

CHAPTER 9 - VEHICLES AND TRAFFIC

ARTICLE 1 - GENERAL PROVISIONS

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Section 9-1-101 Definitions.

Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section.

1 "**Alley**" shall mean every highway, roadway, street or alley set apart for public travel except for footpaths.

2. "**Authorized Emergency Vehicles**" shall mean such police vehicles, fire department vehicles, and ambulances as are publicly owned, and such other publicly or privately owned vehicles as are designated by the commission in accordance with the requirements of this chapter.

3. "**Bicycle**" shall mean every vehicle propelled solely by human power upon which any person may ride, except scooters and similar devices.

4. "**Boulevard**" shall mean the area of right of way between curb and sidewalk.

5. "**Bus**" shall mean every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than taxicab, designed and used for the transportation of persons for compensation.

6. "**Business District**" shall mean the territory contiguous to a highway when fifty percent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings used for business.

7. "**City**" shall mean the City of Pierre.

8. "**Collector Street**" shall mean a street intended to provide land access and traffic circulation within residential neighborhoods, commercial and industrial areas, and to collect traffic from local streets and channel it into the arterial system.

9. "**Commissioner**" shall mean the commissioner of police and fire of the City of Pierre.

10. "**Corporate Limits**" shall mean the city limits and legal boundaries as described in 2-1-101.

11. "**Crosswalk**" shall mean (a) that portion of a roadway included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable road; and in the absence of a sidewalk on one side of the roadway, that part of the roadway included within the extension of the lateral lines of the existing sidewalk at right angles to the center line; or (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway.

12. "**Department**" shall mean the police department of the City of Pierre.

13. "**Drag Race**" shall mean the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

14. "**Driver**" shall mean every person who drives, operates or is in actual physical control of a vehicle.

15. "**Driver's License or Permit**" shall mean any license or permit to operate a vehicle issued or recognized by the State of South Dakota.

16. "**Driveway**" shall mean every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

17. "**Equipment or Devices**" include but are not limited to: seat belts and attachments; safety harnesses and attachments; child restraint and seating devices and attachments; flares, headlights, auxiliary driving lamps, rear lamps, spotlights, identification lamps, clearance lamps, signal lamps, and all other lighting devices; brake fluid, brake hoses, brake linings, and other brake systems and equipment; eye protective devices and motorcycle helmets for motorcycle operators; safety glass or safety glazing in all partitions,

doors, windows, windshields, or wind deflectors; windshield wipers, rear vision mirrors; horns; trailer hitches; driver's license; and license plates.

18. "**Highway**" shall mean every highway, roadway, street or alley set apart for public travel except for footpaths.

19. "**Intersection**" shall mean (a) the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadway of two highways which join one another at or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; (b) where a highway includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; (c) the junction of an alley with a street or highway shall not constitute an intersection.

20. "**Laned Roadway**" shall mean a roadway that is divided into two or more clearly marked lanes for vehicular traffic.

21. "**Local Through Street**" shall mean a street intended to provide access to other local streets, to provide access to collector and arterial streets, and which offers the lowest level of traffic mobility.

22. "**Manual on Uniform Traffic Control Devices**" shall mean that publication by the U.S. Department of Transportation governing traffic control devices.

23. "**Minor Arterial Street**" shall mean a minor traffic artery that interconnects with and enhances the principal arterial streets and provides trips of moderate length, with a somewhat lower level of travel mobility than principal arterial streets.

24. "**Moped**" shall mean a motor driven cycle equipped with two or three wheels. If a combustion engine is used, the maximum piston or rotor displacement shall be fifty cubic centimeters regardless of the number of chambers in such power source. The power source shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

25. "**Motorcycle**" shall mean every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels that contact with the ground, but excluding a tractor.

26. "**Motor Vehicle**" shall mean every vehicle, as herein defined, which is self-propelled.

27. "**Municipality**" shall mean the City of Pierre.

26. "**Occupant**" shall mean person who lives or resides on any property.

28. "**Official Traffic Signs**" shall mean all signs and markings, other than signals, not inconsistent with this title, placed or erected by a public body or official having jurisdiction, for the purpose of guiding, directing, warning, or regulating traffic.

