

# TITLE 7

## TRAFFIC REGULATION

- Chapter 7-1: Operation of Motor Vehicles
- Chapter 7-2: Obstruction of Public Thoroughfares
- Chapter 7-3: Motor Vehicle Traffic Control Devices
- Chapter 7-4: Snowmobiles and Other Vehicles

### **CHAPTER 7-1: OPERATION OF MOTOR VEHICLES**

#### **7-1-1: Speed Limits.**

Any person operating a motor vehicle within the City shall drive at a reasonable and safe speed at all times, and under no circumstances in excess of 20 miles per hour within the business or a residential district, nor in excess of 15 miles per hour on any street bordering on the school grounds or zoned as a school zone, nor in excess of 10 miles per hour in an alley or driveway unless otherwise posted, nor in excess of 35 miles per hour in areas zoned agricultural.

*Updated 1.6.15 - Ord. No. 526*

#### **7-1-2: Backing Around Corner 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.

#### **7-1-3: Stealing Rides and Trailing Bicycles or Sleds.**

It shall be unlawful for any person to cause to be attached or permit a bicycle or any sled of any kind occupied by children to be trailed behind any vehicle in the City limits of this City and no person shall ride, seize hold of, trespass upon or drag, slide or in any manner trail behind any vehicle.

#### **7-1-4: Parking Cars Off Street For Snow Removal.**

It shall be unlawful for any person to leave a motor vehicle parked on any alley or street within the City in such a manner as to interfere with the clearing of alleys and streets of snow between the 1<sup>st</sup> day of October each year and the following 1<sup>st</sup> day of May. Also, it shall be unlawful for any person to park overnight at any time on Third Avenue and any person so parking a vehicle thereon overnight shall be deemed guilty of a misdemeanor and shall be fined accordingly. Members of the street department are hereby authorized to have any motor vehicle removed from any alley or street that interferes with snow removal and the cost of towing and storage of the motor vehicle shall be assessed against the owner.

### **7-1-5: Parking of Motor Vehicles.**

- (A) All words which are not defined herein and are not defined in the South Dakota Codified Laws have their ordinary and usual meaning.
- (B) Definitions:
  - (a) "diagonal parking" shall mean that a motor vehicle shall be parked or stopped to the curb, gutter, sidewalk or edge of the roadway at an angle of forty-five degrees and parked within six (6") inches of the curb, gutter, or sidewalk on or along said street upon which said vehicles are parked, and such vehicles shall be parked no nearer than one (1') foot to any other vehicle.
  - (b) "parallel parking" shall mean that motor vehicles and motor vehicle trailers parked or stopped parallel to the curb, gutter, sidewalk or edge of the roadway, and such vehicles shall be parked no nearer than three (3') feet of the front or rear of any other vehicle.
- (C) All persons parking vehicles upon the avenues and streets of this City are required to park the same as "parallel parking," except that they shall park such vehicles as "diagonal parking" on Third Avenue between First and Fifth Streets, and diagonal parking is also required on one block east or west of Third Avenue on Third and Fourth Streets, and also diagonal parking is required one block west of Third Avenue on Fifth Street unless there is a driveway existing or permitted hereafter on the roads described herein.
- (D) No vehicles shall be left parked or stopped within fifteen (15') feet of a fire hydrant.
- (E) There shall be no parking at any space where the curb is marked with yellow or red paint and/or labeled "No Parking," or between "No Parking" signs. "No Parking" signs shall have the words "No Parking" painted thereon, with an arrow pointing from one sign to the other which shall designate the "No Parking" space between such signs.
- (F) No semi-trailer, semi-truck or trailer shall be parked on the avenue or street in a residential district for a period in excess of two hours. Such restrictions shall not apply to trucks loading or unloading cargo which may be parked on avenues or streets long enough to complete their loading or unloading operations, nor to any equipment or machinery in use on any construction, maintenance or repair project on any alley, avenue, street or public place.
- (G) No motor vehicle shall be parked on any alley, avenue, public parking lot, street or on municipal property for a period longer than twenty-four (24) hours at one location, nor shall any unlicensed motor vehicle or junked cars be parked on private property in the open for a period longer than seven (7) days at one location.

- (H) The provisions of this chapter regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles while the operator of such vehicle is operating the same in an emergency. However, this exemption shall not protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.
- (I) Any vehicle parked in violation of an ordinance may be removed at the direction of a public law enforcement officer and placed in public storage, and the owner thereof shall pay the charges for towing and storage of said vehicle, together with any fine and penalty which may be imposed for such violation.

**7-1-6: Dynamic Braking Devices Prohibited**

Operating any motor vehicle with a dynamic braking device engaged is prohibited within the limits of the city except for the aversion of imminent danger. Dynamic braking device (commonly referred to as Jacobs Brake or Jake Brakes) 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. Also, any public emergency response vehicle equipped with a dynamic braking device will be allowed to use such device during a response to an emergency situation.

