

TITLE VIII – TRAFFIC

CHAPTER 1

OPERATION OF VEHICLES

Section 8.1.1            Push Carts, Bicycles or Animals

Any person propelling any cart or riding a bicycle or an animal upon a public Right of Way and every person driving any animal, shall be subject to the provisions of this title applicable to the operator of any vehicle, except those provisions of this title with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

Section 8.1.2            Drivers Must Keep to the Right Side of Streets

All persons operating, using or driving any vehicle or vehicles upon any of the streets of the City of Mount Vernon, shall keep to the right-hand side of the center of the street, except as herein provided, and no vehicle shall be turned around on any street except in the square formed by the intersections thereof with another street.

Section 8.1.3            Overtaking

The operator of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, but only when such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety and shall not cut in front of the overtaken vehicle until safely clear of the same.

Section 8.1.4            Following Too Closely

The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

Section 8.1.5            Vehicles shall not be driven on Sidewalk

The operator of a vehicle shall not drive upon any sidewalk except at a permanent or temporary driveway.

Section 8.1.6            Brakes, Lights and Horn

Every motor vehicle operated or driven upon the public highways of this city shall be provided with adequate brakes in good working order sufficient to control such motor vehicle at all times when the same is in use, and a suitable and adequate bell, horn or other device for signaling and shall, during the period of one-half hour after sunset and one-half hour before sunrise, display lighted lamps as required in Section 44.0353 of the 1939 Code of the State of South Dakota, as amended.

Section 8.1.7            License Plates

No person shall operate or drive a motor vehicle within the City of Mount Vernon without having conspicuously displayed thereon number plate or plates as required by the statutes of the State of South Dakota securely fastened, and shall be kept free from mud, dirt or other obstruction so that said number plate or plates shall be clearly legible by other persons upon said highway.

Section 8.1.8            Drivers Permit Required

No person shall drive or operate upon any of the streets or highways within the City of Mount Vernon any motor vehicle without first having secured and having in his possession a permit so to do issued by the State of South Dakota under the provisions of law.

Section 8.1.9            Reckless Driving

Any person who drives any vehicle upon a highway 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, shall be guilty of reckless driving.

Section 8.1.10          Driving While Intoxicated

It shall be unlawful for any person to drive or operate, or attempt to drive or operate any motor vehicle upon any of the public streets, alleys, or public grounds of the City of Mount Vernon, while such person is in an intoxicated or drunken condition, or under the influence of intoxicating substance.

Section 8.1.11          Turning Movements and Required Signals

- A. At any intersection where there is displayed an official traffic sign displaying the words “No U-Turn” it shall be unlawful for the operator of any vehicle to turn such vehicle at the intersection in a complete circle or so as to proceed in the opposite direction.
- B. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner herein provided in the event any other traffic may be affected by such movements.
- C. A signal of intention to turn right or left when required shall be given continuously during no less than the last 100 feet traveled by the vehicle before turning.
- D. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

Section 8.1.12          Signals by Hand and Arm or Signal Device

Any stop or turn signal when required herein shall be given either by hand or signal device, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then said signals must be given by such a lamp or lamps or signal device.

Section 8.1.13          Method of Giving Hand and Arm Signals

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- A. Left turn – Hand and arm extended horizontally
- B. Right turn – Hand and arm extended upward
- C. Stop or decrease speed – Hand and arm extended downward

Section 8.1.14      Right-of-Way

Subject to the exceptions stated in the next succeeding section, the right-of-way rule as between vehicles at intersections is hereby declared as follows:

- A. The operator of a vehicle approaching an intersection shall yield the right-of-way to a vehicle, which has fully entered the intersection.
- B. When two vehicles approach an intersection at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- C. The operator of any vehicle traveling at an unlawful speed shall forfeit any right-of-way, which he may otherwise have hereunder.

Section 8.1.15      Exceptions to Right-of-Way Rule

The operator of a vehicle entering a public street shall yield the right of way to authorized emergency vehicles when the latter are operated upon official business and the operators therefore sound audible signal by bell, siren or exhaust whistle. This provision shall not relieve the operator of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the operator of any such vehicle from the consequences of an arbitrary exercise of such right-of-way.

Section 8.1.16      Racing Prohibited

It shall be unlawful for the operator or driver of any vehicle to race with any other vehicle on said streets or thoroughfares of the City of Mount Vernon or to engage in any contest of speed with any other vehicle, or the driver thereof, on said streets and thoroughfares.

Section 8.1.17      Mufflers

No person shall drive a motor vehicle on a highway within the City of Mount Vernon unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. The use of Smitty or Hollywood mufflers or other devices of like character which make loud noises or explosions are hereby declared unlawful and it shall be unlawful to use a muffler cut-out on any motor vehicle.

Section 8.1.18      Emerging from Alley or Private Property

The operator of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk or unto the sidewalk area extending across any alleyway.

Section 8.1.19      Stop at Intersections

The Chief of Police, with the approval of the Mayor is hereby authorized to place and maintain or cause to be placed and maintained at the intersection of any street or alley with any other street or alley where in his direction traffic conditions justify such auction, appropriate signs bearing the word "Stop" which said signs shall be located in such a manner and be of such a size as to be clearly legible from a distance of one hundred feet along said street or alley intersecting such stop street and shall illuminate at night or be placed so as to be illuminated by street lights or the headlights of approaching motor vehicles and the operator of any other conveyance traversing such street upon which such "Stop" sign has been erected shall bring such vehicle to a full stop at a place within fifteen feet of the nearest line of the intersection of said streets or street and all.

