

**TITLE VII: TRAFFIC CODE**

Chapter

**70. CITY TRAFFIC CODE**



## CHAPTER 70: CITY TRAFFIC CODE

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### § 70.01 GENERAL REGULATIONS.

(A) It is unlawful for any person to operate a motor vehicle upon the public streets or alleys of the city in violation of any provision of this chapter or in violation of any law of the state which is not in conflict with this chapter.

(B) The Governing Body of the city may by resolution designate through-streets, safety zones, quiet zones, limited parking areas, speed zones, truck routes and the character and placement of all official traffic signs and signals.

(Prior Code, § 10.04.010) Penalty, see § 70.99

### § 70.02 SPEED LIMITS.

(A) (1) No person shall operate any vehicle upon the public streets or alleys of the city in a manner which, under the circumstances, tends to endanger life or property.

(2) The speed limit within the city, except upon the highways under state control or in special speed zones, shall be 20 mph in the business district and upon all alleys, and 25 mph in the residential districts.

(Ord. 148, passed 9-21-1998)

(B) The business district is defined as that part of Main Street between First Street and Eighth Street; the remaining streets and alleys of the city shall comprise the residential district.  
(Prior Code, § 10.04.020) (Res. passed 1-18-1992)  
Penalty, see § 70.99

### § 70.03 PARKING.

(A) Double parking upon any of the city streets is unlawful.

(B) Center parking upon any of the city streets is unlawful except that farm trucks of 1 ton or larger size or vehicles towing livestock trailers shall be allowed to center park on that portion of Seventh Street between Main and Rosebud Street and on that portion of Fifth Street between Main and Church Streets for a limit of 10 minutes between the hours of 6:00 a.m. to 7:00 p.m.

(C) It is unlawful to park in any alley in such a manner as to obstruct it in any way.

(D) No panel job or truck, except what is commonly known as a pickup with an open box and a clear view to the rear, shall be allowed to park upon that portion of Main Street between Fifth and Eighth Streets except with special permission from the Mayor or the Chief of Police.

(E) The driver of a vehicle that is parked either at the side or in the middle of any city streets shall, in leaving its place of parking, give the right-of-way to the ordinary traffic upon such streets.

(F) The drivers of vehicles parked in the center of the street, where the parking is permitted, shall give the right-of-way to vehicles parked at the curb when the vehicles are in the act of leaving their place of parking.

(G) It is unlawful for any person to leave any vehicle, trailer, machinery or equipment continuously parked upon the streets or public right-of-way of what has been defined as the business district of the city for more than 48 hours; and for more than 72 hours on the streets or public right-of-way in the remaining areas of the city limits lying outside of the business district.  
(Am. Ord. 167, passed 12-17-2001)

(H) It is unlawful for any person to park any vehicle upon the public sidewalks of the city, or in such a manner as to obstruct the crosswalks in any city street.

(I) All cars parked within the business district of the city shall be parked at the proper angle between the lines drawn on the pavement for such purpose.

(J) No cars or trucks shall be parked at any place within the city where the curb is painted red or within 25 feet of any fire hydrant which is painted red, nor at any place where they might tend to obstruct any intersection between any of the streets and alleys of the city.

(K) (1) Parking at the following public area shall be limited to 72 consecutive hours: the city parking lot located north of the city hall and adjacent to it and running to Seventh Street, being bordered on the west by Church Street and on the east by the alley dividing Main Street from Church Street.

(2) All truck trailers, other trailers and machinery being parked on the parking area described in division (K)(1) of this section are required to use a plank 2 inches by 12 inches by 24 inches to dolly down on.

(L) *Parking after snowfall.*

(1) *Emergency snow route area defined.* The following streets and avenues are designated as the city's emergency snow routes.

- (a) Main Street from Highway 18 to 14th Street;
- (b) 6th Street from Logan Avenue to Highway 47;
- (c) 5th Street from Logan Avenue to Highway 47;
- (d) Felton Avenue from Highway 18 to 14th Street;
- (e) 11th Street from Logan Avenue to Highway 47.

(2) *Parking restrictions.* Whenever 2 inches of falling snow or drifting snow accumulates, parking on streets in the emergency snow route area shall be prohibited until the emergency snow routes are plowed of snow from curb to curb.

(3) *Penalties.* The penalty for a violation of this division shall be a fine of \$50 in addition to any court costs.

(4) *Notice of removal.* The owner of a vehicle or trailer shall be given a notice of 24 hours to remove the vehicle or trailer. Whenever a vehicle or trailer is removed from a street, the person authorizing such removal shall immediately give or cause to be given to the owner of such vehicle or trailer, written notice of the fact of such removal, the reasons therefor and of the place to which such vehicle or trailer has been removed.

(5) *Recovery of removed vehicles/trailers.* The owner of a removed vehicle or trailer, or his or her authorized agent, may not recover such vehicle or trailer from the place where it has been placed or impounded until he or she presents to a law enforcement officer evidence of his or her identity and right to possession of the vehicle or trailer, signs a receipts for its return, pays the cost of its removal, and pays any storage fees. Until paid, these charges constitute a lien on the vehicle, which may be enforced in the same manner as a garage keeper's lien in accordance with the provisions of the statutes of the State of South Dakota.

