TITLE 7 - TRAFFIC REGULATIONS

[TRAFFIC REGULATION SDCL 9-31]

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CHAPTER 7.01 - GENERAL PROVISIONS

7.0101 Definitions. Terms used in this Title, unless the context otherwise plainly requires, shall mean:

A. "Authorized Emergency Vehicle" - Vehicles of the fire department, police vehicles, and ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

B. "Crosswalk" - That portion of a roadway ordinarily included within the prolongation of curb and property lines at intersection, whether marked or not, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface of the street.

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

D. "Inoperative Vehicle" - Any vehicle which is not in operating condition due to damage, removal or inoperability of one or more tires and wheels, the engine or other essential parts required for the operation of the vehicle, or which does not have lawfully affixed thereto a valid state license plate or which constitutes an immediate health, safety, fire or traffic hazard.

E. "Motor Vehicle" - Every vehicle which is self-propelled.

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

G. "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 passengers.

H. "Street Intersection" - That portion of a street where it joins another at an angle, whether or not it crosses the other street, and shall include the full width of the street between the curb lines, extended, of the intersection streets.

I. "Trailer" - Every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

J. "Vehicle" - Every device in, upon, or by which any person or property is or may be transported or drawn upon a street, provided that for the purpose of this Title a bicycle or an animal that is being ridden, driven, or led shall be deemed a vehicle.

7.0102 Duty to Enforce. It shall be the duty of the Chief of the Police and all police officers to enforce all the regulations and requirements of this title.

7.0103 Police to Direct Traffic. Police officers shall direct all traffic in conformance with traffic laws and ordinances, provided that in the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, members of the police or fire department may direct traffic as conditions may require.

7.0104 Obedience to Police. It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of the police department.

7.0105 Operation of Snowmobiles. The operation of snowmobiles within City limits is prohibited, except to take the most direct route in and out of the City from the storage location. Any person operating a snowmobile in the City shall observe all applicable regulations of this Title pertaining to motor vehicles. (SDCL 32-20A-7)

CHAPTER 7.02 - OPERATION OF VEHICLES

7.0201 Driving on Right Side of Street. Upon all streets, except upon one-way streets, the operator of a vehicle shall drive the same upon the right half of the street and shall drive a slow moving vehicle as closely as possible to the right hand edge or curb of a street unless it is impracticable to travel on such side of the street, and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in this Title.

The foregoing provision of this Section shall not be deemed to prevent the marking of lanes for traffic upon any street and the allocation of designated lanes to designated speeds.

7.0202 Backing Around Corners or Into Intersection Prohibited. It shall be unlawful for the operator of any vehicle to back such vehicle around a corner at an intersection or into an intersection of public streets.

7.0203 Exhibition Driving. Any person who drives a vehicle within the City limits of Lennox and in such manner that creates or causes unnecessary engine noise, 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 shall be guilty of exhibition driving.

7.0204 Right-of-Way at Intersection. Subject to the exception stated in the next succeeding Section, the right-of-way rule between vehicles at intersections is hereby declared as follows:

A. The operator of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has fully entered the intersection;

B. When two vehicles approach an intersection at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right;

C. The operator of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he may otherwise have hereunder.

7.0205 Exceptions to Right-of-Way. The operator of a vehicle entering a public street shall yield the right-of-way to authorized emergency vehicles when the latter are operated upon official business and the operators thereof sound audible signal by bell, siren, or exhaust whistle. This provision shall not relieve the operator of an emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall it protect the operator of any such vehicle from the consequences of an arbitrary exercise of such right-of-way.

7.0206 Turning Around at Intersections Prohibited. At any intersection where traffic is controlled by traffic control signals or by a law enforcement officer, or where warned by an official traffic control sign displaying the words "No U Turn," or "No Left Turn," it shall be unlawful for the operator of a vehicle to turn such vehicle at the intersection in a complete circle, or so as to proceed in the opposite direction or to make a left turn.

