

CHAPTER 12-1 IN GENERAL

12-1-1

DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them;

Authorized Emergency Vehicle. Vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of municipal department or public service corporations as are designated or authorized by the chief of police.

Business District. The territory contiguous to a highway when fifty (50) percent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings used for business.

Crosswalk. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb. The extreme edge or lateral boundary of a roadway, whether marked by curbing or not so marked.

Department. The police department of the City.

Intersection. The area embraced within the prolongation of the lateral curb lines or, if none, then of the lateral boundary lines of two (2) or more highways which join one another at an angle, whether or not one such highway crosses the other; but such area, in the case of the point where an alley and a street meet shall not be deemed an intersection.

Laned Street. A street, the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.

Motorcycle. Every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except any such vehicle as may be included within the term "tractor".

Motor Vehicle. Every vehicle which is self propelled.

Official Traffic Signs. All signs and markings, other than signals, not inconsistent with this ordinance, placed or erected by a public body or official having jurisdiction, for the purpose of guiding, directing, warning, or regulating traffic.

Operator. Any person who is in actual physical control of a vehicle.

Park or Parking. The standing of a vehicle, whether attended or unattended, upon a roadway, 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.

Parkway. The paved or unpaved strip of land paralleling the roadway and located between the roadway and sidewalk area.

Pedestrian. Any person afoot.

Police Officer. Every officer of the City police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private Road or Driveways. Every road or driveway not open to the use of the public for vehicular travel.

Residence District. The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

Right-of-Way. The right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one (1) grants precedence to the other.

Roadway. That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway included two (2) or more separate roadways, the term "roadway" shall refer to any such roadway separately but not to all such roadways collectively.

Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for use of pedestrians.

Street or Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular travel, and shall also include;

- A. Areas contiguous to the boundary lines which are used primarily as areas for public parking in business districts.
- B. Privately maintained access roads that lead to public parking lots.

Traffic. Pedestrians, ridden animals, herded animals and vehicles while using any street for purposes of travel.

Traffic Control Signal. Any device using colored lights, or words, or any combination thereof, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

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 stationary rails or tracks; provided that for the purposes of this ordinance, a bicycle or a ridden animal shall be deemed a vehicle.

Legislative History:
Ordinance No. 5, Article I,
§1, 3/11/74.

Authority:
SDCL § 9-30-4, Ch. 9-31; See
Also Title 32.

construed to repeal or otherwise affect in any manner any ordinance designating one-way streets or alleys, through streets, stop or yield intersections at which traffic control signals are to be installed, areas or spaces in which the parking of vehicles is prohibited or limited, intersections at which the turning of vehicles is prohibited, restricted or regulated, speed limits or any other ordinance regulating traffic on specific streets, alleys or other public ways in the City or portions thereof or in specific areas of the City and all such ordinances are hereby saved from repeal and recognized as continuing in full force and effect to the same extent as if set out at length in this code.

Legislative History:
Ordinance No. 5, Article I,
§2, 3/11/74.

Authority:
SDCL § 9-30-4, Ch. 9-31; See
Also Title 32.

12-1-3

DRIVER'S LICENSE REQUIRED

It shall be unlawful for any person who is a resident of this state to drive or operate upon any of the streets or highways within the City any motor vehicle without first having secured and having in his possession a license so to do issued by the state.

Legislative History:
Ordinance No. 5, Article I, §3, 3/11/74.

Authority:
SDCL Ch. 32-12.

12-1-4

DRIVING WHEN DRIVER'S LICENSE IS CANCELED, SUSPENDED OR REVOKED

It shall be unlawful for any person to drive or operate upon any of the streets or highways within the City, any motor vehicle when that person's driver's license has been canceled, suspended, or revoked by the State.

