AN ORDINANCE TO AMEND CHAPTER 10.48 OF THE RAPID CITY MUNICIPAL CODE
RELATING TO PARKING DURING SNOW REMOVAL

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 provisions for parking during snow removal in Chapter 10.48 of the Rapid City Municipal Code; and

WHEREAS, the Common Council of the City of Rapid City wishes to amend Chapter 10.48 to extend the western boundary of the Downtown Snow Removal Core to West Boulevard and to make other clarifications to the provisions in Chapter 10.48; 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 Chapter 10.48 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

10.48.010 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. **EMERGENCY SNOW ROUTE.** The Director of Public Works or his or her designee shall have the authority to designate public streets as EMERGENCY SNOW ROUTES when, in the Director’s opinion, the streets necessarily must be cleared of snow for the safe and orderly flow of traffic for the safety, health and welfare of the general public. The Public Works Department shall maintain a publicly available map defining the streets designated as an emergency snow routes.

B. **DOWNTOWN SNOW REMOVAL CORE.** That area of the City enclosed within the boundaries of Ninth Street on the west, Fifth Street on the east, Omaha Street on the north, and Kansas City Street on the south, to include the entire roadway of those designated streets.

C. **SNOW REMOVAL ALERT.** Such times as there is a snow accumulation on the public streets as the Public Works Director or his or her designee declares that snow removal operations on the public streets will commence and that the provision of this Chapter in regard to parking on public streets during snow removal operations are effective and will be enforced.

D. **STREET.** The entire width of any public roadway within the City, and it shall not be limited to those roadways designated as a STREET but shall include all other names by which public roadways are designated.
10.48.020 Declaration of snow removal alert.

When the Director of Public Works or his or her designee determines that snow removal from the public streets will commence, the City Director of Public Works or his or her designee will announce through local news media and whatever other sources are available that there has been declared a snow removal alert and that the provisions of this Chapter will be effective and be enforced, designating a particular date and time when the alert shall commence. The determination to declare a snow removal alert will be based on the then-current existing weather conditions, and the amount of snow then on the ground accumulated or expected according to forecasts from the National Weather Service.

10.48.030 Restrictions–Designated.

A. Downtown snow removal core. During the hours of 2:00 a.m. to 8:00 a.m., no person shall park or allow to remain parked any vehicle or trailer on any public streets in the area defined as the downtown snow removal core in § 10.48.010 when the Director of Public Works or his or her designee declares a snow removal alert.

B. Emergency snow route. No person shall park or allow to remain parked any vehicle or trailer on any street designated as an emergency snow route as defined by § 10.48.010 when the Director of Public Works or his or her designee declares a snow removal alert.

10.48.040 Restrictions–Termination.

After a snow removal alert has been declared, there will be no declaration of its termination, but the alert shall terminate and the provisions of § 10.48.030A. and B. become not effective nor enforceable as to any particular street or portion of a street, as soon as that street or portion thereof has been plowed and cleared of snow accumulation, curb-to-curb, and the snow removal equipment is no longer operating in that area, after which normal parking may be resumed until the next declared snow removal alert.

10.48.050 Restrictions–Violation.

A. Parking contrary to and in violation of § 10.48.030 shall be deemed prohibited parking and any vehicle or trailer parked in violation shall be subject to a fine of $25. The owner or operator of the vehicle found in violation of this section shall, within 72 hours of the time when the notice of violation was attached to the vehicle, pay to the office of the city’s Finance Officer-Treasury, as penalty for the violation the sum. If the owner or operator fails to pay the sum within the 72
hour period, he or she shall pay to the office as a penalty for the violation, the sum of $35. as set by resolution of the Common Council.

B. In addition to the foregoing fine and penalty, any vehicle parked in violation of this chapter may be removed from a street by the Police Department and placed in storage, and the owner thereof shall pay the charges for towing and storage of the vehicle so removed.

(Ord. 6092 (part), 2016: prior code § 28-254)

CITY OF RAPID CITY

______________________________
Mayor

______________________________
Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: