

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.04**GENERAL PROVISIONS****Sections:**

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10.04.010 **Obedience to traffic signals and markings.**

No person shall violate any regulation or traffic sign established in accordance with this title unless otherwise directed by a law enforcement official. (Prior code § 9-506)

10.04.020 **Obedience to law enforcement officials.**

No person shall refuse or fail to comply with any lawful order, signal or direction of a police officer. (Prior code § 9-507)

10.04.030 **Law enforcement officials to direct traffic.**

Law enforcement officials shall direct all traffic in conformance with traffic laws in the event of emergency or to expedite traffic or safeguard pedestrians. Law enforcement officials or fire department personnel may direct traffic as conditions may require. (Prior code § 9-508)

10.04.040 **Exemptions to authorized emergency vehicles.**

The provisions regulating the movement and parking of vehicles shall not apply to authorized emergency vehicles in performance of public duties, but this exemption shall not protect the driver of such vehicle from the consequences of reckless disregard for the safety of others. (Prior code § 9-509)

10.04.050 **Rules and regulations by law enforcement officials.**

The law enforcement department having jurisdiction of the city may make and enforce rules and regulations governing traffic as the need arises, providing that such rules and regulations are not inconsistent with the provisions of this title. (Prior code § 9-510)

10.04.060 **Enforcement.**

It shall be the duty of the law enforcement officials to enforce all provisions of this title and whenever a police officer shall find a vehicle parked in violation of any of these provisions, he is authorized to move such vehicle to a position permitted under this Chapter 10.16 relating to parked vehicles. (Prior code § 9-514)

Chapter 10.08

RULES OF THE ROAD

Sections:

- 10.08.010 Traffic control.
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- 10.08.030 Signals.
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- 10.08.320 Pedestrian's right-of-way.
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- 10.08.340 Vehicles prohibited on closed streets.

(Custer Supp. No. 10, 2-12)

10.08.350 Use of streets for sale or storage of vehicles.

10.08.360 Through streets.

10.08.370 Driver's view or control.

10.08.010 Traffic control.

All pedestrians and drivers of vehicles shall comply at all times with any direction by voice, hand, whistle or other signaling device from any member of the law enforcement agency having jurisdiction within the corporate limits in reference to regulation of the traffic upon the city streets and shall also comply with any official traffic control device as that term is defined in SDCL 32-14-1(33), as from time to time is amended. (Prior code § 9-101)

10.08.020 Crosswalks, safety zones and traffic lanes.

The law enforcement agency having jurisdiction within the corporate limits may designate marks or lines upon the surface of the roadway, crosswalks at intersections and at such other places as it may deem necessary. The law enforcement agency may establish safety zones as it may deem necessary for the protection of pedestrians and may have lanes marked for traffic on street pavements at such places as it may deem advisable. (Prior code § 9-102)

10.08.030 Signals.

The driver of a vehicle shall give timely warning by signalling with the hand or other manner plainly discernible from the rear of such vehicle, indicating his intention to slow, turn or stop. (Prior code § 9-103)

10.08.040 Starting.

A standing vehicle about to start shall give moving vehicles the right-of-way. (Prior code § 9-105)

10.08.050 Improper use of turning signals.

The driver of a vehicle intending to turn to the right shall make the turn as near the right-hand curb as practicable. If there is a traffic signal, a right-hand turn may be made when the light is red, after a complete stop, unless by resolution the council prohibits such turns and in such event a visible sign shall be placed for public view with the words thereof "No Right Turn on Red."

