

ORDINANCE #5091

AN ORDINANCE AMENDING SECTION 8.38.040 OF THE RAPID CITY MUNICIPAL CODE PERTAINING TO EXEMPT ACTIVITIES.

BE IT ORDAINED by the City of Rapid City that Section 8.38.040 of the Rapid City Municipal Code be amended to read as follows:

8.38.040 Exempt activities from Chapters 8.34 through 8.44

The following activities are exempt from Rapid City Municipal Code Chapters 8.34 through 8.44:

- A. Fugitive emissions from industrial sources permitted by the South Dakota Department of Environment and Natural Resources that have incorporated fugitive dust control requirements or conditions.
- B. Activities conducted at City of Rapid City or Pennington County recreational facilities, such as but not limited to ball fields, bicycle racetracks or the fairgrounds.
- C. Landscape maintenance. Landscape maintenance does not include grading, trenching or any other mechanized surface disturbance activities.
- D. Normal agricultural practices.
- E. Fugitive emissions from State facilities or generated by State contractors that conduct a construction activity or continuous operation activity in the Rapid City Air Quality Control Zone which are permitted by the South Dakota Department of Environment and Natural Resources as required by the Administrative Rules of South Dakota Chapter 74:36:18.

The use of dust control measures for these exempted activities is recommended but not required.

Dated this _____ day of _____, 2005.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: