

## TITLE SEVEN

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## **CHAPTER 7.01 DEFINITIONS**

**7.01.00 Motor Vehicle** - includes automobiles, motor trucks, motorcycles, house trailers, trailer coaches, cabin trailers and like vehicles propelled by power other than muscle power as provided in Title 32, SDCL.

**Emergency Vehicle** - Fire trucks, or engines or care used by the Fire Chief or agent thereof, police or patrol wagons or ambulances while performing services they are to render and while using a siren or horn that is audible and identifiable as coming from an emergency vehicle and have lighted colored lights displayed.

**Operator** - person who is in direct control of a motor vehicle, the person behind the wheel.

**Owner** - one who holds equitable title to a motor vehicle or who has rented a motor vehicle for exclusive use for a period of more than thirty days.

**Street** - Every way or place of whatever nature open to the public, as a matter of right, within the boundaries of Hill City for purposes of vehicular travel including alleys and roadways in public parks but excluding roadways on grounds owned by private persons, or institutions of higher learning.

SDCL 31-1,32-3-1

## **CHAPTER 7.02 RESPONSIBILITY FOR ENFORCEMENT**

**7.02.00** It shall be the responsibility of the law enforcement officers assigned under the law enforcement contract with Pennington County to enforce the provisions of this title relating to traffic and vehicular control.

**CHAPTER 7.03  
SPEED LIMIT**

**7.03.00** No motor vehicle shall be stopped or left within fifteen (15) feet of a fire hydrant or in such a position to obstruct a crossing, unless to allow another vehicle or pedestrian to cross its path and no vehicle shall be allowed to stand within fifteen (15) feet of any street intersection within Hill City except emergency vehicles.

**CHAPTER 7.04  
MOTOR VEHICLES SAFETY REQUIREMENTS**

**7.04.00** Every motor vehicle operated in the Town of Hill City shall comply with state motor vehicle regulations of brakes, horns, headlights, and mufflers.

**CHAPTER 7.05  
SPOTLIGHTS PROHIBITED**

**7.05.00** Spotlights shall not be used anywhere within the limits of Hill City except a spotlight may be used by police and fire in the course of their duty or on special occasions for amusement when permission is given by City law enforcement.

**CHAPTER 7.06  
OPERATOR AND VEHICLE MUST BE LICENSED**

**7.06.00** No person shall drive any motor vehicle upon a highway or street in this city unless such person holds a license which legally entitles said person to use the highways of the State of South Dakota.

**CHAPTER 7.07  
SPEED OF VEHICLES IN A SCHOOL ZONE**

**7.07.00** No person shall drive a vehicle upon a street, alley or public place immediately adjacent to school property in the City of Hill City at a speed exceeding fifteen (15) miles per hour

- A. While children are present, or as established and signed by the City of Hill City or its law enforcement officers.
- B. When passing a school during school recess or while children are going to or leaving school during opening or closing hours.

**CHAPTER 7.08  
EXHIBITION DRIVING**

- 7.08.00** It shall be unlawful for any person who drives a vehicle on any of the public streets, alleys or public grounds in the City of Hill City in such a manner that creates or causes unnecessary engine noise, or tire squeal, skid or slide upon acceleration or stopping, or that causes the vehicle to unnecessarily turn abruptly or sway.

**CHAPTER 7.09  
DRIVING TO BE ON THE RIGHT SIDE OF THE STREET**

- 7.09.00** All operators of motor vehicles shall be responsible for driving their vehicles on the right side of the center of the street except while legally passing another vehicle going in the same direction or when ordered to do so by the City law enforcement officers in an emergency situation.

HC Ord 39

**CHAPTER 7.10  
OBEDIENCE TO STOP AND YIELD SIGNS REQUIRED**

- 7.10.00** It shall be unlawful to pass into an intersection the entrance to which has a stop sign or an intersection entering on Main Street without first coming to a complete stop and making sure passage into the intersection will be safe.

It shall be unlawful to pass into an intersection the entrance to which has a yield sign without making sure the intersection is safe for passage and letting pass all motor vehicles and bicycles which have the right-of-way which are passing on the through street.