(6) *Record of removals.* Law enforcement officers shall keep a record of each vehicle removed pursuant to this division. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its storage location, the name and address of its owner and last operator (if known), its final disposition, and the parking violation involved. (Prior Code, § 10.04.030) (Res. passed 4-2-1984; Am. Ord. 214, passed 2-15-2010) Penalty, see § 70.99

#### **§ 70.04 TURNING.**

(A) “U” turns are prohibited upon all the streets and alleys within the city except at intersections, and such “U” turns are further prohibited at the intersections of Main Street with Fifth, Sixth and Seventh Streets.

(B) Upon making proper signals, cross-lane turns may be made at all intersections and no cross-lane turns may be made on Main Street between Eighth Street and Second Street except into a service entrance to a business.

(C) Every driver of a motor vehicle turning into another street or alley to the right shall turn the corner as near to the righthand boundary of the road as possible.

(D) Every driver of a motor vehicle turning into another street or alley to the left of him or her shall, before turning, pass to the right and beyond the center of the intersection of the streets or alleys. (Prior Code, § 10.04.040) (Ord. 73B, passed - -1984) Penalty, see § 70.99

#### **§ 70.05 HEAVY MACHINERY.**

(A) It is unlawful for any person to drive any machinery or vehicle of such a size or nature as to injure any street crossings, culverts or pavement inside the city.

(B) If anyone shall violate this section he or she shall be deemed guilty of a misdemeanor and shall also be liable to the amount of damage he or she caused. (Prior Code, § 10.04.050) Penalty, see § 70.99

#### **§ 70.06 EXHIBITION DRIVING.**

(A) It is unlawful for any person who operates a motor vehicle within the limits of the city to operate the motor vehicle in such a manner that creates or causes unnecessary engine noise, or tire squeal, skid or slide upon acceleration or stopping; or that simulates a temporary race; or that causes the vehicle to unnecessarily turn abruptly or sway.

(B) A person operating a vehicle in violation of division (A) of this section shall be guilty of exhibition driving.

(Prior Code, § 10.04.060) Penalty, see § 70.99

**§ 70.07 STOP SIGNS.**

Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall come to a full stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered or is approaching the intersection from another highway and shall not proceed into the intersection until certain traffic may effect safe passage.

(Prior Code, § 10.04.070) Penalty, see § 70.99

**§ 70.08 CARELESS DRIVING.**

Any person who drives any motor vehicle upon any street, alley or highway of the city carelessly or heedlessly in disregard of the rights and safety of others, or without due caution, circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of careless driving.

(Prior Code, § 10.04.080) Penalty, see § 70.99

**§ 70.99 PENALTY.**

(A) (1) It is the intention of the City Council to adopt the same fines and costs currently being implemented by the state for the following traffic violations:

- (a) Careless driving, as defined in § 70.08;
- (b) Speeding on municipal streets, as defined in § 70.02;
- (c) Exhibition driving, as defined in § 70.06;
- (d) Illegal u-turn, as defined in § 70.04; and
- (e) Traffic sign or signal violation, as defined in § 70.07.

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(2) As of the effective date of this section, the penalty for careless driving in violation of § 70.08 will be a \$50 fine and \$44 in costs for a total of \$94 per municipal violation.

(3) As of the effective date of this section, the penalty for speeding on municipal streets as defined in § 70.02 will be based upon the following schedule:

(a) If the violator is 1-5 mph over the speed limit, the fine will be \$15 and the costs will be \$44 for a total of \$59.

(b) If the violator is 6-10 mph over the speed limit, the fine will be \$35 and the costs will be \$44 for a total of \$79.

(c) If the violator is 11-15 mph over the speed limit, the fine will be \$55 and the costs will be \$44 for a total of \$99.

(d) If the violator is 16-25 mph over the speed limit, the fine will be \$75 and the costs will be \$44 for a total of \$119.

(e) If the violator is 26 mph or more over the speed limit, the fine will be \$179 and the costs will be \$44 for a total of \$223.

(4) As of the effective date of this section, the penalty for exhibition driving in violation of § 70.06 will be a \$94 fine and \$44 in costs for a total of \$138 per municipal violation.

(5) As of the effective date of this section, the penalty for illegal u-turn as defined in § 70.04 will be a \$50 fine and \$44 in costs for a total of \$94 per municipal violation.

(6) As of the effective date of this section, the penalty for a traffic sign or signal violation as defined in § 70.07 will be a \$50 fine and \$44 in costs for a total of \$94 per municipal violation.

(7) The law enforcement officers in the city will enforce all other state criminal laws, including, but not limited to traffic laws, pursuant to the South Dakota Codified Laws. The fines and costs for those criminal violations will be set according to state law.

(Res. passed 12-20-2004)

(B) The fine for violating § 70.03 shall be \$50 for each offense. Twenty-four hours after a ticket has been issued, the vehicle, trailer, machinery item or piece of equipment will be towed at the owner's expense if still parked in the city's right-of-way.

(Ord. 167, passed 12-17-2001)