Legislative History:
Ordinance No. 143, §2,
6/3/85.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-5

RESTRICTED MINOR'S PERMIT RESTRICTIONS ON OPERATION

It shall be unlawful for any minor to drive or operate upon any of the streets or highways within the City, any motor vehicle, in any manner in violation of the restrictions imposed in a restricted license issued to him. The restricted permit entitles the holder thereof, while having such permit in his immediate possession, to operate a motor vehicle during the hours of 6:00 a.m. to 10:00 p.m. standard time if such motor vehicle is being operated with the permission of the minor's parents or legal guardian, and during the hours of 10:00 p.m. and 6:00 a.m. if the motor vehicle is being operated under the direction of the minor's parent or legal guardian who is occupying a seat beside the driver.

Legislative History:
Ordinance No. 143, §2, 6/3/85.
Ordinance No. 422, 6/19/08.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-6

ALLOWING UNAUTHORIZED PERSON TO USE VEHICLE

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street or highway by any person who is not authorized

under this title or in violation of any of the provisions of this title.

Legislative History:
Ordinance No. 143, §2,
6/3/85.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-7

PERMITTING UNAUTHORIZED MINOR TO USE VEHICLE

No person shall cause or knowingly permit his child or ward or any other minor under the age of 18 years to drive a motor vehicle upon any street or highway when such minor is not authorized under this title or the law of the State of South Dakota, or in violation of any of the provisions of this title.

Legislative History:
Ordinance No. 143, §2,
6/3/85.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-8

LICENSE PLATES

No person shall operate or drive a motor vehicle within the City without having conspicuously displayed thereon number plate or plates as required by state law, securely fastened, and which shall be kept free from mud, dirt, or other obstruction so that said number plate or plates shall be clearly legible by other persons upon the highway.

Legislative History:
Ordinance No. 5, Article I, §5, 3/11/74.

Authority:
SDCL Ch. 32-5.

12-1-9

CLINGING TO A MOVING VEHICLE

No person traveling upon any bicycle, motorcycle, coaster, sled, skis, roller skates, or any other toy vehicle shall cling to or attach himself or his vehicle to any other moving vehicle upon any street or highway.

Legislative History:
Ordinance No. 5, Article I,
§6, 3/11/74; Ordinance No.
143, §1, 6/3/85.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-10

BOARDING OR ALIGHTING FROM VEHICLE

No person shall board or alight from any vehicle while such vehicle is in motion.

Legislative History:
Ordinance No. 5, Article I,
§7, 3/11/74.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-11

COASTERS, ROLLER SKATES AND SIMILAR DEVICES

No person on roller skates or riding in or by means of any coaster or toy vehicle or similar device shall go upon any roadway except while crossing a street or a sidewalk and when

so crossing such person shall be granted all rights and shall be subject to all the duties applicable to pedestrians. This section shall not apply on any street while set aside as a play street.

Legislative History:
Ordinance No. 5, Article I,
§8, 3/11/74.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-12

RIDING ON OUTSIDE OF VEHICLE

No person shall ride on any vehicle upon and portion thereof not designated or intended for the use of passengers. This provision shall not apply to persons riding within truck bodies in space intended for merchandise so long as all persons are seated on the floor of the truck body.

Legislative History:
Ordinance No. 5, Article I,
§9, 3/11/74.

Authority:
SDCL §§ 9-30-4, 9-31-1 et seq
See Also Title 32.

12-1-13

OPENING DOORS INTO TRAFFIC

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

Legislative History:
Ordinance No. 5, Article I,
§10, 3/11/74.

Authority:
SDCL §§ 9-30-4, 9-31-1,
9-32-1 et seq; See Also
Title 32.

12-1-14

EMERGENCY AND EXPERIMENTAL REGULATIONS

The chief of police, by and with the approval of the City Council may make regulations necessary to make effective the provision of the traffic ordinances and make and enforce temporary regulations to cover emergencies of special conditions.

The City Council may make temporary rules regulating traffic or test traffic control devices under actual conditions of traffic. No such experimental rule regulating traffic shall remain in effect for more than ninety (90) days.

Legislative History:
Ordinance No. 5, Article I,
§11, 3/11/74.

Authority:
SDCL §§ 9-30-4, 9-31-1,
9-32-1 et seq; See Also
Title 32.