

ORDINANCE NO. 751

AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY BE AMENDED BY REVISING SECTION 20-267, PROHIBITING PARKING ON ALL PUBLIC STREETS IN THE CITY DURING A SNOW REMOVAL ALERT AND REMOVING EMERGENCY SNOW ROUTES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA :

Section 1. That Sections 19-72, 19-73, 19-74, 19-75, 19-76, 19-77, 19-78, 19-79 and, 19-80 of the Revised Ordinances of the City of Dell Rapids, South Dakota are hereby repealed.

Section 2. That Section 20-267 of the Revised Ordinances of the City of Dell Rapids, South Dakota, is hereby repealed in its entirety and amended to read as follows:

“Sec. 20-267. Parking during snow removal alert.

A. Definitions. *For the purposes of this Section, the following terms and words shall have the meaning given herein:*

1. Snow Removal Alert: shall mean such times as there is a snow accumulation on the public streets of three (3) inches or more, or such times as the Public Works Director or his or her designee declares that snow removal operations on the public streets will commence and that the provisions of this Section in regard to parking on public streets during snow removal operations are effective and will be enforced.
2. Street: shall mean the entire width of any public roadway within the City, and it shall not be limited to those roadways designated as a *Street* but shall include all other names by which public roadways are designated.

B. Declaration of Snow Removal Alert. When the Public Works Director or his or her designee determines that snow removal from the public streets will commence, the Public Works Director or his or her designee will announce through local news media and whatever other sources are available that there has been declared a snow removal alert and that the provisions of this Section will be effective and be enforced, designating a particular date and time when the alert shall commence. The determination to declare a snow removal alert will be based on the then existing weather conditions, and the amount of snow then on the ground or expected according to forecasts from the National Weather Service.

C. Parking During Snow Removal Alert. Parking on any public street in the City will be completely prohibited, on both sides and regardless of the directional run of that street, during the existence of a snow removal alert.

D. Termination of Snow Removal Alert. After a snow removal alert has been declared, there will be no declaration of its termination, but the alert shall terminate and the

provisions of this Section become not effective nor enforceable as to any particular street or portion of a street, as soon as that street or portion thereof has been plowed and cleared of snow accumulation, curb-to-curb, and the snow removal equipment is no longer operating in that area, after which normal parking may be resumed until the next declared snow removal alert.

E. Violation of Snow Removal Alert. The owner or operator of any vehicle, trailer or moveable property item parked in violation of this Section shall be subject to a fine as set forth in Section 20-268. Late payment of the fine or any subsequent offenses occurring within six (6) months of a prior violation of this Section shall result in additional fines or penalties as provided in Section 20-269.

F. Towing and Impounding. In addition to any fine or fines provided herein, any vehicle, trailer or other movable property item parked in violation of this Section is hereby declared to be a public nuisance and may be removed by or at the direction of the City without further notice to the owner or person in control or possession thereof. Removal shall be at the expense and risk of the owner or person in control or possession thereof. The removal may be done by city crews or by private tow truck, wrecker or other operator, without risk or liability to the City or private business person doing the removal. Once removed, the vehicle, trailer or other property item shall be impounded by the City or private business person until the owner or person in control or possession thereof shall pay the towing and storage charges.”

Section 3. That paragraph (5) of Section 20-268 (a) of the Revised Ordinances of the City of Dell Rapids, South Dakota, is hereby amended as follows:

...

“(5) Parking during Snow Removal Alert in violation of section 20-267 or otherwise obstructing snow removal and street cleaning in violation of the applicable ordinance or lawful order of any law enforcement officer 25.00”

Section 4. That paragraph (6) of Section 20-268 (a) of the Revised Ordinances of the City of Dell Rapids, South Dakota, is hereby repealed.

Adopted this 17th day of October, 2011.

Mayor

ATTEST:

Finance Officer

Seal

First Reading: _____

Second Reading & Adoption: _____

Publication: _____

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