The driver of a vehicle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and, after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered. (Ord. 688, 2011; prior code §§ 9-106, 9-107)

10.08.070

10.08.070 U-turns and traveling on the left side.

No vehicle shall cross over from the right side to the left side of the street except to make a left turn into a public alley or private driveway, or make a complete turn around or turn one hundred eighty (180) degrees upon any street except at the intersection of one street with another. Any vehicle turning to the left for the purpose of making a complete turn or turn of one hundred eighty (180) degrees shall before turning, pass beyond the center of the intersecting street. No vehicle shall be permitted to make a complete turn or a turn of one hundred eighty (180) degrees on any intersection posted with a sign stating "No U-Turn." (Ord. 660 (part), 2009; prior code § 9-108)

10.08.080 Left of center.

No vehicle within the corporate limits of the city shall be driven to the left of the road center- line whether such vehicle is approaching a curve, hill or intersection or otherwise, subject to the provision of Section 10.08.090. (Prior code § 9-109)

10.08.090 Overtaking and passing.

When overtaking another vehicle proceeding in the same direction, the driver shall first give audible warning of his intention to pass and shall then pass at a safe distance when the left side is clearly visible and free from oncoming traffic for a sufficient distance. The driver of the vehicle being passed shall move to the right a sufficient distance to allow passing and shall not increase his speed until completely passed by the overtaking vehicle. No vehicle shall pass another vehicle in any street intersection. (Prior code § 9-110)

10.08.110 Right-of-way.

Ambulances, fire and law enforcement department vehicles shall have the right-of-way when responding to an emergency. The driver of every vehicle, after receiving an audible signal, shall drive his vehicle near to the right-hand curb of the street and stop and remain in such position until the emergency vehicle shall have passed. Every driver of a vehicle approaching the intersection of a street shall grant the right-of-way to any vehicle approaching from his right. (Prior code § 9-112)

10.08.120 Restrictions as to speed.

No person shall drive a vehicle upon any street, alley, or public place in the city at a speed greater than is reasonable and prudent under the conditions then existing. It shall be prima facie unlawful and prima facie evidence that the speed is not reasonable and prudent under the conditions then existing for the driver of any vehicle or motor vehicle to drive the same upon any street, alley, or public place in the city at a speed exceeding the following:

- A. On any street in the city the speed limit shall be twenty-five (25) miles per hour unless otherwise posted.

B. Fifteen (15) miles per hour when passing a school zone during school recess or while children are going to or leaving school activities, or during opening or closing hours.

C. Fifteen (15) miles per hour when approaching within fifty (50) feet and in traversing an intersection of highways when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last fifty (50) of his or her approach to such intersection, he or she does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection.

D. Fifteen (15) miles per hour in traversing or going around curves or traversing a grade upon a highway when the driver's view is obstructed within the distance of one hundred (100) feet along the highway in the direction in which the driver is proceeding.

E. Fifteen (15) miles per hour in all public alleys.

F. Fifteen (15) miles per hour in any public park.

G. Any other speed limit adopted by the council and posted on official signs as provided by this chapter.
(Ord. 660 (part), 2009)

10.08.130 Crossing sidewalk.

No vehicle shall be allowed to cross the sidewalk except where a driveway has been provided.

Persons driving across any sidewalk shall give ample notice and warning of their approach. (Ord. 455 (part), 1996: prior code § 9-114)

10.08.140 Emergency vehicles.

A. The speed limits provided in this chapter shall not apply to authorized emergency vehicles when responding to emergency calls, provided the drivers thereof sound audible signals by siren or horn and two lighted red lights are displayed to the front, or one beacon light visible three hundred sixty (360) degrees, or to authorized emergency vehicles operated by peace officers who are measuring the speed of other vehicles by use of the emergency vehicle speedometer. Moreover, the driver of an ambulance who has been certified pursuant to SDCL 34-11-6 may operate his emergency vehicle in excess of the speed limit without audible signals while operating outside the city limits of a municipality.