## **CHAPTER 7-2: OBSTRUCTION OF PUBLIC THOROUGHFARES**

### **7-2-1: Obstruction of Thoroughfares.**

No person shall leave or park unattended any motor vehicle upon the improved or paved or main traveled portion of any highway, road or street within the jurisdiction of the City when it is practical to leave or park such vehicle standing off the improved or paved or main traveled portion of the highway, road or street. However, under no circumstances shall any person leave or park unattended any motor vehicle whether attended or unattended upon any highway, road or street within the jurisdiction of the City unless a clear and unobstructed width of not less than twenty (20') feet upon the main traveled portion of such highway, road or street opposite such standing vehicle be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of two hundred (200') feet in each direction upon such highway, road or street.

### **7-2-2: Removal of Obstructing Vehicles.**

When any law enforcement officer shall find a vehicle standing upon a highway, road or street in violation of this chapter of this code, then the law enforcement officer is hereby authorized to move such vehicle or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under the provisions of this chapter.

### **7-2-3: Designation of one-way streets and alleys.**

The following named streets and alleys within the City are hereby declared and designated as one-way:

The alley in Block Four (4) of the Original Plat of the City of Clear Lake located between Third Avenue and the east side of the school. (easterly in direction)

The alley in Block Twenty-one (21) of the Original Plat of the City of Clear Lake located between Second Street, (to the North), Second Avenue (to the East), Third Street (to the South), and Third Avenue (to the West). (northerly in direction)

## **CHAPTER 7-3: MOTOR VEHICLE TRAFFIC CONTROL DEVICES**

### **7-3-1: Obedience To Traffic Control Devices.**

The driver of any vehicle shall obey all traffic control devices, signals and signs in accordance with the traffic ordinances of this City unless otherwise directed by a law enforcement officer, subject to the exception granted the driver of an authorized emergency vehicle.

### **7-3-2: Through Highways and Night Visibility.**

The state Department of Transportation is hereby authorized to designate main traveled or through highways under its jurisdiction within the City by erecting at the entrances thereto from intersecting highways stop or yield signs. However, all such signs shall be illuminated at night or placed so as to be illuminated by headlights of an approaching vehicle or by street lights.

### **7-3-3: Stop Required.**

The driver of a vehicle emerging from an alley, building, driveway or private road within a business or residential district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, driveway or road, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic.

### **7-3-4: Yield Right of Way.**

The operator of a vehicle approaching an intersection at which there is posted a Yield Right of Way sign shall bring the vehicle under complete control and shall yield the right of way to vehicles approaching or in the intersection from the left or right and proceeding in the opposite direction. The operator so yielding shall not proceed until the intersection is clear of traffic. This yield rule shall have precedence over the usual left and right approach rule.

### **7-3-5: Pedestrians' Right of Way.**

The operator of a vehicle shall yield the right of way to a pedestrian crossing a roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block or entrance to an alley unless the movement of traffic is being regulated by a law enforcement officer. Whenever any vehicle has stopped at a crosswalk or intersection to permit a pedestrian to cross a roadway the operator of a vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

### **7-3-6: Temporary Traffic Regulations.**

The City Council shall have the right to establish temporary speed and traffic regulations for the convenience and safety of the public, and when such changes are made, then proper signals and signs shall be posted.

## **CHAPTER 7-4: SNOWMOBILES AND OTHER VEHICLES**

### **7-4-1: Definition.**

A "vehicle" as defined herein is any vehicle having two or more wheels operated on the alleys, highways, streets and public places for the purpose of transporting persons or property including bicycles, cars, go carts, motorcycles, motor scooters, snowmobiles, tractors and trucks and all other vehicles used or operated on the public roads.

### **7-4-2: Operation of Vehicles.**

All vehicles being operated upon the alleys, streets and public grounds of the city shall be operated in a careful and prudent manner at all times, and the operator of a vehicle shall obey and be subject to the laws and rules of the road.

### **7-4-3: Snowmobiles.**

It shall be unlawful for any person to operate a snowmobile within the City unless such operation allows a resident to proceed directly outside the municipality from their residence and return in the same manner. It shall be unlawful to operate a snowmobile in a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of residents within the City. It shall be unlawful to operate a snowmobile in a careless, negligent or reckless manner so as to endanger the safety of any person or the property of any other person.

### **7-4-4: Golf Carts.**

The term "golf cart" means a four-wheeled vehicle intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course. Any person operating a golf cart shall obtain a permit from the City Finance Officer to operate the golf cart on municipal streets. However, proof must be provided to the City Finance Officer that the golf cart is insured for liability and that the person operating the golf cart must have a valid driver's license. Additionally, a permit must be obtained for a fee of \$10 from the City Finance Officer each year and the golf cart may be operated after dark only if it has headlights. Also, a golf cart may cross a state highway only at a right angle and only after stopping and yielding the right-of-way to all approaching traffic and crossing as closely as possible at an intersection. Furthermore, all operators of a golf cart within the municipality shall comply with all city, county and state traffic rules and regulations applying to motor vehicles except that a golf cart shall not be required to have a bell, horn or directional turn signals. Anyone violating this ordinance may be fined \$500 for each violation as per SDCL 22-6-2(2).

*Adopted 9.13.17 – Ord. No. 544*