

## ORDINANCE NO. 329

BE IT ORDAINED BY THE TOWN OF HAYTI, SOUTH DAKOTA:

### **SNOW REMOVAL**

#### A. Definitions.

For the purposes of this ordinance, the following definitions shall apply:

(i) "Snow removal alert" shall mean such times as there is a snow accumulation on the public streets of two

(2) inches or more, or such times as the Board President declares that snow removal operations on the public streets will commence and that the provisions of this article in regard to parking on public streets during snow removal operations are effective and will be enforced.

(ii) "Street" shall mean the entire width of any public roadway within the Town and it shall not be limited to those roadways designated as a "Street", but include "Avenues" and all other names by which public roadways are designated.

#### B. Issuance of a Snow Removal Alert.

When the Board President determines that snow removal from the public streets will commence, the Board President will announce through the local news media that there has been declared a snow removal alert and that the provisions of this article will be effective and enforced, designating a particular date and time when such 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 Restrictions During a Snow Removal Alert.

In the event of a snow removal alert, all public streets in the Town are designated as emergency snow routes.

In the event of a snow removal alert, it shall be unlawful to leave any vehicle parked following the start of the alert so not to interfere with the Town's snow blading and/or removal operations.

#### D. Violation on Deemed Prohibited Parking.

Parking contrary to and in violation of a snow removal alert shall be deemed prohibited parking.

Any vehicle remaining on a Town street following the start of the alert shall be ticketed and towed. Tickets may be issued by law enforcement or by Town employees specifically designated by the Town Council as having authority to issue violation tickets for prohibited parking.

#### E. Termination of a Snow Removal Alert.

After a snow removal alert has been declared, there will be no declaration of its termination, but such alert shall terminate and the provisions of the ordinance no longer apply 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, after which normal parking may be resumed until the next declared snow removal alert.

F. Penalty.

Violation of this ordinance is a misdemeanor punishable by a fine not to exceed \$200.00 or by imprisonment not to exceed 30 days, or by both such fine and imprisonment. Each violation shall be a separate and distinct offense.

Now Therefore Be it Herby Resolved

1. That for a first offense prohibited parking violation pursuant to Ordinance No. 329 the fine shall be established at twenty-five (\$25.00) dollars.
2. That for a second offense prohibited parking violation pursuant to Ordinance No. 329 the fine shall be established at fifty (\$50.00) dollars
3. That for a third offense prohibited parking violation pursuant to Ordinance No. 329 the fine shall be established at one hundred (\$100.00) dollars.
4. For all violations in excess of three violations of Ordinance No. 329 in a one (1) year period, the individual committing the offense shall be required to appear in court and be subject to such fine and/or improvement as Court may adjudicate.
5. In the event the Town seeks enforcement of the violation tickets through filing the Complaints with the Clerk of Courts, the court costs in effect at the time of sentencing shall be added to and become a part of the penalties assessed by the Court.
6. For violation not initially submitted to the Clerk of Courts for enforcement the individual committing the offense shall have the opportunity to pay the fine to the Town of Hayti Finance Officer if the fine is paid within 10 days of the issuance of the ticket or complaint.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2023

Passed First Reading: July 12, 2023

Passed Second Reading: August 9, 2023

Passed and Approved: August 9, 2023

TOWN OF HAYTI, SOUTH DAKOTA

\_\_\_\_\_  
Board Chairperson  
Debra Goebel

ATTEST: \_\_\_\_\_

Finance Officer- Carol Reuer