B. This provision shall not relieve the driver of any such vehicle from the duty to drive with regard for the safety of others nor shall it protect the driver from the consequences of a reckless disregard of the safety of others. (Ord. 455 (part), 1996: prior code § 9-115)

10.08.150 Brakes and signaling devices.

Every motor vehicle shall be provided with adequate brakes in good working order and an adequate horn or other device for signaling. (Prior code § 9-304)

10.08.160 Motor vehicles left unattended.

No person shall allow his motor vehicle to stand on any street without first setting the brakes and stopping the motor. (Prior code § 9-305)

10.08.170 Muffler, excessive smoke and noise.

No person shall operate any motor vehicle without an adequate muffler, nor operate said vehicle in such manner as to emit unnecessary or excessive smoke or noise from the motor nor needlessly sound the horn or other noisemaking device. (Prior code § 9-306)

10.08.180 Lights.

A motor vehicle in motion during the period from half an hour after sunset to half an hour before sunrise, shall display at least two lighted lamps on the front and two on the rear of such vehicle, in compliance with state law. A motorcycle shall be required to display one lighted lamp in front and one in back with such lamps to conform with state law. (Prior code § 9-307)

10.08.190 Prohibited acts—Headlights dimmed.

No person shall use headlights upon any vehicle on any street unless the same are dimmed so as to prevent the light from being dazzling or blinding to persons using the streets. (Prior code § 9-308)

10.08.200

10.08.200 Spotlights.

No person shall use a spotlight on the streets, unless in an emergency, and then so as not to blind or inconvenience persons using the street. (Prior code § 9-309)

10.08.210 Licensed driver.

No person shall operate a motor vehicle without a valid license as an operator under the provision of SDCL 32-12. (Prior code § 9-310)

10.08.230 Reckless driving.

Any person who drives any vehicle upon any city street or alley 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. (Prior code § 9-312)

10.08.240 Clinging to moving vehicles.

No person shall cling to attach himself or his vehicle to any other moving vehicle upon any street. (Prior code § 9-315)

10.08.250 Riding on outside of vehicle.

No person shall ride upon the fenders or outside of any motor vehicle in motion and no person driving a motor vehicle shall allow any person to ride outside any such vehicle he is driving. (Prior code § 9-316)

10.08.260 Boarding and alighting from vehicle in motion.

No person shall board or alight from any moving vehicle. (Prior code § 9-317)

10.08.270 Interfering with procession.

No driver of any vehicle shall drive through or otherwise interfere with any authorized procession on any city street. (Prior code § 9-320)

10.08.280 Interfering with traffic.

No vehicle shall be parked or left standing on any street so as to interfere with or interrupt traffic. (Prior code § 9-321)

10.08.290 Exhibition driving.

Any person who drives any motor vehicle within the city in such a manner that creates unnecessary engine noise, tire noise, simulates a temporary race or causes the vehicle to turn abruptly or sway shall be guilty of exhibition driving. (Prior code § 9-322)

10.08.300 Careless driving.

Any person who drives any vehicle upon a highway, alley, public park, recreational area or upon the property of a public or private school, college or university carelessly and without due caution, at a speed or in a manner so as to endanger any person or property, not amounting to reckless driving as defined in SDCL 32-24-1, is guilty of careless driving. Careless driving is a Class I misdemeanor. (Ord. 454, 1996: Ord. 265 (part), 1981: prior code § 9-323)

10.08.310 Vehicles with lugs prohibited.

No person shall operate any vehicle equipped with mud lugs, ice spurs or spikes on any street with any hard surfacing material without first laying planks at least two inches thick on the street to protect the surface from any damage. (Prior code § 9-503)

10.08.320 Pedestrian's right-of-way.

The operator of any vehicle shall yield the right-of-way to any pedestrian at a crosswalk except at intersections where traffic is regulated by traffic control signals or law enforcement officials. (Prior code § 9-504)

10.08.330 Pedestrian's rights and duties at controlled intersections.

At intersections where traffic is controlled, a pedestrian shall yield the right-of-way to vehicles lawfully proceeding on a green light and the driver of a vehicle making a turn shall yield the right-of-way to pedestrians proceeding across the street when a traffic signal facing the pedestrian is red. (Prior code § 9-505)

10.08.340 Vehicles prohibited on closed streets.

No vehicles shall be driven upon any street or alley which has been closed to traffic. (Prior code § 9-511)