HC Ord 39

**CHAPTER 7.11  
EMERGENCY VEHICLES TO HAVE RIGHT-OF-WAY**

- 7.11.00** All emergency vehicles which while in active service and notifying the traffic of the same shall have the right-of-way on any street in Hill City.

On hearing or seeing the approach of an emergency vehicle all other vehicles shall draw up as closely as possible to the right hand curb and remain at a standstill until the emergency vehicle or vehicles shall have passed and the motor vehicles shall at no time follow such emergency vehicle within three hundred (300) feet while the same is responding to an alarm.

An emergency vehicle may park or stand anywhere and may proceed through stop signs or red lights without regard to other regulations while performing their duties.

HC Ord 39

**CHAPTER 7.12  
TURNING WITHOUT SIGNALING PROHIBITED**

**7.12.00** It shall be unlawful for the operator of a motor vehicle to turn from one street into another without signaling the intent to do so by the appropriate hand signal or mechanical device of the motor vehicle.

SDCL 32-26-18.1

**CHAPTER 7.13  
PASSING INTERSECTIONS PROHIBITED**

**7.13.00** It shall be unlawful for the operator of any motor vehicle overtaking another vehicle going in the same direction to pass or attempting to pass the same at any intersection.

HC Ord 39

**CHAPTER 7.14  
CARELESS DRIVING OR EXCESSIVE NOISE PROHIBITED**

**7.14.00** It shall be unlawful for the operator of a motor vehicle to engage in a race with any other vehicle or driver thereof, or to drive recklessly or in a careless manner, or cause excessive noise while operating a vehicle on any street in Hill City.

HC Ord 39

**7.14.01 RECKLESS DRIVING**

Any person who drives any vehicle upon any street, alley, or public grounds in the City of Hill City carelessly and heedlessly in disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, is guilty of reckless driving.

**7.14.02 RACING**

No person shall drive any vehicle in any race on any street, alley or public grounds in the City of Hill City, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test, or exhibition.

**CHAPTER 7.15  
NO U-TURNS ALLOWED ON MAIN STREET**

**7.15.00** It shall be unlawful to execute a U-turn on the Main Street of Hill City, except at intersections.

**CHAPTER 7.16  
OBSTRUCTION OF TRAFFIC AND SNOW ROUTE**

**7.16.00** The operator of a vehicle shall not stop, stand or park such vehicle alongside or opposite any street elevation or obstruction, when stopping, standing or parking would obstruct traffic, except when necessary to avoid conflict with other traffic in compliance with the directions of a police officer or traffic-control sign or signal, nor shall any owner of a vehicle leave his vehicle in the Snow Route, designated from time to time by the City Council, during the hours from 2:00 am to 5:00 am when there are two or more inches of snow in said snow route.

The law enforcement of Hill City is hereby authorized to remove or cause the removal of any motor vehicle from Main Street or any other declared snow route violating this provision, to any place designated by law enforcement for the storage of such motor vehicle, and the reasonable cost of removing and storing such motor vehicle and a charge against the owner thereof, and shall be paid by the owner of such motor vehicle, or any other person for and in behalf of such owner of such motor vehicle can be reclaimed and repossessed.

Amended 03-22-04

**CHAPTER 7.17  
VEHICLES PASSING IN NO PASSING ZONES**

**7.17.00** The driver of any vehicle shall not overtake and pass any other vehicle proceeding in the same direction when traveling in a no-passing zone on highways, bridges or streets when either marked by signs or lines on the roadways.

The penalty upon conviction shall be as stated in title VII section 7.33 of the Hill City ordinances.

**CHAPTER 7.18  
MAIN STREET PARKING**

**7.18.00** All parking on Main Street from the north side of Oak Street to the north side of Railroad Avenue shall be parallel with the curb on both sides of the street. Parking in alleys and on other streets shall be done in such a manner so as not to interfere with the safe and efficient flow of traffic. With the approval of the City Council, law enforcement is authorized to post signs indicating parking directions for the streets and alleys.

**7.18.01 REPEALED (09-23-02)**

**7.18.02 TIME LIMIT ON CERTAIN PARKING**

It shall be unlawful for any Business Owner or Employee of any Business Owner to park their vehicle directly in front of any other business or commercial building on Main Street for more than one (1) hour in one twenty-four hour day.