29. **"Operator"** shall mean and include every individual who is in actual physical control of a vehicle as the owner thereof or as the agent, employee or permittee of the owner.
30. **"Park or Parking"** shall mean the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.
31. **"Pedestrian"** shall mean any person afoot.
32. **"Person"** shall mean every natural person, firm, partnership, association, or corporation.
33. **"Police Officer"** shall mean every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
34. **"Police Department"** shall mean the Police Department for the City of Pierre.
35. **"Principal Arterial Street"** shall mean a principal traffic artery, more or less continuous across the city, which acts as a principal connecting street with state and federal highways and which serves major activity centers, provides the longest trips and the highest traffic volume over a minimum of mileage.
36. **"Private Property"** shall mean and include any and all real property or land within the City of Pierre which has not been opened or dedicated for public use or as a public thoroughfare.
37. **"Private Road"** shall mean every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission by the owner, but not by other persons.
38. **"Racing"** shall mean the use of one or more vehicles in an attempt to out-gain, outdistance, or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina or endurance of drivers over long distance driving routes.
39. **"Railroad"** shall mean a carrier of persons or property upon cars (other than street cars) operated upon stationary rails.
40. **"Residential District"** shall mean the territory contiguous to and including a highway not comprising a business district when the frontage of such highway for a distance of three hundred feet or more is in the main improved with residences or residences and buildings not in use for business.
41. **"Revocation"** shall mean the termination by formal action of the Department of Public Safety or the court of a person's license or privilege to operate a motor vehicle on the highways.
42. **"Right-of-Way"** shall mean the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision.
43. **"Roadway"** shall mean that portion of the street or highway between the regularly established curb lines or that part devoted to vehicular traffic.

44. **"Safety Zone"** shall mean the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by the proper signs as to be plainly visible at all times while set apart as a safety zone.
45. **"School Bus"** shall mean every motor vehicle that complies with the color and identification requirements set forth by the South Dakota Codified Laws and is used to transport children to or from school or in connection with school activities, but not including buses operated by common carriers and urban transportation of school children.
46. **"Sidewalk"** shall mean that portion of a street between the curb lines, or the lateral lines of the roadway, and the adjacent property lines, intended for use by pedestrians.
47. **"Snowmobile"** shall mean 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 surface upon which it is operated.
48. **"State"** shall mean the State of South Dakota.
49. **"Stop or Stopping,"** when prohibited, shall mean any halting, even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
50. **"Street"** shall mean every highway, roadway, street or alley set apart for public travel except footpaths.
51. **"Suspension"** shall mean the temporary withdrawal by formal action of the Department of Public Safety or the court of a person's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be for a period specifically designated by the Department of Public Safety or the court.
52. **"Tires"** shall mean all tires inflated with compressed air.
53. **"Traffic"** shall mean pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any street or highway for the purpose of travel.
54. **"Traffic Control Devices"** shall mean all signs, signals, markings, and devices not inconsistent with this chapter, placed or erected by the authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.
55. **"Traffic Control Signal"** shall mean any device using colored lights or words or any combination thereof, whether manually, electrically or mechanically operated by which traffic is alternately directed to stop and to proceed.
56. **"Trailer"** shall mean every vehicle with or without motive power designated for carrying persons or property wholly on its own structure and being drawn by a motor vehicle.

57. **"Vehicle"** shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon any street or highway, excepting devices used exclusively upon stationary rails or tracks.

Source: R.O. Pierre, 1957, 14.0101; Rev. of Ord, 1990; Ord. No. 1466, 2000.

Section 9-1-102 Authority of the Commission.

The Commission is hereby authorized to place and maintain or cause to be placed and maintained at any location in the City of Pierre any traffic control device where in their discretion conditions justify such action. Appropriate traffic control devices shall be located in a manner in conformance with the Manual of Uniform Traffic Control Devices.

Source: Rev. of Ord., 1990.

Statutory Reference: SDCL 9-29-1 and 9-31-1.

Section 9-1-103 Manual on Uniform Traffic Control Devices.

All traffic control signs, signals and devices shall conform to the Manual on Uniform Traffic Control Devices as adopted by the State of South Dakota which is hereby incorporated and adopted by the City of Pierre, South Dakota.

All signs and signals required hereunder for the particular purpose shall so far as practicable be uniform as to the type and location throughout the City. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

Source: Rev. of Ord., 1990.

Section 9-1-104 Powers and duties of the police.

