

AN ORDINANCE TO AMEND SECTION 9.28.020 OF THE RAPID CITY MUNICIPAL CODE RELATING TO THROWING STONES AND MISSILES

WHEREAS, the City of Rapid City has the power to enact ordinances, enforce its ordinances, and exercise jurisdiction over all territory within its corporate limits for the purpose of promoting the health, safety, morals, and general welfare of the community pursuant to state statute, including but not limited to SDCL 9-29-1 and SDCL Title 9 generally; and

WHEREAS, the City of Rapid City has adopted a provision of the Rapid City Municipal Code relating to throwing certain objects in Sections 9.28.020; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to amend Section 9.28.020 to revise certain language and to allow for certain exceptions to that section; and

WHEREAS, the City of Rapid City finds that these changes are in the best interests of the health, safety, and welfare of its citizens.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 9.28.020 of the Rapid City Municipal Code is hereby adopted to read in its entirety as follows:

9.28.020 Shooting arrows or ~~throwing stones and missiles.~~

No person shall throw stones or other missiles at persons, vehicles or at animals. It is unlawful for any person to shoot an arrow within the corporate limits of the City, or within one mile of the corporate limits of the City not within another municipality. It is unlawful for any person to throw a stone at another person, a vehicle, or an animal within the corporate limits of the City, or within one mile of the corporate limits of the City not within another municipality. It shall be a defense to a charge of violating this section if a person was engaged in lawful self-defense or defense of another – as set forth in SDCL 22-5-1, SDCL 22-5-9, and SDCL 22-18-4. The following types of throwing or shooting are exempt from this section:

- A. Shooting by a law enforcement officer in the discharge of his or her official duties;
- B. Shooting by a person who has a valid Rapid City Archery Antlerless Deer Access Permit;
- C. Shooting by a target archer with a target and backstop configuration significant enough such that the target and backstop will prevent the pass through of any arrow or stop any deflected or wayward arrow;
- D. Shooting by a person at a fish if the person has a valid South Dakota Fishing License; and
- E. Throwing or shooting that is specifically approved by the City Council.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: