

CITY OF HARRISBURG ORDINANCE #2017-06,
TO AMEND THE TITLE 5, OFFENSES,
OF THE REVISED MUNICIPAL ORDINANCES

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

ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance #2017-06 is an ordinance to amend the Title 5 of the Revised Municipal Ordinances of the City of Harrisburg with corrections and updates. 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 TITLE 5, OFFENSES

A. Amend Chapter 5.0101: Interfering with Public Improvements, Etc., to read:

It shall be unlawful for any person to hinder or obstruct the City or any employee or agent of the City in lawfully making any improvements in any street, road, alley, or on any other public ground in the City or in performing any other official duty. Such obstruction includes obstructing City employee access to any water shutoff valve.

B. Delete Chapter 5.0107: Bikes, Roller Skates, and Skateboards Prohibited in the Business District.

C. Amend Chapter 5.0103: Disorderly Conduct, to delete Sections B (Makes unreasonable noise) and C (Operates amplified sound equipment at an unreasonably high volume) and renumber succeeding Sections.

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D. Add new Chapter 5.0107: Disturbing the Peace, to read:

It shall be unlawful for any person to disturb the peace of the residents of the City by making unreasonable noise within the municipal limits of the City. An unreasonable noise is any sound which disturbs a reasonable person of normal sensitivities.

E. Amend Chapter 5.0202.M: Pigeons, Chickens, and Fowl, to read:

No person shall keep or cause to be kept upon any premises within the municipal limits of the City any pigeons, chickens, or fowl without first obtaining the approval of the City Council Planning Commission. The City Council reserves the right to adopt criteria for and impose conditions upon the approval of keeping pigeons, chickens, or fowl.

F. Add Chapter 5.0507: Fireworks Display Permit, to read:

Any person, association, organization, firm, partnership, or corporation, before making a public display of fireworks per SDCL 34-37-13 within the municipal boundaries of the City, shall obtain an approved Fireworks Display Permit from the Planning & Zoning Administrator.

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

ATTEST:

Mayor Julie Burke – Van Luvanee

Finance Officer Mary McClung

(SEAL)

First Reading: September 18, 2017
Second Reading: October 2, 2017
Published: October 19, 2017
Effective: November 9, 2017