It shall be the duty of the police department of this city to enforce all City Ordinances. Officers of the police department are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this chapter. In the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police or fire department may direct traffic, as conditions may require, notwithstanding the provisions of this chapter.

Source: R.O. Pierre, 1957, 14.0102; Rev. of Ord., 1990.

Statutory reference: SDCL 9-29-19, powers of policemen - service of process - arrest; and, SDCL 9-30-4, traffic in public places.

Section 9-1-105 Adoption and enforcement of emergency and special regulations.

The commissioner of police and fire is hereby empowered to make and enforce regulations necessary to make effective the provisions of this chapter and to make temporary regulations to cover emergencies or special conditions provided any such regulations are not inconsistent with the provisions of this chapter.

Source: R.O. Pierre, 1957, 14.0103; Rev. of Ord., 1990.

Statutory Reference: SDCL 9-31-1.

Section 9-1-106 Application of this chapter to emergency vehicles.

The provisions of this chapter shall apply to the operator of any authorized emergency vehicle and it shall be unlawful for any such operator to violate any law except as otherwise permitted .

The provisions of this chapter regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined, when the operator of such vehicle is operating the same in an emergency or in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of reckless disregard for the safety of others.

Source: R.O. Pierre, 1957, 14.0105; Rev. of Ord., 1990.

Section 9-1-107 Applications of this chapter to pushcarts, bicycles, motorcycles, mopeds, and animals - exceptions.

Any person propelling a pushcart, bicycle, moped, motorcycle, animal, animal-drawn vehicle or any conveyance in the city shall be subject to the provisions of this chapter applicable to the operator of the vehicle, except those provisions with reference to equipment of vehicles and which by their nature can have no application.

Source: R.O. Pierre, 1957, 14.0106; Rev. of Ord., 1990.

Section 9-1-108 Duty of police to investigate accidents.

Immediately upon the report of any accident, officers of the police department shall have the duty of investigating such accident in accordance with the policy set by the Chief of Police. Any report filed shall be kept on file and available for inspection by the parties or their duly authorized representatives.

Source: Rev. of Ord., 1990.

Section 9-1-109 Arrest or summons on probable cause during accident investigations.

An officer of the police department during an investigation of a traffic accident may, based on probable cause, may issue a summons to any person involved in the accident for the violation of any City Ordinance or state law, that occurred prior to, during, or after the accident.

Source: Rev. of Ord., 1990.

Statutory reference: SDCL 32-33-1.1.

Section 9-1-110 Failure to report an accident.

The operator or owner of any vehicle involved in an accident resulting in injuries or death to any person or property damage to an apparent extent of \$50.00 or more, shall immediately by the quickest means of communication give notice of such accident to the nearest available peace officer.

The operator of any vehicle which collides with any dog, cat or any domestic animal shall stop and attempt to ascertain the owner of such animal and shall notify the police department immediately by the quickest means of communication.

Source: R.O. Pierre, 1957, 14.0804; Ord. No. 841, 1971; Rev. of Ord., 1990.

Section 9-1-111 Leaving the scene of an accident.

The operator or owner of any vehicle involved in an accident resulting in injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident and shall give his name and address to the person struck or to the driver or occupants of any vehicle involved or to the owner of any property damaged and shall render to any person injured in such accident reasonable assistance,

Source: R.O. Pierre, 1957, 14.0611; Rev. of Ord., 1990.

Section 9-1-112 Duty of garage or repair shop to report evidence of accident or bullet hole.

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident with damage exceeding the minimum city reporting requirements or struck by any bullet shall report the same to the police headquarters of this city immediately, unless the owner or operator has in their possession proof that the accident has been investigated by the police or other law enforcement agency, giving the name and address of the owner or operator and license plate number of such vehicle.

Source: R.O. Pierre, 1957, 14.0805; Rev. of Ord., 1990.

Section 9-1-113 License plate prima facie presumption of operation of vehicle by registered owner.

In any proceeding for violations of the provisions of this chapter relating to the operation or parking of motor vehicles, the registration plate displayed on such motor vehicle shall constitute in evidence a prima facie presumption that the owner of such motor vehicle was the person who was operating or having control of such motor vehicle at the time when such violation occurred or was responsible for the parking of such motor vehicle at the point where such violation occurred.