10.08.350 Use of streets for sale or storage of vehicles.

No person shall use the streets for the storage, abandonment, overhaul, display or sale of any vehicle. (Prior code § 9-512)

10.08.360 Through streets.

City council may by resolution establish and designate certain streets as through streets and no vehicle shall enter such street without first coming to a complete stop. (Prior code § 9-513)

10.08.370 Driver's view or control.

No person shall drive a motor vehicle when there are such number of persons in the front seat, or when such vehicle is so loaded, so as to obstruct the driver's view to the front or sides of the vehicle, or to interfere with the driver's control of the vehicle. (Prior code § 9-515)

Chapter 10.12

SIZE AND WEIGHT LIMITS

Sections:

10.12.010 **Size of vehicle and load limits--Mt. Rushmore Road.**

10.12.020 **Weight and size of vehicle and load limits.**

10.12.010 **Size of vehicle and load limits--Mt. Rushmore Road.**

No vehicle of more than twenty-four (24) feet in length or seven feet in width or with a load exceeding such length or width shall be parked upon Mt. Rushmore Road except when being loaded or unloaded. (Ord. 453, 1996: prior code § 9-301)

10.12.020 **Weight and size of vehicle and load limits.**

A. No person shall operate upon any city street a vehicle having a gross weight which does not comply with the requirements of the state law governing such vehicle.

Trucks weighing in excess of twenty thousand (20,000) pounds, with the exception of service vehicles, are restricted from all streets within the city limits, except for state or federal highways. "Service vehicle" is defined as any vehicle used for deliveries to a residence or business. (Ord. 772 (part), 2016: Ord. 318, 1988: Ord. 284, 1984: prior code § 9-302)

Chapter 10.16

STOPPING, STANDING AND PARKING

Sections:

- 10.16.010** **No parking areas.**
- 10.16.020** **Spaces reserved for taxicabs, buses, police cars.**
- 10.16.030** **Limited parking.**
- 10.16.040** **Diagonal parking.**
- 10.16.050** **Double parking.**
- 10.16.060** **Backing to curb.**
- 10.16.070** **Parking on crosswalks.**
- 10.16.080** **Parking in alleys--Removal.**
- 10.16.090** **Parking within certain distance from fire hydrant or fire station driveway.**
- 10.16.100** **Public and private driveway.**
- 10.16.110** **Parking left of center.**
- 10.16.120** **Towing of vehicles.**
- 10.16.130** **Designation of no parking areas.**
- 10.16.140** **Parking on public streets and alleys prohibited during snow removal alert.**
- 10.16.150** **Motor home camping on public streets and right-of-ways prohibited.**
- 10.16.160** **Handicapped parking.**
- 10.16.170** **Storage and parking of commercial vehicles and trailers, and construction equipment.**

10.16.010 **No parking areas.**

The city council may by resolution establish and designate no parking areas along street curbs. No vehicle shall be parked at any time, except to load or unload passengers or merchandise, in such spaces so designated and marked. (Prior code § 9-201)

10.16.020 **Spaces reserved for taxicabs, buses, police cars.**

The city council may by resolution establish and designate spaces along street curbs for the exclusive use of police cars, taxicabs, buses and other vehicles as may be entitled to such privilege. No other vehicle shall park within such space except momentarily to take on or let off passengers. (Prior code § 9-202)

10.16.030 **Limited parking.**

The city council may by resolution establish and designate streets where vehicles may be parked for limited periods only. (Prior code § 9-203)

10.16.040 Diagonal parking.

All vehicles parked on Mt. Rushmore Road between 4th Street and 8th Street shall be parked at an angle of approximately forty-five (45) degrees with the front tire touching the curb. All vehicles parked on 4th Street, 5th Street, 6th Street, and 7th Street, within one block of Mt. Rushmore Road, except for 5th Street north of Mt. Rushmore Road, shall be parked at an angle of approximately forty-five (45) degrees with front wheel touching the curb. All vehicles parked on Montgomery Street between 5th Street and 6th Street shall be parked at an angle of approximately forty-five (45) degrees with front wheel touching the curb. Parallel parking shall be required on all other city streets. (Prior code § 9-204)

10.16.050 Double parking.

No vehicle shall be double parked unless the vehicle is within the immediate control of some person able to drive the same. Upon the request of a law enforcement official or other person whose vehicle is blocked, it shall be the duty of the driver to move such vehicle. (Prior code § 9-205)

10.16.060 Backing to curb.

No vehicle shall be backed to the curb except where necessary in order to load or unload merchandise. (Prior code § 9-206)

10.16.070 Parking on crosswalks.

No vehicle shall be parked or left unattended on any crosswalk, except momentarily for the purpose of taking on or letting off passengers. (Prior code § 9-207)

10.16.080 Parking in alleys—Removal.

Any vehicle illegally parked in violation of any of the provisions of this title, or which appears to be abandoned, or which blocks the use of any fire hydrant or obstructs traffic may be towed away and stored in a safe place until such time as the owner makes payment for towing and storing charges. (Prior code § 9-208)

10.16.090 Parking within certain distance from fire hydrant or fire station driveway.

No person shall stop or park any vehicle within fifteen (15) feet of a fire hydrant or within twenty (20) feet of the driveway entrance to a fire station. (Prior code § 9-501)

10.16.100 Public and private driveway.

No person shall stop or park a vehicle so as to block any public or private driveway. (Prior code § 9-502)

10.16.110 Parking left of center.

No vehicle shall stop or be parked anywhere in the streets except as near as possible to the right-hand curb. (Ord. 265 (part), 1981: prior code § 9-324)

10.16.120

10.16.120 Towing of vehicles.

The city street department or any law enforcement official within the city is authorized to remove and tow away, or have removed and towed away by a commercial towing service, any car or other vehicle illegally parked in violation of the provisions of this title, or of resolutions of the city council, or any car or other vehicle which appears to have been abandoned or which is not currently licensed, and is parked on a city street or alley, or any car or vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any traffic. Vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such car upon payment of all towing and storage charges, and upon payment of such fine as may be imposed upon conviction for a violation of this title. (Prior code § 9-209)

10.16.130 Designation of no parking areas.

No vehicle shall be pertained to be parked in any area which is posted as being a no parking zone, whether a permanent no parking zone or during the hours as posted. Vehicles parked in violation of this section may be towed and/or fined twenty dollars (\$20.00) for each occurrence. Such fine shall not apply for improper parking in designated handicap spaces nor designated prohibited parking near fire hydrants within Custer City. (Ord. 483, 1997: prior code § 9-210)

10.16.140 Parking on public streets and alleys prohibited during snow removal alert.

Any time two inches or more of snow falls in the city, there shall be deemed to be a snow alert, and during such alert it shall be unlawful for any vehicle to park on the public streets and alleys within Custer between the hours of midnight and eight a.m., or until such time as the snow has been removed from the particular street or alley. Vehicles parked in violation of this section shall be towed at the expense of the owner and/or fined twenty-five dollars (\$25.00) if paid to the city finance officer within three days of the issuance of the citation, thirty-five dollars (\$35.00) if paid to the city finance officer after three days but within seven days of the issuance of the citation, or thereafter a fine not less than forty dollars (\$40.00) nor greater than one hundred dollars (\$100.00) to be collected by the magistrate. The alert as defined in this section shall automatically cease for each street or alley once that street or alley has been plowed and the snow removal equipment has left therefrom. After that time parking shall again be allowed until another snow alert occurs. (Ord. 408, 1994: prior code § 9-211)

10.16.150 Motor home camping on public streets and right-of-ways prohibited.

Camping on public streets or right-of-ways in the city with a recreational vehicle, travel trailer, motor home or any other type of camping vehicle is prohibited. For the purposes of this chapter, parking on a public street and engaging in one or more of the following activities shall be considered as proof of intent to camp on a public street or right-of-way. these acts shall include, but are not limited to:

1. Starting a generator for the purposes of supplying power to the vehicle;
2. Leveling a camping vehicle by the use of jacks, blocks or other leveling devices;
3. Expanding a camping vehicle by using pull outs or tip outs;

(Custer Supp. No. 9, 2-11)

4. Using an extension power cord to supply power to the camping vehicle.

Any of these acts performed by an individual shall be considered as intent to camp.

