

AN ORDINANCE REGULATING THE USE AND OPERATIONS OF SNOWMOBILES  
WITHIN THE CORPORATE LIMITS OF THE CITY OF ALEXANDRIA, HANSON  
COUNTY, SOUTH DAKOTA

ORDINANCE NO. 236

Be it ordained by the City Council of the City of Alexandria:

Sec. 1. Definitions. As used in this chapter unless the context otherwise requires;

The term "OPERATOR" means a person who operates or is in actual control of a snowmobile.

The term "SNOWMOBILE" means any engine driven vehicle of a type which utilizes sled-type runners, wheels or skis, with an endless belt treads or similar means of contact with the surface upon which is it operated.

The term "STREET" means every highway and street within the corporate limits of the City of Alexandria.

The term "OWNER" means any person, other than a lien holder having the property in or title to a snowmobile and entitled to the use or possession thereof.

Sec. 2. Regulation. No person shall operate a snowmobile:

- (a) On the portion of any right of way on any city street or avenue used for motor vehicle travel, except the most right-hand land which is used for vehicular traffic in the same direction, other than on expressways or state highways. Snowmobiles may operate on the road ditch where expressways or state highways are so configured within the corporate limits.
- (b) No person shall operate a snowmobile on private property of another without the express permission to do so by the owner or occupant of said property.
- (c) No person shall operate a snowmobile on public school grounds, park property, playgrounds, slide areas, recreational areas without the express permission to do so by the proper authorities.
- (d) No person shall operate a snowmobile in any manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- (e) No person shall operate a snowmobile on any public sidewalk provided for pedestrian travel, or on any alleys, except that travel is permitted on alley when traveling from a place of storage to the nearest street.
- (f) No person shall operate a snowmobile on any private property except under road and weather conditions as declared by the Chief of Police or Director of Civil Defense to constitute emergency travel conditions authorizing use of a snowmobile, or when such vehicle is necessary as an emergency vehicle to protect the health, safety and welfare of any individual.

- (g) Any person operating a snowmobile within the corporate limits of the City of Alexandria shall be subject to all the traffic laws of the City of Alexandria as set forth in Ordinance of the City of Alexandria.
- (h) No person shall operate a snowmobile within the corporate limits of the City of Alexandria without having such snowmobile licensed and registered as provided by South Dakota State Law.
- (i) No person shall operate a snowmobile on any city streets, alley, avenues, or ditches, as an emergency vehicle or otherwise, unless the operator shall have a valid driver's license on his person.

Sec. 3. Equipment required. All snowmobiles operated within the City shall have the following equipment:

- (a) Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operation of the vehicle, and no person shall use a muffler cutout, by-pass or similar device on said vehicle.
- (b) Adequate brakes in good working condition.
- (c) A spring loaded or factory equipped throttle in operating condition; a spring loaded or factory equipped throttle is defined as a device which when pressure is removed from the accelerator, the throttle causes the motor to return to the idle speed.
- (d) Any snowmobile being operated within the corporate limits of the City of Alexandria, South Dakota, shall display a lighted headlight and tail lamp in accordance with SDCL 32-17 as may have been approved by the Commissioner of Motor Vehicles and at least equivalent to that required for motorcycles.
- (e) A pennant flag or red or blaze material, of a size not less than twelve inches by twelve inches by nine inches, properly attached at a height of not less than fifty- four (54) inches from the ground level at any time when the vehicle is operated within the City limits of the City of Alexandria, South Dakota.

Sec. 4. Unattended vehicles. It is unlawful for the owner or operator of a snowmobile to leave or allow the snowmobile to be or remain unattended of public property while the motor is running.

Sec. 5. Unlawful acts. It is unlawful for any person to operate a snowmobile within the corporate limits of the City of Alexandria, South Dakota:

- (a) During the hours from 1:00 o'clock A.M. to 6:00 o'clock A.M. of any day.
- (b) To tow any person or thing in or on the public street or roads or other city property except through the use of a riding tow bar attached to the rear of a snowmobile.

None of the aforementioned provisions of this Ordinance are to be construed to mean that snowmobiles are permitted to operate on any public street or road or other city property within the City of Alexandria for the purpose of recreation, but rather the aforementioned provisions are intended to provide an exit out of the City of Alexandria and a return to the residence of the operator of his place of storage for a snowmobile, by way of the most direct and closest route available.

- Sec. 6. Violation as Misdemeanor- Punishment. Any person who violates any proceeding provisions or sections of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Fifty Dollars for the first offense, and not more than Two Hundred Dollars for the second and subsequent offenses within one year.
- Sec. 7. Restriction of Operation. The City Council may, by resolution, prohibit the operation of snowmobiles within the right-of-way of the public roads or streets or other city property within the City when in their opinion the public safety and welfare so requires.
- Sec. 8. Operating under the Influence. The operator of a snowmobile shall be deemed the driver or operator of a vehicle within the meaning of Section 23-24, and all acts amendatory thereof and supplemental thereto, to driving while under the influence of intoxicating liquor, drugs, or otherwise therein provided, and is punishable thereupon for any violation of that Section.
- Sec. 9. Traffic Regulations- violation as misdemeanors – punishment. Every person operating a snowmobile shall strictly observe all traffic signs, signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of any police officer of the City authorized to direct or regulate traffic. Any violator shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Adopted June 3, 1974,

Robert Carlson  
Mayor