Section 8.1.20            Restrictions as to Speed

Any person driving a vehicle on a street or highway shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the street or highway and to any other conditions existing, and no person shall drive any vehicle upon a highway or street at such a speed as to endanger the life limb or property of any person.

Section 8.1.21            Speed Limitations

It shall be unlawful to exceed any of the following limitations:

- A. Twenty-five miles an hour in any business district as defined in Section 9.0101 or on any Federal Highway
- B. Fifteen miles an hour when passing schools or school grounds during recess or while children are going to or leaving school during opening or closing hours
- C. Fifteen miles an hour when approaching within fifty feet and in traversing an intersection of highway when the drivers view is obstructed. A drivers view shall be deemed to be obstructed when at any time during the last fifty feet of his approach to such intersection, he 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 miles an hour under all other conditions
- E. Appropriate signs indicating the maximum speed permissible shall be placed at reasonable intervals in each of the said restrictive zones.

Section 8.1.22            Exhibition Driving

No person shall drive a vehicle within the City of Mount Vernon in such a manner that creates or causes unnecessary engine noise, tire squeal, skid or slide upon acceleration or stopping, or that stimulated a temporary race, or that causes the vehicle to unnecessarily turn abruptly or sway.

## TITLE VIII – TRAFFIC

### CHAPTER 2

#### PARKING

##### Section 8.2.1            Stopping, Parking Prohibited in Certain Places

It shall be unlawful for the operator of a vehicle to stop, stand, or park such vehicle on any of the following places except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer.

- A. Within an intersection
- B. On a crosswalk
- C. Within fifteen (15) feet of the inside boundary line of the sidewalk or if no sidewalk is in place, within twenty-five (25) feet of the intersection roadway, except that this provision shall not apply to alleys
- D. Within fifteen (15) feet of a fire hydrant
- E. In front of a private driveway
- F. On a sidewalk
- G. Alongside or opposite any set excavation or obstruction when such stopping, standing, or parking would obstruct traffic

##### Section 8.2.2            Parking Parallel and Diagonal

No vehicle shall be parked on any street except such vehicle be parked parallel to the curb headed in the direction of traffic with the curb side wheels of the vehicle within twelve inches of the curb and not closer than four feet to any other vehicle front or rear except on those streets designated or marked for angle or diagonal parking a vehicle shall be parked at an angle to the curb indicated by marks or signs with the front wheel touching the curb and the right rear wheel approximately six feet from such curb, at approximately a forty-five degree angle; provided, however that on streets adjacent to any school building or church, diagonal parking may be permitted during such times as public meetings or church services are being conducted in said building.

##### Section 8.2.3            Double Parking

It shall be unlawful for the operator of any vehicle to stop, stand, or park such vehicle on the roadway side of any other vehicle stopped or parked at the edge of the curb of a street except while temporarily engaged in the loading and unloading of passengers or materials.

##### Section 8.2.4            Parking Trucks

It shall be unlawful to park any truck or motor vehicle measuring more than seventeen feet overall from front to rear or more than seven feet in width upon Main Street, an in determining the length or width of any such truck or vehicle the contents thereof or any trailer attached thereto is deemed part of said vehicle.

##### Section 8.2.5            Restricted Parking Signs

The Chief of Police, with the approval of the Council is hereby authorized to limit or prohibit parking in such places and at such times as in his and their discretion is necessary by reason of traffic or other local Mount Vernon, South Dakota. City Ordinances. 2017.

conditions and to place at such restricted or limited spaces appropriate signs indicating such restrictions or limitations and it shall be unlawful for any vehicle to park in such restricted or limited area contrary to the regulations as indicated by said signs.

Section 8.2.6            Twenty-four Hour Parking

It shall be unlawful for any person to park or the owner of a vehicle to permit to be parked, any vehicle for a longer period than twenty-four hours at one time, on Main Street or on any intersecting street one block in each direction from Main Street.

TITLE VIII – TRAFFIC  
CHAPTER 3  
RECREATIONAL VEHICLES

Section 8.3.1            Speeding and Reckless Driving

No person shall operate a recreational vehicle within the corporate limits of the City in the following manner:

1.     At a speed that is greater than is reasonable or prudent under the circumstances
2.     In any reckless way so as to endanger the person or property of another

Section 8.3.2            Use Restrictions

No recreational vehicle shall be operated within the corporate limits of the City in the following places:

1.     On Main Street except to cross Main Street and then only after stopping and yielding the right of way to all approaching traffic and crossing as closely as possible to an intersection
2.     On sidewalks or pedestrian walkways
3.     On private property without permission of the owner or occupant
4.     On public grounds, park property, or playgrounds
5.     Within the corporate limits of the City, unless the operator shall have a valid driver's license on his person
6.     Within the corporate limits of the City without having such recreational vehicle registered and licensed as provided by the South Dakota State Law

Section 8.3.3            Required Equipment

All recreational vehicles operated within the City shall have the following equipment:

1.     Any recreational vehicle operated in the City, during hours of darkness, shall display a lighted headlamp and tail lamp in accordance with the laws of the State of South Dakota at least equivalent to that required for motorcycles
2.     A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke
3.     Adequate brakes in good working condition

Section 8.3.4            Operator Regulations

Any person operating a recreational vehicle within the corporate limits of the City, shall be subject to all other provisions of the City's code applicable to the operation of any other type of motor vehicle, to include driving under the influence of intoxicating liquor or drugs, except those provisions which by their very nature can have no application.