The penalty for the violation of this ordinance shall be five dollars (\$5.00) for the first offense and twenty-five (\$25.00) for each offense thereafter.

**CHAPTER 7.19  
VEHICLES BACKING UP**

**7.19.00** It shall be unlawful to move any motor vehicle backward onto any street for a distance greater than is necessary to turn or move away from the curb.

HC Ord39

**CHAPTER 7.20  
PARKING NEAR FIRE HYDRANTS PROHIBITED**

**7.20.00** No motor vehicle shall be stopped or left within fifteen (15) feet of a fire hydrant or in such a position to obstruct a crossing, unless to allow another vehicle or pedestrian to cross its path and no vehicle shall be allowed to stand within fifteen (15) feet of any street intersection within Hill City except emergency vehicles.

**CHAPTER 7.21  
SNOW REMOVAL AND STREET CLEANING**

**7.21.00** In order to facilitate snow removal and street cleaning operations the Public Works Superintendent is hereby authorized to place signs in any block or blocks within the City stating that snow will be removed or streets will be cleaned at a specified time in the near future in which case it shall be

unlawful to park any motor vehicle upon any of said streets during the time the signs indicate.

**CHAPTER 7.22  
SNOW REMOVAL AND MAINTENANCE OF SIDEWALKS**

**7.22.00** It shall be the duty of the owner or person in possession or in charge of any lot, parcel or plot of ground fronting or abutting upon any sidewalk to keep such sidewalk free from snow and ice at all time and maintained in good repair at all times and free from rubbish or any other obstruction at all times. When it is impossible to take the snow and ice from such walk by reason of its being frozen to the sidewalk, the owner or occupant shall sprinkle or spread some suitable maerial upon the same to prevent the walk from becoming slippery and dangerous to travel.

Amended 01-12-04

**CHAPTER 7.23  
REMOVAL BY CITY**

**7.23.00** All owners or persons in possession of property abutting on sidewalks in the City are required to keep such sidewalks free from snow and/or ice; and to remove the same within forty-eight (48) hours after the termination of any snowfall or accumulation.

If the owner or person in possession fails or refuses to remove the snow and/or ice within forty-eight (48) hours after the termination of any snowfall or accumulation, the City may proceed to remove the snow and/or ice and charge the costs thereof to the abutting property.

Amended 12-10-18

**CHAPTER 7.24  
CITY TO REMOVE; COSTS**

**7.24.00** If the owner or person in possession of the property fails or refuses to remove the snow and/or ice from the sidewalks, the City may proceed to remove the snow and/or ice and charge the costs thereof against the abutting property the sum established by resolution and adopted by common council.

Amended 12-10-18



**CHAPTER 7.25  
METHOD OF ASSESSMENT**

**7.25.00** The Finance Officer shall cause an account to be kept against each lot, parcel, or plot of ground from which snow has been removed by the City during the time of October first to June first of each year. On or before the 15th day of June the Finance Officer shall prepare a listing of all such statements that remain unpaid and submit the same to the City Council at their first meeting in July each year. Upon examination, the City Council shall then publish in the official newspaper a notice to property owners of the time and place when the City Council will meet for the purpose of approving an assessment against the various lots, parcels, or plots of ground upon which an unpaid snow removal assessment remains.

**CHAPTER 7.26  
HEARING; LIEN**

**7.26.00** Upon the date so named, the City Council shall meet and, if it finds the estimate correct, it shall approve the same, or if not correct it, shall correct or modify the same, and approve the same as modified or corrected and file such assessment with the City Finance Officer. From the date of such approval and filing, the same shall be and become a special lien against and upon the different pieces or parcels of property described in said assessment, and shall be collected in like manner that special assessments are now collected for public improvements.

**CHAPTER 7.27  
COMMERCIAL SNOW ROUTE**

**7.27.00** It shall be the duty of the owner or occupant of any commercial parking lot in the City, if they remove snow from said lot to remove the snow within that parking lot by any means other than blading the snow into the City streets or any other City property. A violation of this section shall be a Class II Misdemeanor.