Source: R.O. Pierre, 1957, 14.0812; Rev. of Ord., 1990.

Section 9-1-114 Police authorized to remove vehicles in violation of this chapter - payment of costs of removal.

Any vehicle parked or allowed to remain in violation of any of the provisions of this chapter may be removed or caused to be removed by the police department of the city and towed to an area designated by the police department.

Any towing and storage charges resulting from removal of a vehicle shall be paid by the owner or person parking such vehicle in addition to the fine and other penalties prescribed.

Source: R.O. Pierre, 1957, 14.0312; Rev. of Ord., 1990; Ord. No. 1489, 2001.

Section 9-1-115 Designation of streets.

The following named streets together with federal and state highways located within the city are hereby declared and designated as principal arterials, minor arterials, collectors or local through streets according to the Functional Classification System for routes within the City of Pierre. Vehicular traffic shall have the right-of-way over such traffic approaching from intersecting streets and alleys except as may otherwise be provided where said streets and highways intersect one with the other, to-wit:

PRINCIPAL ARTERIAL STREETS

- Route #1 From US 14, near the NE Corner of the Pierre City Limits south along US 14B (Garfield Avenue) to Wells Avenue

- Route #2 US 14 and US 83 from the NE Corner of the Pierre City limits southwesterly to Euclid Avenue, thence southwesterly along Euclid Avenue to Pleasant Avenue, thence west one

block to Pierre Street, thence south to Sioux Avenue

Route #3 From the NE end of the Missouri River Bridge southeasterly, along Sioux Avenue, around the S Curve to Wells Avenue, thence southeasterly along Wells Avenue to the north Junction of US 14B

MINOR ARTERIAL STREETS

Route #4 From Sioux Avenue, a principal arterial, near the NE end of the Missouri River Bridge, southeasterly, along Dakota Avenue, to the intersection with Buchanan Avenue

Route #5 From the Junction of Wells Avenue and US 14B north, southeast along SD 34 to the southeast corner of the Pierre City limits

Route #6 From a principal arterial, Wells Avenue, north along Pierce Avenue to a principal arterial, Capitol Avenue

Route #7 From the Harrison and Dakota Avenue intersection, northeasterly along Harrison Avenue to the north Junction of US 14 B

Route #8 From the north Junction of US 14B westerly along Capitol Avenue to the Junction of Wells Avenue

Route #9 From the Junction of Capitol Avenue and Elizabeth Street, southeasterly along Capitol Avenue to the intersection with Wells Avenue, thence along Wells Avenue to the intersection with SD 34.

Route #10 From a principal arterial, Sioux Avenue, northeasterly along Poplar Avenue to the intersection with Elizabeth Avenue

Route #11 Central Avenue beginning at Dakota Avenue northerly along Central Avenue to the intersection with 4th Street

Route #12 From a principal arterial, Sioux Avenue, northerly along Highland Avenue to the intersection with Oak Street

Route #13 From a principal arterial, Euclid Avenue, east along Oak Street to the intersection with Highland Avenue.

Route #14 From a minor arterial, Central Avenue, southeasterly along Broadway Avenue to Governors Drive, thence east to Harrison Avenue, a minor arterial

Route #15 From Highland Avenue, a minor arterial, easterly along Church Street to Harrison Avenue, a minor arterial

- Route #16 From a minor arterial, Central Avenue, along 4th Street northeasterly to a principal arterial US 14B, thence southeasterly to the Pierre Municipal Airport
- Route #17 From a principal arterial, US 14 and US 83, northwesterly along SD 1804 to the north boundary of the Pierre City limits
- Route #18 Pierre Street from Missouri Avenue northeasterly to a principal arterial, Sioux Avenue