For purposes of this section motor homes shall be defined to include any vehicle which contains overnight sleeping accommodations.

Motor homes or camping vehicles parked in violation of this section may be towed and/or fined twenty-five (\$ 25.00) dollars for each occurrence. (Ord. 542, 2001)

10.16.160 Handicapped parking.

A. The owner of any vehicle not displaying a serially numbered certificate or special license plate parked or stopped in a parking space, or blocking a parking space, on public or private property designated as reserved for a person with a physical disability shall be guilty of committing a Class 2 misdemeanor. A separate offense shall be deemed committed on or during each two hour period in which a violation of this section occurs.

B. The owner or operator of any vehicle found in violation of this section shall, within seventy-two (72) hours of the time when the notice of violation was attached to such vehicle, pay to the office of the city finance officer-treasury, as a penalty for and in full satisfaction of such violation, the sum of one hundred dollars (\$100.00). If the owner or operator fails to pay the sum within the seventy-two (72) hour period, he shall pay to the office, as a penalty for and in full satisfaction of the violation, the sum of one hundred ten dollars (\$110.00).

C. The parking space will be marked in accordance with the Americans with Disabilities Act and all other applicable regulations and standards. (Ord. 604, 2004)

10.16.170 Storage and parking of commercial vehicles and trailers, and construction equipment.

A. Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Commercial” means relating to or connected with trade and traffic or commerce in general.

“For Hire” means for remuneration of any kind, paid or promised, either directly or indirectly.

B. Purpose. The purpose of this section is to minimize adverse aesthetic impacts that large commercial vehicles and trailers, and construction equipment have in residential zoning districts by limiting the type of vehicles, their size and the number of the vehicles.

C. Allowed storage. Commercial vehicles and trailers, and all construction equipment normally used for hire and not normally used for the routine maintenance of a residential property, shall not be parked or stored on any lot or on any right-of-way adjacent to any lot in any residential district except in accordance with the below provisions. The parking of commercial vehicles or trailers, or construction equipment which do not meet the below provisions shall be allowed only if the same is temporarily parked in conjunction with provision of service to that property.

D. Number. Only one commercial vehicle or trailer, or piece of construction equipment, shall be permitted on or adjacent to each property in a residential zoning district, provided no other provisions of this section are violated.

E. Size. Commercial vehicles or trailers, or construction equipment, parked in residential districts shall not exceed any of the following:

10.16.170

1. A gross vehicle weight rating (GVWR) or sixteen thousand (16,000) pounds or more;
2. A height of seven feet from top to bottom;
3. A length of thirty (30) feet from front to back. The height measurement excludes racks less than four feet in height. For the purposes of measurement, the height shall be the vertical distance between the lowest part of the tires to the top of the highest part of the vehicle, trailer or equipment. The length shall be the horizontal distance between the front edge to the rear edge of the vehicle, trailer or equipment. For purposes of these measurements, accessories, attachments and materials fixed or carried upon such vehicle, trailer or equipment shall be considered part thereof, with the exception of serial antennas.

F. Parking of vehicles. Any commercial vehicle or trailer, or construction equipment which does not meet the above provisions, shall be parked or stored on a commercial or industrial lot.