**CHAPTER 7.28  
PERMITTING MATERIAL TO BE PLACED IN STREETS**

**7.28.00** The City Council is authorized to grant permission to any person to deposit and keep lumber, brick and stone, and other building material in any public road, street or alley, adjacent to the building to be repaired or erected, for a length of time not exceeding six (6) consecutive months. Such permission however, shall not excuse the obstruction or occupancy with such material of more than one-third (1/3) the width of one sidewalk, or street or the

placing of materials in such a way as to impede the free flow of water in the side gutter.

Every person to whom permission is granted to keep building material in a public way at the expiration of the time limited in the permit shall cause all such material and refuse resulting therefrom to be removed from sidewalk or street unless the time shall for good cause be extended by the City Council.

Any person depositing or keeping any material in the street or on the sidewalk under a permit from the town shall during every night keep one or more warning lights so placed that such material may be easily seen by persons passing along the streets and sidewalks. HC Ord23

**CHAPTER 7.29  
GUARDING STAIRWAYS AND OPENINGS IN THE SIDEWALK**

**7.29.00** The owner of any building in this town having a stairway leading from an adjoining sidewalk to the cellar or basement of a building shall guard that stairway with a substantial, strong, and securely attached railing at least three feet in height.

Any person who shall make or cause to be made any permanent opening in the sidewalk shall guard the same with a cover of iron or other strong and substantial material but no such covering may occupy more than three feet of the sidewalk without special permission from the street commissioner or the City Council.

HC Ord 23

**CHAPTER 7.30  
DIRECTING FLOW OF WATER OVER SIDEWALK**

**7.30.00** No person shall on any street or sidewalk place or maintain any pipe, leading from the eaves of any building in such a position that the water discharge thereby may flow over or upon any public sidewalk.

HC Ord 23

**CHAPTER 7.31  
ENCROACHMENT ON HIGHWAY RIGHT-OF-WAY**

**7.31.00** Encroachments on the public right-of-way (State Highway passing through the City) shall be treated as follows:

- A. In outlying commercial areas and through residential areas all encroachments on or above the right-of-way shall be prohibited

- B. The use of the right-of-way by owners or lessees of abutting property for the storage of vehicles, placement of portable signs or other private use thereof shall be prohibited.
- C. Where the highway passes through established business districts and the buildings are at the property line and are continuous or very closely spaced, encroachments overhanging the right-of-way, will be prohibited except under the following conditions:
1. Awnings, canopies, marquees, and similar installations supported wholly from the face of the building shall be permitted to remain in place until such time that they become functionally or structurally obsolete, providing that the edge of such encroachment be not less than three (3) feet back from the face of the curb.
  2. Advertising or other similar signs which are less than three (3) feet back from the face of the curb and are supported wholly from the front of the building shall be permitted to remain in place until such time that they become functionally or structurally obsolete, providing that the bottom of such encroachment be not less than fourteen and one half (14 1/2) feet above the curb elevation.
  3. The replacement of obsolete or installation of new awnings, canopies, marquees, advertising signs or similar installations supported wholly from the building allowed to remain under a and b above, shall be permitted provided that no part of the encroachment is less than three (3) feet back from the face of the curb and eight (8) feet above the curb elevation.
  4. In the event the encroachments referred to in 1, 2, and 3 above, by reason of color or placement, obscure or in any way detracts from the effectiveness of the highway signs or traffic signals, the City shall cause the removal of such encroachments or take appropriate measures to improve the effectiveness of the highway signs or traffic signals.
  5. The provisions of paragraph C and subparagraphs 1, 2, 3, and 4 above, shall not apply to isolated businesses or commercial buildings in outlying areas.

6. These prohibitions shall not apply to those encroachments previously authorized by the State of South Dakota and on file with the Department of Transportation.

**CHAPTER 7.32  
UTILITIES IN THE PUBLIC RIGHT-OF-WAY**

- 7.32.00**      A. The location and maintenance of utilities in the public right-of-way shall not impair the free flow of traffic and shall provide maximum safety to the traveling public.
- B. Underground utilities shall only be allowed with permission from the State of South Dakota and according to the regulations of the Department of Transportation.

**CHAPTER 7.33  
DOUBLE PARKING**

- 7.33.00**      It shall be unlawful to double park or park in any manner in the traffic lanes on Main Street or the public right-of-way or in any public street or alley in the City of Hill City.

