

ORDINANCE # 254

AN ORDINANCE REPEALING ALL PREVIOUS ORDINANCES RELATING TO THE REGULATION OF MOTOR VEHICLE SPEED AND ADOPTING A NEW ORDINANCE REGULATING THE SPEED OF VEHICLES WITHIN AND FOR THE CITY OF LAKE NORDEN.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE NORDEN, HAMLIN COUNTY, SOUTH DAKOTA THAT ORDINANCE #254 BE ADOPTED AS FOLLOWS:

SECTION 1. DEFINITIONS.

Throughout this ordinance, the following words shall have the following meanings:

“Authorized emergency vehicles” means all vehicles of any fire department, police department and such ambulances and emergency vehicles of duly constituted municipal departments or public service corporations as are designated or authorized by the State Department of Commerce and Regulation.

“Crosswalk” means 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. The term crosswalk also includes any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

“Motor vehicle” means every vehicle which is self-propelled.

“Operator” or “driver” means any person who drives or is in actual physical control of a vehicle.

“Street or “highway” means every way or place open for vehicular travel by the public, regardless of its legal status, and regardless of whether it has been legally established by constitute authority or by user for the statutory period of time as a public highway. The erection of traffic control signs and the enforcement of traffic laws on private streets or highways shall not constitute acceptance or be deemed evidence of acceptance by the city of dedication of a street or highway.

“Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a public street or highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks; provided, that for the purposes of this title, a bicycle or a ridden animal shall be deemed a vehicle.

SECTION 2 SPEED LIMITATIONS.

No person shall operate a vehicle or motor vehicle upon any street, alley or public place in this city at a speed greater, or in any manner, than is reasonable and prudent under the conditions then existing. This provision shall apply in addition to any maximum speed limitation provided by ordinance, statute or police regulation.

Maximum speed regulations.

The following speed limitations shall constitute the maximum speed at which any vehicle or motor vehicle may be operated:

- A. It shall be unlawful for any person to run, or cause to be run, any vehicle upon any public street, alleys or public grounds of the City of Lake Norden at a greater rate of speed than twenty-five (25) miles per hour, unless otherwise posted.
- B. It shall be unlawful for any person to run, or cause to be run, any vehicle when driving within or passing any public park of the City of Lake Norden at a greater rate of speed than fifteen (15) miles per hour.
- C. It shall be unlawful for any person to run, or cause to be run, any vehicle upon Jay Headley Avenue, a designated truck route, of the City of Lake Norden at a greater rate of speed than forty-five (45) miles per hour.
- D. The speed limitations set forth herein shall not apply to any authorized emergency vehicle when responding to an emergency if the driver thereof emits an audible signal by siren or horn. Nothing herein shall be deemed to relieve any driver of an authorized emergency vehicle from the duty to drive with due regard and circumspection for the safety of all persons using the streets nor shall this provision be deemed to protect any driver of an emergency vehicle from the consequences of operating such vehicle with a reckless disregard for the safety of others.

SECTION 3. Pedestrians.

- A. 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.
- B. At intersections where traffic is controlled by traffic control signals or police officers, drivers of vehicles, including those making turns, shall yield

the right-of-way to pedestrians crossing or those who have started to cross the roadway on a walk signal; and in all other cases pedestrians shall yield the right-of-way to vehicles lawfully proceeding directly ahead or turning on a green or go signal.

- C. Every pedestrian crossing a highway at any point other than a pedestrian crossing, a crosswalk or intersection shall yield the right-of-way to vehicles upon the highway.
- D. Whenever a pedestrian is crossing or attempting to cross a public street or highway, guided by a guide dog or carrying, in a raised or extended position, a cane or walking stick which is white in color or white tipped with red, the driver of every vehicle approaching the intersection or place where such pedestrian is attempting to cross, shall bring his vehicle to a full stop before arriving at such intersection or place of crossing, and before proceeding shall take such precautions as may be necessary to avoid injuring such pedestrian.
- E. It is unlawful for any person, unless totally or partially blind, while on any public street or highway, to carry, in a raised or extended position, a cane or walking stick which is white in color or white tipped with red.

CITY OF LAKE NORDEN
Rusty Antonen
Mayor

ATTEST:
City Finance Officer

(SEAL)

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