

Ordinance No. 2023–201

An ordinance regulating speed limit enforcement over a portion of 282nd Street in Charles Mix County and further providing penalties for violation of the terms of the ordinance and repealing all prior ordinances in conflict with the provision of this ordinance.

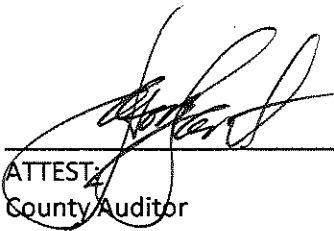
WHEREAS, State Law SDCL 32-25-9.1 gives the county the authority to determine and establish the speed zones upon any highway under its jurisdiction; and

WHEREAS, the Board of Charles Mix County Commissioners desires the enforcement of speed limitation on the portion of 282nd Street that runs in between 359th Avenue and 360th Avenue, as set forth and posted by the Charles Mix County Highway Superintendent.

NOW THEREFORE, BE IT ORDAINED BY THE CHARLES MIX COUNTY COMMISSION: The speed limit on the portion of 282nd Street as described above shall be set at thirty (30) miles per hour (mph) which will be designated by the posting of signs. Further, the Charles Mix County Sheriff's Office is hereby authorized to enforce speed limitations and Charles Mix County requests that the Charles Mix County Sheriff assist in enforcing said speed limitations.

1. Purpose: To protect the health, safety and general welfare of the residents of Charles Mix County by enforcing vehicle speed limits on 282nd Street as described above.
2. Unlawful Acts: It shall be unlawful to operate any "vehicle," as hereinafter defined, on the portion of 282nd Street described above, within Charles Mix County, at a speed greater than that provided for herein.
3. Definitions:
 - A. Vehicle: Any motor vehicle.
4. Posting of Restrictions: Signs shall be posted in order to identify the speed limitations that are being enforced on 282nd Street. Signs shall be posted at locations determined by the County Highway Superintendent, and approved by the Charles Mix County Commissioners.
5. Penalty: Any person violating any provision of this ordinance shall be guilty of a misdemeanor, punishable upon conviction by a fine not to exceed five hundred (\$500.00) dollars, plus costs and/or imprisonment in the county jail for a period not to exceed thirty (30) days.
6. Severability: This ordinance and the various parts, sections, paragraphs, and subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If a court of competent jurisdiction adjudges any part, section, paragraph, subsection, sentence, phrase, or clause unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.


Chairman of the Board
Charles Mix County Commission


ATTEST:
County Auditor

Passed and adopted by the Charles Mix County Commissioners, Charles Mix County, South Dakota on the first reading on the 10th day of August, 2023, by the following vote:

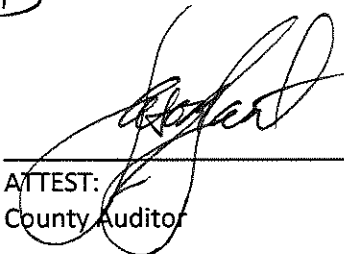
Ayes: Sankup, Mushitz, Stoltz
Nays:
Absent:

Passed and adopted by the Charles Mix County Commissioners, Charles Mix County, South Dakota on the second reading on the 24th day of August, 2023, by the following vote:

Ayes: Sankup, Mushitz, Stoltz
Nays:
Absent:

Date of Publication Week of September 4, 2023


Chairman of the Board
Charles Mix County Commission


ATTEST:
County Auditor