Any violation of this provision shall carry a fine of \$5.00 for each offense.

**CHAPTER 7.34  
LIMITATIONS ON TURNING AROUND**

- 7.34.00**      The driver of any vehicle so as to proceed in the opposite direction upon any street in a business district and shall not, upon any other street, so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred (500) feet.

**CHAPTER 7.35  
HILL CITY STREET LOAD LIMIT**

- 7.35.00**      There is established a City Street Load Limit of Six (6) Ton per axle for a total period not to exceed ninety (90) days in any one calendar year, whenever any City Street or Alley by way of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the

use of vehicles thereon is prohibited or the permissible weights thereof reduced.

The City shall erect and maintain signs designating the provisions of this ordinance at each end of that portion of any street or alley affected thereby and shall not be effective until or unless such signs are erected and maintained.

A violation of this ordinance is a Class 2 misdemeanor having a penalty of \$100.00.

An additional fine penalty, not subject to suspension, shall be assessed on the total overweight, at a rate set out below (SDCL 32-22-55).

- A. For one thousand to three thousand pounds total overweight, the additional penalty is five cents per pound on all overweight over one thousand pounds but less than three thousand pounds.
- B. Up to four thousand pounds total overweight, the additional penalty is ten cents per pounds on the total overweight.
- C. Up to five thousand pounds total overweight, the additional penalty is fifteen cents per pound on the total overweight.
- D. For a total overweight of five thousand pounds and over, the additional penalty is twenty- five cents per pound on the total overweight. For an absolutely overweight vehicle beyond the greatest permissible compensation plate weights for a vehicle of its class, the pounds by which the vehicle is so overweight may be assessed at double the penalties set out above (SDCL 32-22-56).

**CHAPTER 7.36  
BICYCLES, TRICYCLES, SCOOTERS, ROLLERSKATES AND SKATEBOARDS  
PROHIBITED**

**7.36.00** No person shall ride upon, operate, or perform acrobatic stunts using a bicycle, tricycle, scooter, roller skates, skateboard or other device propelled by human power upon any street, sidewalk, parking lot, or other public place in the area of Main Street bounded by East Main Street on the north, the Truck By-pass on the south. Nothing herein shall prohibit the use of bicycles upon any other street as long as the operator of said bicycle is complying with the Ordinances of Hill City and the laws of the State of South Dakota. Nothing herein shall prohibit the use of skateboards in the course of a parade authorized by the Pennington County Sheriff. The

penalty for violation of this ordinance in not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for each violation.

## **CHAPTER 7.37 SNOWMOBILES**

### **7.37.01 Terms Defined**

**City** - The City of Hill City's governing body.

**City Street** - Any street, alley township, county, or state highway within the corporate city limits, approved and supervised by the City of Hill City government entity.

**Law Enforcement Officer** - An employee or officer of the City or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of the ordinances and laws of the City and/or State, including, but not limited to, Hill City Police, South Dakota Highway Patrol, South Dakota State Conservation Officers, and Pennington County Sheriff's Office.

**Operate** - To control the operation of a snowmobile.

**Operator** - Any person who operates or who is in actual control of a snowmobile.

**Snowmobile** - Any engine driven vehicle of a type which utilizes sled type runners, wheels, or skis with an endless belt tread or similar means of contact with the surfaces upon which it is operated.

**Snowmobile Trail** - Any posted and/or marked course that is maintained by the State Park Department for the purpose of snowmobile travel.

**Snowmobile Route** - Any posted course of snowmobile travel established by the City for the purpose of access to and from the City of Hill City.

**Trailer** - Any sled, toboggan, or similar type vehicle, when drawn by a snowmobile, which is without motive power and can be used for carrying property or passengers on snow or ice wholly on its own structure.

**7.37.02 VALID DRIVER'S LICENSE REQUIRED**

It shall be unlawful for any person to drive or operate a snowmobile upon any city street or snowmobile route or upon any public property within the City of Hill City without first having obtained and having in his possession a valid license to operate a motor vehicle, except that all persons under the age of fourteen (14) may operate a snowmobile only when accompanied by a person eighteen (18) years of age or older having a valid driver's license. The word "accompanied" shall be defined as one or more persons holding a valid motor vehicle driver's license, supervising a group of underage fourteen (14) snowmobile operators, traveling together.