G. Commercial vehicles hauling explosive, toxic or hazardous materials. Commercial vehicles used for hauling explosives, gasoline, liquefied petroleum products, toxic or hazardous materials shall not be stored in or adjacent to a residential district. Parking is permitted only for the purposes of unloading or dispensing. (Ord. 673, 2010)

(Custer Supp. No. 9, 2-11)

Chapter 10.20**ACCIDENTS****Sections:**

- 10.20.010 Duties of driver.**
- 10.20.020 Duty to report accident.**
- 10.20.030 Garage keeper to report damaged vehicles.**
- 10.20.040 Duty upon striking animal.**
- 10.20.050 Duty upon striking unattended vehicle or property.**

10.20.010 Duties of driver.

The driver of any vehicle involved in an accident resulting in any injury or death to any person or damage to property shall immediately stop and give his name and address and the name and address of the owner and the license number of the vehicle he is driving to the person struck or to the driver or occupant of any vehicle collided with. The driver shall render unto any person injured in such accident reasonable assistance and transportation of such person to a physician for medical treatment is necessary, or if requested by the injured person. (Prior code § 9-401)

10.20.020 Duty to report accident.

The driver of any vehicle involved in an accident resulting in death or injury to any person or damage to an apparent extent of five hundred dollars (\$500.00) or more to one person's property or total accident damage of one thousand dollars (\$1,000.00) or more shall immediately give notice to the nearest available law enforcement officer who has jurisdiction. (Ord. 452, 1996: prior code § 9-402)

10.20.030 Garage keeper to report damaged vehicles.

The person in charge of any garage or repair shop shall not commence repair on any motor vehicle which shows evidence of having been involved in a reportable accident or struck by a bullet, unless the vehicle bears the notice provided for in SDCL 32-34-10, as from time to time amended. (Prior code § 9-403)

10.20.040 Duty upon striking animal.

The driver of any vehicle which collides with a domestic animal causing injury thereto shall stop and attempt to notify the owner and if the owner cannot be notified at once, the driver shall report the accident to the law enforcement officials. (Prior code § 9-404)

10.20.050 Duty upon striking unattended vehicle or property.

The driver of any vehicle which collides with an unattended vehicle or other property shall immediately stop and notify the owner or leave in a conspicuous place written notice giving the driver's name and address and the name and address of the owner and license number of the vehicle he is driving. The driver shall also notify the law enforcement officials. (Prior code § 9-405)

Chapter 10.24

BICYCLES, SKATEBOARDS, ROLLERBLADES AND SLEDS

Sections:

- 10.24.010 Compliance with motor vehicle ordinances.**
- 10.24.020 Riding abreast.**
- 10.24.030 Clinging to vehicles.**
- 10.24.040 Extra passenger.**
- 10.24.050 Lights.**
- 10.24.060 Operating on sidewalks and in parks.**
- 10.24.070 Operating in central business district.**
- 10.24.080 Toy vehicles on city streets.**

10.24.010 Compliance with motor vehicle ordinances.

The rider or operator of a bicycle, skateboard, rollerblades or sled upon any street, alley or other public place, shall comply with all ordinances and statutes regulating the operation of motor vehicles and rules and regulations promulgated pursuant thereto. (Ord. 694 (part), 2011: prior code § 11-213)

10.24.020 Riding abreast.

When two or more persons in a group are operating bicycles or riding upon skateboards or rollerblades, on a street or alley, they shall ride single file. (Ord. 694 (part), 2011: prior code § 11-214)

10.24.030 Clinging to vehicles.

No rider or operator of a bicycle, skateboard, rollerblades or sled shall cling or attach himself or the bicycle, skateboard, rollerblades or sled to any other moving vehicle. (Ord. 694 (part), 2011: prior code § 11-215)

10.24.040 Extra passenger.

No more than one person shall be allowed on a bicycle, skateboard, rollerblades or sled unless the same is specifically designed for such. (Ord. 694 (part), 2011: prior code § 11-216)

