

**ORDINANCE # 271 "AN ORDINANCE REPEALING ALL PREVIOUS ORDINANCES
AND ESTABLISHING A NEW ORDINANCE PERTAINING TO SNOW REMOVAL
WITHIN THE CITY OF LAKE NORDEN."**

**BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE
NORDEN, HAMLIN COUNTY, SOUTH DAKOTA, AS FOLLOWS:**

SECTION 1. PURPOSE

During the winter, one of the City's main concerns is the removal of vehicles from the streets in order to facilitate snow removal and emergency operations. If vehicles are not removed, the snow surrounding them turns to ice. In addition, subsequent snowfalls will create a hazard to the traveling public, snowplow operators and snow removal equipment. Therefore, the purpose of this ordinance is to establish a "Snow Removal Policy for the City of Lake Norden."

SECTION II. DEFINITIONS

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

For the purpose of this article, the following definitions shall apply:

"Snow removal alert" shall mean such times as there is snow accumulation on the public streets of two (2) inches or more, or such times as the Mayor declares that snow removal operations on the public streets will commence and that the provisions of this article in regard to parking on public streets during snow removal operations are effective and will be enforced.

"Street" shall mean the entire width of any public roadway within the City of Lake Norden and it shall not be limited to those roadways designated as a "Street", but include "Avenues", "Alleys" and all other names by which public roadways are designated.

SECTION III. REGULATIONS AND RESTRICTIONS

- A. Temporary Snow Fences.** No person shall erect, construct or maintain any temporary fence in the City of Lake Norden, which may cause or create accumulations of snow, ice or water on public streets and sidewalks or other private properties, which are greater than those accumulations that would occur without such fence.
- a. Any temporary snow fence hereafter erected, constructed and maintained in the City of Lake Norden shall comply with all other ordinances of the City.
 - b. That a temporary fence shall be defined as any fence attached to the ground, and intended to be used for a limited period of time for the specific purpose of controlling snow accumulation.

- B. Parking At Night In The Business District.** It shall be unlawful for the driver or any owner of any motor vehicle, trailer or implement, to park or leave standing, or permit to be parked or left standing, any motor vehicle, trailer or implement on Main Avenue between Park Street and Harvest Street between the hours of 2:30 AM and 6:00 AM during a "Snow removal alert".
- C. Parking Prohibited During Snow Removal Alert.** It shall be unlawful for the driver or owner of any motor vehicle, trailer or implement to park or leave standing or permit to be parked or left standing any motor vehicle, trailer or implement on any street in the City of Lake Norden. Parking may not be resumed until such streets have been cleaned of such snow from curb to curb.
- D. Parking Regulations During Snow Removal Alert.**
- a. In the event of a "snow removal alert", all public streets in the City of Lake Norden are designated as emergency snow routes.
 - b. In the event of a "snow removal alert", it shall be unlawful to leave any vehicle parked following the start of removal, as determined by the City Council, so as not to interfere with the City's snow blading and/or removal operations.
 - c. Any vehicle remaining on a City street following the start of the snow removal by city crews shall be ticketed and towed, as determined by the City.

SECTION IV. Duty Of Owner Or Occupant.

- A. Sidewalks shall be kept free and clear of snow and ice.** It shall be the duty of the owner or occupant or person in possession or in charge of any lot, parcel or plat of ground fronting or abutting any sidewalk, to keep such sidewalk free and clear from snow and ice at all times. When it is impossible to clear snow and ice from a sidewalk because it is frozen to the sidewalk, the owner, occupant or person in possession or in charge of such lot shall sprinkle or spread some suitable material upon the same to prevent the walk from becoming a slippery and dangerous surface.
- B. Snow shall not be moved onto "Public Streets".** Owners, occupants or their representatives are prohibited from removing snow from their parking lots and driveways unto "public streets."

SECTION VI. Penalties Imposed.

- A. Violators will be subject to a twenty-five dollar fine (\$25.00).** Any owner, lessee, occupant, or person in charge shall fail, neglect or refuse to remove snow and ice or strew the same with sand or other substances as directed in this ordinance, or who shall violate any of the provisions of this ordinance or who shall resist or obstruct city crews in the removal of snow and ice shall be subject to a fine of not more than twenty-five dollars (\$25.00) and each day on which such violation continues shall constitute a separate offense.

- B. If the owner or person in possession or in charge of any such lot, parcel or plot of ground shall fail or refuse to remove the snow or ice from such sidewalk within 48 hours of the falling of snow or the forming of ice, the City of Lake Norden or its representative, may remove or cause to be removed such snow or ice. The City of Lake Norden shall assess the cost of said snow and ice removal against the fronting or abutting property.
- C. If the owner, or person in possession of, or in charge of, any parcel or plot of ground shall remove snow from said parcel or plot unto a "Public Street" or stockpile snow on a "Public Street", said owner, or person in possession of, or in charge of, shall be subject to a fine of not more than twenty-five dollars (\$25.00) and each day on which such violation continues shall constitute a separate offense.

Passed First Reading January 5, 2006

Passed Second Reading January 23, 2006

APPROVED:

Janet Andrews, Mayor
City of Lake Norden

ATTEST:

Delores Kangas, Finance Officer

APPROVED:

Janet Andrews
Mayor, City of Lake Norden

ATTEST:

Delores Kangas, Finance Officer