7.0207 Right-of-Way, Left Turn. The operator of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said operator, having so yielded and having given a signal when and as required, may make such left turn and the operators of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn. (SDCL 32-26-18)

7.0208 Turning Around in Midblock Prohibited. The operator of a vehicle shall not turn such vehicle so as to park in the opposite direction or so as to proceed in the opposite direction except at an intersection. (SDCL 32-26-25)

7.0209 Required Condition of Vehicles. Any vehicle having a loud or offensive muffler shall be considered illegal. Any vehicle not equipped with adequate brakes shall be prohibited from operating in the City. Any motor vehicle operated within the City shall be equipped with operable lights and a horn as required by state law. License plates shall be clearly displayed on each end of vehicle, and shall be kept clean and legible. (SDCL 32-15)

7.0210 Action Required at Stop Sign. Except when directed to proceed by a police officer or traffic control signal, every operator 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 operator 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 that such intersecting roadway is free from oncoming traffic which may affect safe passage. (SDCL 32-29-2.1)

7.0211 Action Required at Yield Sign. The operator of a vehicle approaching a sign authorized by the City Council bearing the word "Yield" or Yield Right-of-Way" shall in obedience to such sign slow down to a speed reasonable for the existing conditions, or shall stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the roadway on which such

operator is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. Said operator having so yielded may proceed and the operators of all other vehicles approaching the intersection shall yield to the vehicle so proceeding. (SDCL 32-29-3)

7.0212 Stop Required Before Operator Entering From Alley, Building or Private Road. The operator of a vehicle emerging from an alley, building, private road or driveway within a business or residence district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, road or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where said operator has a view of approaching traffic thereon. (SDCL 32-29-2.2)

7.0213 Left Turns. It shall be unlawful for the operator of any motor vehicle to turn left at any place where such turns are prohibited by the City Council. (SDCL 32-26-18)

7.0214 Pedestrian's Right-of-Way. The operator of any vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals. Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross a roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle. (SDCL 32-27-1)

CHAPTER 7.03 - SPEED RESTRICTIONS

7.0301 General Restrictions. 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.

7.0302 Speed Limitations.

It shall be unlawful for any driver to drive any vehicle upon a highway or streets of the City or in any municipal park at a greater rate of speed than the following:

A. Fifteen (15) miles an hour when approaching within fifty (50) feet of a railroad grade crossing when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last two hundred (200) feet of his approach to such crossing he does not have a clear and uninterrupted view of such crossing and of any traffic on such railway for a distance of four hundred (400) feet in such direction from such crossing.

B. Fifteen (15) miles an hour when passing a school during a school recess or while children are going to or leaving school during the opening or closing hours.

C. Fifteen (15) miles an hour when approaching within fifty (50) feet and in traversing an intersection of streets when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last fifty (50) feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection for a distance of two hundred (200) feet from such intersection.

D. Except as provided above, twenty-five (25) miles per hour on "Thru Streets," and twenty (20) miles per hour on side streets, or as otherwise designated.

E. Fifteen (15) miles per hour in the City parks.

CHAPTER 7.04 - PARKING, STOPPING

7.0401 Parking Prohibited in Certain Places. At any time it shall be unlawful to permit any vehicle to stop, stand or park in any of the following places, except where necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control sign or signal:

A. Within a intersection;
B. On a crosswalk;
C. Within twenty-five (25) feet of the intersection curb lines;
D. Within fifteen (15) feet of a fire hydrant;
E. In front of a private driveway.
F. Within fifteen (15) feet of the driveway entrance to any fire station, or directly across the street from such entrance;
G. On a sidewalk.
H. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
I. Parking against direction of traffic on through streets.

7.0402 Standing for Loading or Unloading Only in Certain Places. It shall be unlawful for the operator of a vehicle to stop, stand, or park said vehicle for a period of time longer than is necessary for the actual loading or unloading of passengers, or the unloading and delivery or pick up and loading of materials in any place marked as loading zone. The City Council shall have authority to determined the location of passenger zones and loading zones as described herein, and shall cause to be erected and maintained appropriate signs indicating the same.

7.0403 Parking Zones. The City Council may designate by resolution any street, avenue, or alley in the City of Lennox, as necessity requires, as parking zones for the parking of motor vehicle or vehicles of any nature and description or the storage of any material of any kind, nature, or description; provide the length of time for day and night parking; the hours that constitute day and night; and provide for marking with proper signs setting forth the manner, form, and hours of parking. Such parking zones shall be delineated on a map filed in the office of the finance officer.

The driver or person in charge of any vehicle parked in such a limited time zone shall comply with such time limit for parking as shown on the signs or marked on the curb where such vehicle is parked.

