or towbar.

(Prior Code, § 10.50.070) (Ord. 2008-1-1, passed 2-4-2008) Penalty, see § 72.99

§ 72.37 STANDARDS.

The standards herein are to be at least as stringent as state law. In accordance with SDCL § 6-12-5, standards, requirements, fines will not be lower or less stringent than those imposed by state law.

(Prior Code, § 10.50.080) (Ord. 2008-1-1, passed 2-4-2008)

§ 72.38 APPROVED ROUTES.

Approved town routes are as follows:

(A) Mannston Street, north and south;

(B) Blaine Avenue, east and west;

(C) Court Street, east and west; and

(D) Garfield Avenue, east and west.

(Prior Code, § 10.50.090) (Ord. 2008-1-1, passed 2-4-2008)

§ 72.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person violating the provisions of §§ 72.15 through 72.18 of this chapter shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished as set forth in § 10.99 of this code of ordinances.

(Prior Code, § 10.60.060)

(C) Violations of §§ 72.30 through 72.38 of this chapter shall be a Class 2 misdemeanor, imposing a \$50 fine, plus court costs of \$51. The court costs may increase yearly.

(Prior Code, § 10.50.080)

(Ord. 2008-1-1, passed 2-4-2008; Ord. 2010-5-3, passed 8-5-2010)

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

- I. Speed limits
- II. Weight restrictions

SCHEDULE I. SPEED LIMITS.

(A) It is prima facie unlawful to exceed any of the following limitations:

<i>Street</i>	<i>Location</i>	<i>Speed Limit (mph)</i>
	Passing schools or school grounds during recess or while children are going to or leaving school during the opening or closing hours	15
Blaine Street	From East Street to Main Street	20
Commercial Avenue	From East Street to Main Street	20
East Street	From King Street to Garfield Avenue	20
Exene Street	From Fifth Street to Garfield Avenue	20
Logan Avenue	From East Street to Main Street	20
Main Street	From King Street to Garfield Avenue	20
Mannston Street	From the intersection of U.S. Highway #212 (Garfield Avenue) south to city limits	30
Nebraska Street	From the intersection of Logan Avenue north to the intersection of U.S. Highway #212	35

(B) Such speed limit as may be from time to time established and posted on that portion of Garfield Avenue, which is also designated as U.S. Highway #212, by the state's Department of Transportation Division of Highways.

(C) Twenty-five mph on all other streets in the city, excepting the restricted zones established hereby, or as otherwise posted by direction of the City Council.

(Prior Code, § 10.16.020) (Ord. 248, passed - -1970; Ord. 264, passed - -1974; Ord. 270, passed - -1975; Ord. 302, passed - -1981; Ord. 2004-8-5, passed 9-2-2004)

SCHEDULE II. WEIGHT RESTRICTIONS.

(A) (1) It shall be unlawful to operate a motor vehicle exceeding 6,000 pounds per axle gross weight on:

<i>Street</i>	<i>Location</i>
Custer Avenue	From Nebraska Street to High Street
Custer Avenue	From Mannston Street to one-half block west of East Street
Exene	From Garfield to railway
Logan Avenue	West of Nebraska Street

(2) These restrictions do not apply to recreational vehicles.
 (Prior Code, § 10.18.010)

(B) The town’s Police Department is authorized to stop motor vehicles suspected to exceed the weight restrictions provided herein, and have the vehicle weighed at the closest public scale within the city.
 (Prior Code, § 10.18.020)

(C) Any vehicle found to be in violation of the weight restrictions provided herein shall be fined not to exceed \$100 for each offense.
 (Prior Code, § 10.18.030)
 (Ord. 337, passed - -1990; Ord. 2003-3-5, passed - -2003; Ord. 2004-9-8, passed 9-20-2004)

CHAPTER 74: PARKING SCHEDULES

Schedule

- I. Restricted parking
- II. Parallel and diagonal parking

SCHEDULE I. RESTRICTED PARKING.

(A) *Parking of vehicles for sale or repair.* It is unlawful for any person, persons, firm or corporation to park or leave standing any motor vehicle, tractor or trailer or farm implement or other machinery kept for sale or repair upon and along the following named streets in the city:

<i>Street</i>	<i>Location</i>
Blaine Avenue	Between Main Street to Exene Street
Commercial Avenue	Between Main Street and East Street
East Street	Between Blaine Avenue and Commercial Avenue
Exene Street	Between Blaine Avenue and Logan Avenue
Main Street	Between the intersection of Blaine Avenue and Logan Avenue

(Prior Code, § 10.28.080)

(B) *Streets designated as “no parking”.*

<i>Intersection</i>
Blaine Avenue between Harrison Street and Prospect Street
North side of Blaine and west side of Harrison: 70 feet marked in yellow paint with “No Parking” sign installed
North side of King and west side of Mannston: 70 feet marked in yellow paint with “No Parking” sign installed

(Prior Code, § 10.28.120)

(Ord. 2019-3-4, passed 5-6-2019; Ord. 2021-02-01, passed 3-1-2021) Penalty, see § 10.99

SCHEDULE II. PARALLEL AND DIAGONAL PARKING.

(A) No vehicles shall be parked on any street, except such vehicle be parked parallel to the curb headed in the direction of the traffic, with the curb side wheels of the vehicle within 12 inches of the curb and not closer than four feet to any other vehicle front or rear, except upon those streets designated or marked for angle or diagonal parking and upon those streets marked for angle or diagonal parking a vehicle shall be parked at an angle to the curb indicated by marks or signs with the front wheel touching the curb and the left wheel approximately six feet from such curb, at approximately a 45-degree angle.

(B) Streets designated diagonal parking:

<i>Location</i>	<i>Side(s)</i>
Commercial from East to Main	Both sides
East from Blaine to Commercial	Both sides
East from Commercial to the alley	West side only
Exene from Blaine to Commercial	Both sides
Exene from Commercial to alley	East side
Exene from Commercial to Logan	West side
Logan from Exene to Main	North side only
Main from Blaine to Commercial	Both sides

(Prior Code, § 10.28.030) (Ord. 2012-2-3, passed 3-5-2012) Penalty, see § 10.99

