

ORDINANCE NO. 6092

AN ORDINANCE TO UPDATE THE SNOW REMOVAL PROCEDURE IN THE CITY OF RAPID CITY BY AMENDING CHAPTER 10.48 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, Rapid City Municipal Code Chapter 10.48 delineates certain snow removal areas, snow removal processes, and potential penalties for violation of parking restrictions during declared snow removal events; and

WHEREAS, the Common Council of the City of Rapid City has deemed it is in the best interest of the City to amend the foregoing to reflect current City policy regarding snow removal areas, snow removal processes, and to update potential penalties for violation of parking restrictions during declared snow removal events.

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 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 ~~more than 4 inches in depth~~ for the safe and orderly flow of traffic for the safety, health and welfare of the general public. ~~Any~~The Public Works Department shall maintain a publicly available map defining the streets designated as an emergency snow routes. shall be clearly marked by uniform signage.

B. ***PRIMARY DOWNTOWN SNOW REMOVAL AREA CORE.*** That area of the city enclosed within the boundaries of ~~West Boulevard~~ Ninth Street on the west, ~~Rapid Street and Apolda Street on the north,~~ Fifth Street on the east, ~~Omaha Street on the north,~~ and St. Joseph Kansas City Street on the south, to include the entire roadway of those designated streets.

~~C. ***SECONDARY SNOW REMOVAL AREA.*** That area of the city enclosed within the boundaries of West Boulevard on the west, Omaha on the north, East Boulevard on the east, thence west on St. Joseph Street to Second Street, thence south on Second Street to Kansas City Street, thence west to West Boulevard, and, except for that portion of Second Street between Kansas City Street and St. Joseph Street, the area includes the entire roadway of those designated streets, and further that the secondary snow removal area shall not include the area specifically defined as the primary snow removal area.~~

~~D.C. ***SNOW REMOVAL ALERT.*** Such times as there is a snow accumulation on the public streets of 2 inches or more, or such times 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.

~~E.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 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 existing weather conditions, and the amount of snow then on the ground or expected according to forecasts from the National Weather Service.

10.48.030 Restrictions—Designated.

~~A.—Primary Downtown snow removal area 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 primary downtown snow removal areas core in § 10.48.010 when the Director of Public Works or his or her designee declares a snow removal alert, ~~for that area.~~

~~—B.—Secondary snow removal area.~~ ~~When the Director of Public Works or his or her designee has declared a snow removal alert for the secondary snow removal area as defined in §10.48.010, no person shall park or allow to remain parked any vehicle or trailer on any public street within that area between the hours of 9:00 p.m. to 8:00 a.m.~~

~~C.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 snow depth exceeds 4 inches; 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 ~~may~~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 ~~and in full satisfaction of the violation, the sum.~~ If the owner or operator fails to pay the sum within the 72-hour period, he or she ~~may~~shall pay to the office, ~~within the next 2 weeks,~~ as a penalty for ~~and in full satisfaction of the violation, the sum of \$35.~~ ~~Upon failure of the owner or operator to pay either of the sums to the office within the time periods indicated, and upon conviction of a violation of this section, the owner or operator shall be fined not less than \$45 nor more than \$100, which fine shall be collected by the Magistrate Court.~~

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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: