CITY OF HARRISBURG ORDINANCE #2022-08,
TO AMEND PARKING REGULATIONS

BE IT ORDAINED by the City Council of the City of Harrisburg as follows:

## ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance #2022-08 is an ordinance to amend the Parking Regulations of the City of Harrisburg. The City Council of the City of Harrisburg has deemed these regulations and controls to be reasonable and reasonably related to the purpose of promoting the health, safety, and general welfare of the City of Harrisburg.

SECTION 2 – JURISDICTION.

This Ordinance shall govern all territory within the statutory jurisdiction of the City of Harrisburg, South Dakota.

SECTION 3 – SEVERABILITY AND SEPARABILITY.

Should any Article, Section, Subsection, or Provision of this Ordinance be found to be or declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the Ordinance as a whole or any part thereof, other than the portion so declared to be invalid or unconstitutional.

## ARTICLE II – AMENDMENTS TO CHAPTER 7.05: PARKING REGULATIONS

Change Section 7.0501 to read:

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 an intersection;
B. On a crosswalk;
C. Within fifteen feet of a fire hydrant;
D. In front of a private driveway;
E. Within fifteen feet of the driveway entrance to any fire station or EMS building, or directly across the street from such entrance, except personal vehicles of emergency personnel;
F. On or over a sidewalk;
G. Within fifteen feet of inside boundary line of the sidewalk, or if no sidewalk is in place, within twenty-five feet of the intersecting roadway, except that this provision shall not apply to alleys;
H. Parking against direction of traffic on through streets.
I. Parking of any vehicle on any City street for the purpose of camping or sleeping.

J. No person shall park any recreational vehicle on any street within the City for a period longer than twenty-four hours during the months of May through September. Such recreational vehicles shall be prohibited from parking on any street within the City during the months of October through April. For purposes of this Section, recreational vehicle is defined to include, but shall not be limited to, the following:

1. Cargo trailers, whether open or enclosed;
2. Travel trailers;
3. Pickup campers or coaches;
4. Motorhomes;
5. Camping trailers;
6. Boats and boat trailers;
7. Snowmobiles and snowmobile trailers;
8. Jet skis and jet ski trailers;
9. Golf carts and golf cart trailers;
10. All-terrain vehicles and all-terrain vehicle trailers;
11. Dirt bikes and dirt bike trailers; and
12. Any other recreational equipment or cases, boxes or items used to store or transport such recreational equipment.

For purposes of this Section, "any street" means any and all locations within public rights-of-way within City limits. Movement of a recreational vehicle to a different location within City limits than the originally-cited violation location does not restart the 24 hour parking limit.

K. In front of, or within 15' on either side of, a mailbox during daylight hours.
L. Parking of any inoperable or unlicensed vehicle on any City Street.

Change Section 7.0504 to read:

Penalty. The offending automobile or other vehicle will be tagged with a citation, listing the date of the offense, license number of the vehicle, make, violation number, and location of offense with reference to street. Whenever a citation is left by any code officer or law enforcement officer in or on any vehicle which has violated the parking regulations, the person in charge of such vehicle shall pay the amount of the fine described thereon by taking such notice and amount of the fine to the City Finance Office and depositing the same with the City Finance Officer. The amount of the fine from the schedule of fines (Chapter 12.0101) shall be at the discretion of the code officer or law enforcement officer issuing the citation. Each day of violation is considered a separate offense.

If the owner or operator fails to comply within seven days from the date of notice of violation, then in that case, a summons will be issued. The fine can be paid at the City Finance Office within the above time frame. If the summons is not complied with, a warrant may be issued to bring the owner or operator of the

vehicle into court and the fine plus court costs will be assessed by the court for the violation.

Any vehicle parked in violation of this Chapter may be removed from the streets by a code officer or a law enforcement officer 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. All money so collected shall be immediately deposited with the City Finance Officer to be paid into the general fund.

Change Section 7.0507 to read:

Parking in Streets During Snow Removal. Whenever the United States Weather Bureau has forecast snowfall of two (2) or more inches of snow for southeastern South Dakota, or there is an accumulation of two inches or more of snow on the streets of Harrisburg, a snow removal emergency shall be declared, and all on street parking shall be prohibited. Parking on any public street shall be completely prohibited, on both sides and regardless of the directional run of that street, during the existence of a snow removal emergency. The snow removal emergency shall terminate, and parking may resume whenever such street has been cleared of snow completely, until the next snow removal alert is declared. The amount of the fine from the schedule of fines (Chapter 12.0101) shall be at the discretion of the code officer or law enforcement officer issuing the citation. Each day of violation is considered a separate offense.

BE IT FURTHER ORDAINED by the City Council of the City of Harrisburg that this Ordinance shall become effective in accordance to law.

CITY OF HARRISBURG

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ATTEST:

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(SEAL)

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| First Reading: | April 19, 2022 |
| Second Reading: | May 3, 2022 |
| Published: | May 12, 2022 |
| Effective: | June 1, 2022 |