10.24.050 Lights.

No skateboard, rollerblades or sled shall be operated on any street, alley or any public place within the period from a half-hour after sunset until a half-hour before sunrise. No bicycle shall be operated after such hours without using a headlight attached to the front of the bicycle and having a red light or reflector attached to the rear of a bicycle. (Ord. 694 (part), 2011: prior code § 11-217)

10.24.060 Operating on sidewalks and in parks.

Bicycles, skateboards, rollerblades and sleds may be operated single file only, on sidewalks in public parks and residential districts. The rider or operator shall at all times yield the right-of-way to pedestrians using the sidewalk, and due and proper care shall at all times be exercised by the rider or operator for pedestrians. (Ord. 694 (part), 2011; Ord. 626, 2005; Ord. 600, 2004; prior code § 11-218)

10.24.070 Operating in central business district.

It is unlawful for any person on rollerskates or riding in or by means of any coaster, skateboard, toy vehicle or similar recreational devices including bicycles and sleds, to go upon any street, sidewalk, crosswalk, public parking area or any other public way or place, located within the central business district of the city, unless otherwise specifically designated by the city. The central business district boundaries are from the south side of Crook Street to the north side of Washington Street and from the east side of Ninth Street to the west side of Fourth Street.

This section shall not prohibit the use of bicycles upon any street, public way or place as long as the operator of said bicycle is complying with the ordinance of the city and the laws of the state. (Ord. 694 (part), 2011; Ord. 563, 2002)

10.24.080 Toy vehicles on city streets.

Toy vehicles or similar recreational devices shall not be permitted on any city streets. (Ord. 694 (part), 2011)

Chapter 10.28

SNOWMOBILES

Sections:

- 10.28.010 Snowmobile defined.**
- 10.28.020 Operator's license.**
- 10.28.030 Brakes—Mufflers—Lights.**
- 10.28.040 Safety equipment and inspections.**
- 10.28.050 Permitted operation.**
- 10.28.060 Speed restrictions.**
- 10.28.070 Rules of the road.**
- 10.28.080 Registration.**

10.28.010 Snowmobile defined.

For the purpose of this chapter, the word "snowmobile" means and includes 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. (Ord. 335 (part), 1989)

10.28.020 Operator's license.

No snowmobile shall be operated within the city until the driver thereof has in his/her possession a valid operator's license or chauffeur's license. (Ord. 335 (part), 1989)

10.28.030 Brakes—Mufflers—Lights.

Every snowmobile shall be equipped with brakes, mufflers and lights that meet specifications as required by state law. (Ord. 335 (part), 1989)

10.28.040 Safety equipment and inspections.

No snowmobile shall be driven on the roadway, street or alley when said snowmobile is in an unsafe condition as to endanger any person or property. A law enforcement officer may at any time, upon reasonable cause to believe that a snowmobile is unsafe or not equipped as required by state law, require the driver of such vehicle to stop and submit such vehicle to an inspection and test with reference thereto. No person shall operate any snowmobile which has been found to be unsafe, except to return such snowmobile to his/her place of residence, place of business or to a repair garage. (Ord. 335 (part), 1989)

10.28.050 Permitted operation.

Snowmobiles shall operate over designated roadways when the same shall be snow-packed or covered with snow. Such vehicles shall not be permitted to operate on any sidewalk. (Ord. 335 (part), 1989)

10.28.060 Speed restrictions.

It is unlawful for any person to operate a snowmobile within the city at a rate of speed greater than the posted limit applicable to other motor vehicles. (Ord. 335 (part), 1989)

10.28.070 Rules of the road.

Every operator of a snowmobile shall observe all rules of the road pertaining to all other motor vehicles. (Ord. 335 (part), 1989)

10.28.080 Registration.

No snowmobile shall be operated within the city unless the snowmobile bears required registration and documentation. The operator shall produce the necessary evidence to an officer upon request. All South Dakota laws pertaining to registration and liability insurance will be complied with prior to the operation of the snowmobile. All out-of-state operators will comply with their state's laws and regulations. (Ord. 335 (part), 1989)