7.0404 Penalty. Any vehicle parked in violation of this Chapter will be tagged with a tag, listing the date of the offense, license number of the vehicle, make, violation number, and location of offense with reference to street. Whenever a notice is left by any member of the police department in or on any vehicle which has violated the parking regulations, the person in charge of such vehicle shall pay the amount of the assessment described thereon by taking such notice and amount of the assessment to the city finance office and depositing the same

with the city finance officer. The assessment for each violation shall be twenty-five dollars ($25).

If the owner or operator fails to comply within seven (7) days from the date of notice of violation, then in that case, a summons will be issued and the assessment shall be raised to thirty-five dollars ($35) for the violation. The increased assessment can be paid at the City Finance Office within the above time frame. If the summons is not complied with, a complaint will be filed with the court charging the owner or driver with a petty offense and subject to a fine of fifty dollars ($50) plus court costs.

Any vehicle parked in violation of this Chapter may be removed from the streets by the police department and placed in public or private storage and the owner thereof, in addition to the fines and penalties provided in this Chapter, shall pay the charges for towing and storage of said vehicle so removed by the police department. All money so collected by the police department shall be immediately deposited with the City Finance Officer to be paid into the general fund.

7.0405 Non-Parking Areas. The City Council may from time to time by resolution establish and cause to be designated and marked, non-parking areas along street curbs. No vehicle shall be parked at any time or for any period except to load or unload passengers or merchandise in such place so designated and marked.

7.0406 Obstruction of Traffic. No vehicle shall be operated or allowed to remain upon any street under the jurisdiction of the City in such a manner as to form an unreasonable obstruction to traffic. Whenever any police officer finds a vehicle which constitutes an obstruction to traffic, such officers shall be authorized to provide for the removal of such vehicle by towing, if necessary, at owner's expense, with no liability to the City. (SDCL 32-30-1, 2, 3, 4)

7.0407 Parking During Snow Removal.

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

1. Snow Removal Alert. Such times as there is a snow accumulation on the public streets of 2 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 provision of this Chapter in regard to parking on public streets during snow removal operations are effective and will be enforced.

2. Street. 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.

(Amended: Ordinance No. 525, 07-09-12)

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 Chapter 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.
(Amended: Ordinance No. 525, 07-09-12)

C. 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.

D. Violation of Snow Removal Alert. Parking contrary to and in violation of this Section shall be deemed prohibited parking and any vehicle or trailer parked in violation shall be subject to a fine of $25.00. The owner or operator of the vehicle found in violation of this Section may, within 72 hours of the time when the notice of violation was attached to the vehicle, pay to the office of the City Finance Officer, as a fine for and in full satisfaction of the violation, the sum of $25.00. If the owner or operator fails to pay the sum within the 72-hour period, he or she may pay to the office of the City Finance Officer, within the next 2 weeks from the date of violation, as a fine for and in full satisfaction of the violation, the sum of $50.00. Upon failure of the owner or operator to pay either of the sums to the office of the City Finance Officer within the time periods indicated, and upon conviction of a violation of this Section, the owner or operator shall be fined not less than $75.00 nor more than $100.00 plus court costs, which fine shall be collected by the Magistrate Court. The owner or operator also has the right to contest the charges or plead "not guilty" within the time periods indicated above, and have the matter transferred to Magistrate Court. The penalties in this Section may be adjusted by resolution of the City Council.

7.0408 Ticketing and Towing Vehicles. Any authorized City official or law enforcement officer shall be authorized to ticket and tow away, or have removed and towed away by any commercial towing service, any car or vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency or snow removal vehicle, or in any way is in violation with the provisions of this Title. Cars towed away for illegal parking shall be stored in a place designated by the City Council and shall be returned to the owner or operator of such vehicle upon payment of the penalty under Section 7.0404. (SDCL 32-30-13, 14)

7.0409 Abandoned Vehicles. The abandonment of a motor vehicle or other vehicle or any part thereof on any street in the City shall be subject to action and penalties as provided for in this Title and under Chapter 3.01. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a street, in view of the general public, anywhere in the City shall be prohibited except as specifically allowed under Chapter 3.01. (SDCL 32-30-12.1)

7.0410 Parking and Storage of Certain Vehicles. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in a completely enclosed building.

7.0411 Towing Costs. When a vehicle is removed from either public or private property as authorized by order of the City Council, the owner of the vehicle shall be responsible for all towing costs in addition to the penalty for violation. In addition the City shall not be liable for any damages to property or persons incurred as a result of such towing or storage.

7.0412 General Parking Provisions. No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, or opposite to the flow of traffic. It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any business street from which vehicle merchandise is peddled, unless authorized by the Chief of Police. It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property, or on any public property without the consent of the appropriate governmental agency. (SDCL 32-30-6, 6.1, 6.2)

7.0413 Handicapped Parking Areas. There is no parking in any designated special parking space which is clearly marked as a handicapped parking space unless said vehicle in said parking space is displaying a serially numbered certificate or special license plate marking it as owned or operated by a handicapped person.

7.0414 Double Parking. It shall be unlawful for a vehicle to be double parked. For the purposes of this ordinance, the term "double parked" shall mean that situation where one vehicle is parked so as to occupy two designated parking places. (SDCL 32-30-6.1)

7.0415 School Buses, Commercial Vehicles. The parking of school buses and commercial vehicles shall be restricted to commercial areas. The parking of such vehicles in residential areas, as defined by the City zoning map, shall be prohibited. (SDCL 32-32)

7.0416 Parking of Trucks and Trailers. All semi-trailers shall be parked in the City at such places only as have been marked and designated by the Chief of Police and shall be parked parallel with the curb. Provided however, that this section shall not apply to light delivery trucks delivering goods from house to house and place to place which require a brief stop to receive or deliver merchandise. Semi-trailers that park "and dolly down" on any city street or street right-of-way shall require proper dunnage.

CHAPTER 7.05 - TRUCKS

7.0501 Truck Routes. All trucks entering, leaving, or operating within the City limits shall be driven only over and along the truck routes herein established and upon such other designated streets and areas over which truck travel is permitted.

7.0502 Definitions. For the purpose of this article, the terms defined in this section shall have the following meanings:

1. *Person:* Any individual, association, company, corporation, firm, partnership or organization.

2. *Truck:* Any motor vehicle designed or operated for the transportation of property which has a body weight or body and load weight which exceeds three (3) tons per axle.

3. *Truck Route:* The streets herein designated as the way over and along which trucks entering and leaving the City must operate.

4. *Deviating Truck:* A truck operating on City streets not designated as a "truck route" while operating within the City limits.

7.0503 Truck Routes. The City Council, by resolution, may designate streets and highways within the City as truck routes. Said truck routes shall be posted accordingly.

7.0504 Load Limits. If load limits have to be imposed with weather changes, these load limits would coincide with state load limits when they are necessary.

7.0505 Owner's Responsibility. In addition to the driver or operator, the owner of any truck being operated with such owner's permission and/or consent is liable for any violation of this article.

7.0506 Enforcement of Truck Routes. The City Police Department shall keep and maintain accurate maps setting out truck routes and streets upon which traffic is permitted. The maps shall be kept on file in the office of the finance officer and made available to the public.

Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require any person driving or in control of said vehicle to proceed to any public or private scale available for the purpose of weighing and determining whether this Chapter has been complied with. It shall be unlawful for any person driving or in control of any such vehicle to fail to comply with their requirement.

7.0507 Exceptions. Trucks may deviate from the above streets and highways for the following reasons:

1. Temporary permits. The Public Works Director has the authority, for cause or upon request, to issue temporary permits for trucks to operate over routes not established as truck routes by the City Council, or to otherwise deviate from the provisions of this Chapter. Such action by the Public Works Director shall be subject to review, modification, or cancellation by the City Council.

   (Amended: Ordinance No. 525, 07-09-12)

2. When it is necessary for conducting business at a destination in the City by first utilizing an established truck route to the point it becomes necessary to deviate from that route doing so at the intersection with the street or avenue nearest to the destination point and going directly to the destination point. Upon leaving the destination point, the deviating truck shall return to the nearest truck route by the shortest route.

3. The operating of emergency vehicles upon any street in the City.

4. The operation of trucks owned and operated by the City, a public utility, any contractor, or material supplier, while engaged in the repair, maintenance, and construction of improvements within the City.

5. The operation of trucks upon an officially designated detour.

Nothing in Chapter 7.05 shall be construed to modify or change any of the regulations of the state highway department or the statutes of the state with reference to the gross weight permitted upon any highways within the City.

CHAPTER 7.06 - MISCELLANEOUS PROVISIONS

7.0601 Accident - Duty to Stop. The driver of any vehicle involved in any accident resulting in injury or death to any person or damage to property shall immediately stop and give his name and address, and the name and address of the owner and the license number of the vehicle he is driving to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the arrangement for medical assistance of such person by a physician or surgeon for medical treatment if it is apparent that such treatment is necessary or is requested by the injured person.

7.0602 Immediate Notice of Accident. The driver of any motor vehicle involved in an accident resulting in bodily injuries or death of any person property damage to an apparent extent of one thousand dollars or more to any one person's property or two thousand dollars per accident shall immediately, by the quickest means of communication, give notice of such accident to the Police Department. (SDCL 32-34-7)

7.0603 Duty Upon Striking Unattended Vehicles. The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended resulting in any damage to such other vehicle or property shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or property of his name, address, and the name and address of the owner and the license number of the vehicle he is driving or shall attach securely in a conspicuous place in or on such vehicle or other property a written notice giving his name, address, and the name and address of the owner and the license number of the vehicle he is driving and shall without unnecessary delay notify the police department. Every such stop shall be without obstructing traffic more than necessary.

7.0604 Duty Upon Striking Animal. The driver of any vehicle which collides with any dog or domestic animal causing injury thereto shall stop and attempt to notify the owner; if the owner cannot be notified at once, the driver shall report the accident to the Police Department in order that the injured animal may be properly cared for.

7.0605 Traffic Signs and Signals. The City Council shall by resolution determine and designate the character or type of all official traffic signs and signals, provided that all traffic signs and signals erected and in operation are hereby designated official traffic signs and signals.

Subject to this selection, the Chief of Police is hereby authorized, and as to those signs and signals required hereunder, it shall be his 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 approved by the City Council, and as far as practicable, standard throughout the City.

7.0606 Obedience to Traffic Signs and Signals. It shall be unlawful for any operator to disobey the instructions of any official traffic sign or signal upon the street placed in accordance with the provisions of this Title, unless otherwise directed by a law enforcement officer.

7.0607 Interference With Signs or Signals Prohibited. It shall be unlawful for any person to willfully deface, injure, move, obstruct, or interfere with an official traffic sign or signal.

7.0608 Display of Unauthorized Signs or Signals Prohibited. It shall be 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 hereby declared to be a public nuisance, and the Chief of Police is hereby empowered to remove the same, or cause it to be removed without notice.

7.0609 Filing Accident Reports. The Chief of Police shall maintain a suitable system of filing traffic accident reports. Accident reports referred to him shall be filed alphabetically by location. Copies of such reports may be provided to any person, and the City may charge a reasonable fee for each copy so furnished, set from time to time by the Chief of Police but not exceeding the amount under SDCL 32-34-13 for copies furnished by the Secretary of Public Safety. (SDCL 32-34-10-13)

7.0610 Jaywalking. Every pedestrian crossing a highway or street within a business or residential district at any point other than a pedestrian crossing, crosswalk or intersection shall yield the right-of-way to vehicles upon the highway.

It shall be unlawful for any person to stand in a roadway within the City for the purpose of soliciting a ride from the operator of a private vehicle. (SDCL 32-27-4)

7.0611 Use of Coasters, Roller Skates, and Similar Devices. It shall be unlawful for any person on roller skates, roller blades or riding in or by means of any coasters, toy vehicles, or similar device to go upon any roadway except while crossing a street on a crosswalk.

7.0612 Prohibit Use of Dynamic Braking Devices. Operating any motor vehicle with a dynamic braking device engaged except for the aversion of imminent danger is prohibited. Dynamic braking device means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes. The police department shall have enforcement responsibility.

7.0613 Manner of Arrest. Except in cases of driving while intoxicated or under the influence of intoxicating liquor or any stupefying or exhilarating drug, and except in the more serious and aggravated cases of speeding or careless and reckless driving, and except when reasonably necessary to secure appearance, a person charged with violation of a traffic ordinance of the City of Lennox by a police officer need not be arrested in the regular manner but may first be given an opportunity, after notice, to appear voluntarily to answer for such traffic violation.

7.0614 Notice to Appear. A person charged with violation of a traffic ordinance shall be given a notice to appear before the circuit court magistrate or the county clerk of courts at the time stated in such notice, which shall be written within ten (10) days from the time of the offense; and that in event of failure to do so, a warrant will be issued for his arrest. The notice shall state the name and address of the offender, if known; the license number and make of the vehicle involved in the violation; the nature, date, and location of the offense; and the time and place where the offender is to appear to answer to the charges. The notice shall be made in duplicate and the portion of the original stating the offense and the place and time to appear shall be given to the owner or driver charged with the offense or left in or upon the vehicle involved in the violation.