**7.37.03 EQUIPMENT REQUIRED**

All snowmobiles operated within the City of Hill City shall have the equipment required by the laws of the State of South Dakota and in addition shall:

- A. Be equipped with adequate brakes in good working condition.
- B. Be equipped with safety or "deadman" throttle in operating condition, such being a device which when pressure is removed from the accelerator, the throttle causes the motor to disengage from the driving track.
- C. Be equipped with mufflers which are properly attached pursuant to SDCL 32-15-17 as amended, and are in good working condition so as to prevent excessive or unusual noise. No person shall use a muffler cut out, bypass, or similar device on such a vehicle.
- D. Be equipped with at least one head lamp and one tail lamp that have been approved by the South Dakota State Department of Commerce pursuant to SDCL 32-17 as amended, at least equivalent to that required for motorcycles. Lights shall be operated at all times during travel within the City of Hill City.

**7.37.04 TOWING DEVICES**

Any snowmobile towing or pulling a trailer, as defined in this ordinance, on any city street, shall do so by means of a drawbar or other connection between the two vehicles that is of sufficient strength to hold the weight of the towed trailer on any grade and during stopping of the vehicles operated. The towed trailer shall not whip, weave, or oscillate or fail to follow substantially in the course of the towing snowmobile. Chains, ropes, cables, or any other similar type connections are not acceptable towing devices.

**7.37.05 UNLAWFUL OPERATION OF SNOWMOBILES**

It shall be unlawful for any person to operate a snowmobile in the City of Hill City on any City street or public property, except:

- A. When there is a minimum snow accumulation of three (3) or more inches; and, no dry pavement, and
- B. Travel occurs upon a posted snowmobile route designated by resolution of the City Council or upon those city streets providing the most direct route of travel between either the residence of the operator and the City's posed snowmobile route or such trails as may be posed by the South Dakota State Park Department; and
- C. That upon all city streets the operator of a snowmobile shall drive upon the right side of the street as closely as possible to the right hand edge or curb of such street; and
- D. That the operator of a snowmobile in the City of Hill City shall first stop and then yield at all intersections; and
- E. That the operator of a snowmobile shall operate a snowmobile at a maximum speed of fifteen (15) miles per hour within City limits; and
- F. That no person, other than a railroad employee in the lawful discharge of his duties, shall operate a snowmobile upon any railroad right-of-way, except that it may be driven directly across a railroad crossing, after first stopping and then yielding the right-of-way to approaching railroad traffic.

**7.37.06 EXCEPTIONS**

Any law enforcement officer or conservation officer acting in the course of his official duties shall be exempt from the requirements of this ordinance.

**CHAPTER 7.38  
MUFFLERS AND EXHAUST SYSTEMS**

**7.38.00** Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive, raucous, or unusually loud noise, smoke, or flame, and no person shall



operate a motor vehicle upon the streets and highways of this city which is not so equipped, or which is equipped with a muffler cut-out, bypass, Hollywood pipes or any similar device. A "muffler" is defined, for the purpose of this section, as a device consisting of a series of chambers or other mechanical devices for the purpose of receiving exhaust gases from an internal combustion engine which is designed for the purpose of breaking up the sound tones and the diffusion of smoke and flame emitting therefrom.

No person shall sell, give away for use upon, install, or cause the installation to be made, or use upon any motor vehicle operated in the city, any type of muffler or other device that will modify the exhaust system of a motor vehicle in any manner so as to amplify or increase the noise emitted by the motor of such motor vehicle to the point where it becomes excessive or unreasonable to the ear of the ordinary person.

No person shall sell, give away for use upon, install or cause the installation to be made upon, or use upon any motor vehicle operated or to be operated in the city any device, apparatus, equipment, instrument or other system, method, or instrumentality with, in, or on, any exhaust system designed or intended to ignite exhaust gases to produce a flame, within or outside the exhaust system of the motor vehicle.

### **CHAPTER 7.39 PENALTY**

#### **7.39.00**

The penalty upon conviction for violation of any of the provisions of this title for which a penalty has not been stated shall be a fine of not less than \$5.00 nor more than \$200.00 or a jail term not to exceed thirty days or both.

HC Ord23