COLLECTOR STREETS

- Route #19 From the intersection of Pawn and Buchanan Avenues northeasterly along Buchanan Avenue to Dakota Avenue, thence easterly and south along Dakota Avenue to Park Avenue, thence east on Park Avenue to Lowell Avenue, thence north on Lowell Avenue to a minor arterial, SD 34
- Route #20 From the intersection of Pierce Avenue and Humboldt Street, east along Humboldt Street to a principal arterial, US 14B
- Route #21 From the intersection of Dakota and Monroe Avenues northeasterly along Monroe Avenue to a principal arterial, Wells Avenue
- Route #22 From the intersection of Washington and Dakota Avenues, north along Washington Avenue to Broadway Avenue, a minor arterial
- Route #23 From the intersection of Washington and Wells Avenues, north along Washington Avenue to Broadway Avenue, a minor arterial
- Route #24 From a principal arterial, Wells Avenue, north along Jefferson Avenue to a minor arterial, Church Street
- Route #25 Governors Drive from a minor arterial, Broadway Avenue, north to Church Street, a minor arterial
- Route #26 Nicollet Avenue from a minor arterial, Capitol Avenue northeasterly to Church Street, a minor arterial
- Route #27 Pleasant Avenue from a minor arterial, Highland Avenue, northwesterly to the intersection with Euclid Avenue, thence continuing from the intersection with Pierre Street, northwesterly to Central Avenue
- Route #28 Coteau Street beginning at Missouri Avenue, northeasterly to a principal arterial, Sioux Avenue
- Route #29 Fort Street from Missouri Avenue northeasterly to a principal arterial, Sioux Avenue

- Route #30 Poplar Avenue from the intersection with Elizabeth Street north to 3rd Street
- Route #31 Elizabeth Avenue from a principal arterial, Euclid Avenue, west to the intersection of Capitol Avenue, thence northwesterly along Capitol Avenue to Lakeside Lane
- Route #___ Northstar Avenue from a minor arterial, Airport Road, south to Elizabeth Street extended
- Route #___ Elizabeth Street from a principal arterial, Garfield Avenue, easterly to Northstar Avenue extended
- Route #___ Capitol Avenue from Lakeside Lane, extended northeasterly to a new intersection located near Oahe Drive, and an unnamed planned route from the new intersection easterly to Highway 1804, a primary arterial

LOCAL THROUGH STREETS

Poplar Avenue beginning at Missouri Avenue, northeasterly to a principal arterial, Sioux Avenue

Poplar Avenue beginning at Third Street, northerly to Seventh Street

Highland Avenue beginning at a minor arterial, Dakota Avenue, northeasterly to a principal arterial, Sioux Avenue.

Highland Avenue beginning at Oak Street, northerly to Second Street

Second Street beginning at a principal arterial, Euclid Avenue, easterly to Highland Avenue

Central Avenue beginning at a minor arterial, Fourth Street, northerly to Eighth Street

Pierre Street beginning at a minor arterial, Capitol Avenue, southwesterly to Pleasant Drive

Governors Drive beginning at a minor arterial, Church Street, northerly to Fourth Street, a minor arterial

Ree Street beginning a principal arterial, Sioux Avenue, northerly to Capitol Avenue, a minor arterial

Park Street beginning at a collector, Buchanan Avenue, easterly to Garfield Avenue

Polk Avenue beginning at a principal arterial, Highway 34, northerly to Capitol Avenue, a minor arterial

Buchanan Avenue beginning at a minor arterial, Capitol Avenue, northerly to Buffalo Street

Prospect Avenue beginning at a principal arterial, Euclid Avenue, northwesterly to Poplar Avenue, a minor arterial

Buffalo Street beginning at Taylor Avenue, easterly to Garfield Avenue, a principal arterial

Taylor Avenue beginning at a minor arterial, Capitol Avenue, northwesterly to Harrison Avenue, a minor arterial

Missouri Avenue beginning at Poplar Avenue, southeasterly to Pierre Street and Missouri Avenue beginning at Pierre Street, southeasterly to Crow Street

Source: Ord. No. 834, 1970; 792A, 1968; 733, 1964; 953, 1978; 958, 1976; 1052, 1980; Rev. of Ord., 1990; Ord.1268, 1990; Ord.1271A, 1990; Ord.1466, 2000.

Section 3. All ordinances or parts thereof in conflict therewith are hereby repealed.

Section 9-1-116 Designation of one-way streets and alleys.

The following named streets and alleys within the City are hereby declared and designated as one-way:

Pierre Street from Capitol Avenue to Pleasant Drive (southerly in direction)

Pierre Street from Sioux Avenue to Missouri Avenue (southerly in direction)

Wynoka Street from Euclid Avenue to Grand Avenue (westerly in direction).

Third Street from Euclid Avenue to Grand Avenue (westerly in direction)

Seventh Street from Highway 14-83 to Euclid Avenue (westerly in direction)

(Easterly-westerly alley, which is north of Inman's Addition and Red Owl Addition (westerly in direction).