7.0615 Appearance and Deposit for Fine. A person who has received a notice of a traffic violation as provided in the preceding section shall appear at the time and place specified in such notice. In cases of parking violations and other minor traffic violations for which the person charged has been ordered to appear before the circuit court magistrate or county clerk of courts; he

may make a deposit for the fine as authorized by the court and sign a statement authorizing a circuit court magistrate or county clerk of courts to enter his plea of guilty to the offense, then he shall not be required to appear in court. Any person who has been guilty of three (3) or more violations of the provisions of the traffic ordinances of this City shall not be permitted to deposit the fine as herein above authorized, but must post a bond for his appearance in court at the time specified by the department, said bond to be in an amount set by the City Council and on file at the office of the finance officer.

7.0616 Failure to Appear. Upon failure of a person to appear in response to a notice of a traffic violation as herein provided, he shall be subject to arrest in the manner otherwise provided by law.

7.0617 Evidence of Traffic Violations. In any proceeding for violations of the provisions of this title relating to the operation or parking of motor vehicles, the registration plate displayed on such motor vehicle shall constitute in evidence a prima facie presumption that the owner of such vehicle was the person who was operating or parking such motor vehicle at the time when such violation occurred or who parked such motor vehicle at the point where such violation occurred.

CHAPTER 7.07 – GOLF CARTS

7.0701 Definitions. For purposes of this Chapter, the following words shall have the following meanings:

A. "Golf Cart" – A four 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. (SDCL 32-14-13)

B. "Operator" – Every person who operates or is in actual physical control of a golf cart.

7.0702 Golf Cart Operation. Golf carts shall not be allowed to operate within the City except as authorized by state statute or by this Chapter. Golf carts properly permitted pursuant to this Chapter 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. An operator of a golf cart shall comply with all City and state traffic rules and regulations applying to vehicles generally, and except that a golf cart shall not be required to have a bell, horn or directional signals.

7.0703 Operation of Golf Cart on State or County Highway or Bike/Walking Trail Prohibited. No person may operate a golf cart on a state or county highway except for crossing from one side of the highway to the other or on the bike/walking trail. A golf cart may cross the state or county highway at a right angle, but only after stopping and yielding the right-of-way to all approaching traffic and crossing as closely as possible to an intersection or approach. (SDCL 32-14-15)

7.0704 Operator's License and Insurance. No person may 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 and proof that the golf cart is covered by a policy of liability insurance.

7.0705 Permit. It shall be unlawful to operate a golf cart within the City unless the same is permitted in the City of Lennox. Upon submittal of proper application, the Finance Officer shall issue a permit sticker that shall be displayed in a readily identifiable location upon the golf cart. An individual applicant shall pay a fee of $35.00. Permits shall be issued for the lifetime of the owner unless revoked. If the ownership of the vehicle changes, the new owner shall be required to apply for a license. Permit fees and durations may be adjusted by resolution by the City Council.

7.0706 Slow-Moving Vehicle Emblem or White or Amber Warning Lights. Golf carts permitted by the City shall display a slow-moving emblem in accordance with SDCL 32-15-20 or a white or amber warning light in accordance with SDCL 32-17-46.

7.0707 Violation of Golf Cart Operation. Operating contrary to and in violation of this Chapter shall be deemed prohibited and any operator in violation shall be subject to a fine of $25.00. The operator of the golf cart found in violation of this Section may, within 72 hours of the time when the notice of violation was given, pay to the office of the City Finance Officer, as a fine for and in full satisfaction of the violation, the sum. If the operator fails to pay the sum within the 72-hour period, he or she may pay to the office of the City Finance Officer, within the next two weeks from the date of violation, as a fine for and in full satisfaction of the violation, the sum of $50.00. Upon failure of the owner or operator to pay either of the sums to the office of the City Finance Officer within the time periods indicated, and upon conviction of a violation of this Section, the owner or operator shall be fined not less than $75.00 nor more than $100.00 plus court costs, which fine shall be collected by the Magistrate Court. Any person claimed to be in violation also has the right to contest the charges or plead "not guilty" within the time periods indicated above, and have the matter transferred to Magistrate Court. The penalties in this Section may be adjusted by resolution of the City Council.

(Amended: Ordinance No. 544, 06-18-14)