Source: Ord. no. 803, 1969; 995, 1978; 1144, 1985; Rev. of Ord., 1990; Ord. No. 1639 2008

Section 9-1-117 Unlawful to interfere with, deface or damage any official traffic sign or signal.

It shall be unlawful for any person to willfully deface, injure, move, obstruct or interfere with any official traffic sign or signal.

Source: R.O. Pierre, 1957, 14.0705; Rev. of Ord., 1990.

Section 9-1-118 Traffic signs and signals - no violation if not in place.

No provisions of this chapter for which signs are required shall be enforceable against an alleged violator, if, at the time and place of the alleged violation, the sign or signal herein required is not in proper position, sufficiently legible, or in proper working order to be seen by an ordinarily observant person.

Source: Rev. of Ord., 1990.

Section 9-1-119 Issuance of warning tickets.

The officers of the police department are authorized to issue a warning ticket to any driver who has operated a vehicle or whose vehicle is in violation of any law. Such warning ticket shall state the violation and shall provide notification to the issuing officer that such violation has been corrected, such correction to be made not later than ten (10) days after the day of issuance of the warning ticket, at the discretion of the issuing officer. The form and content of the warning ticket shall be at the discretion of the Chief of Police. This authority shall not be construed as a limitation of the power to arrest in accordance with any law.

Source: Rev. of Ord., 1990.

Statutory Reference: SDCL 32-21-29

Section 9-1-120 Safety checks.

The officers of the police department, upon evidence that any vehicle is being operated in nonconformance or in violation of any law, or is in such unsafe condition as to endanger any person, may require the driver of the vehicle to stop and submit to an inspection of the motor vehicle and its equipment, driver's license, license plates, registration certificate, and sticker and certificates as required by law.

Source: Rev. of Ord., 1990.

Statutory Reference: SDCL 32-21-28

Section 9-1-121 Failure to comply with lawful order or warning.

It shall be unlawful for any person to refuse or fail to comply with any lawful order or direction of a police officer.

It shall be unlawful for any person to refuse to fail to submit to any lawful inspection and comply with the provisions or requirements of a warning ticket for any violation issued by an officer. Venue of a violation of this section shall be in the City of Pierre.

Source: R.O. Pierre, 1657, 14.0104; Rev. of Ord., 1990.

Statutory reference: SDCL 32-21-30.

Section 9-1-122 Unlawful to display or attach anything resembling or imitating official signal or device - removal as nuisance.

It shall be unlawful for any person to place or maintain or to display upon or in view of any street any official sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal or which attempts to direct the movement of traffic.

It shall be unlawful for any person to place, attach to, or display upon an official sign or signal any sign, signal or device. Every such prohibited sign, signal or device is hereby declared to be a public nuisance and the Chief of Police is hereby empowered to remove the same or cause it to be removed without notice.

Source: R.O. Pierre, 1957, 14.0704; Rev. of Ord., 1990.

Section 9-1-123 Authorizing and equipping school patrols.

The commission is hereby authorized to appoint school patrols at such schools as they deem necessary to assist the police department in the control of traffic at intersections near such schools during certain designated hours of the school day. The members of such school patrols shall be furnished appropriate flags and signals with which to direct traffic and such signals and no others will be used by such school patrols in the direction of traffic.

Source: Rev. of Ord., 1990.

Section 9-1-124 View obstruction at intersection or right of way.

It shall be unlawful for the owner or occupant of any property to allow, maintain or fail to remove any wall, fence, foliage, or objects which obstructs the view at any intersection of streets or alleys as required in section 12-2-114; or to place or allow any sign or object on the boulevard or right of way adjacent to his property which obstructs the view from any alley, driveway or roadway.

Source: Rev. of Ord., 1990.

Section 9-1-125 Penalties.

Any person, or firm, or corporation convicted of a violation of any of the provisions of this chapter is guilty of a second class misdemeanor and subject to fine and imprisonment as provided by section 1-3-101, unless otherwise specified.

Source: Rev. of Ord., 1990.

Section 9-1-126 Repealed.

Source: Ord. 1277, 1991; Ord. No. 1298, 1992.

Sections 9-1-127 to 199, inclusive. Reserved.