

On motion made by Graves and seconded by Engelmeyer, it was moved that this Ordinance be adopted:

ORDINANCE NO. 42
"AN ORDINANCE ESTABLISHING HANSON COUNTY SPEED
LIMITS"

BE IT ORDAINED by the Board of Commissioners of Hanson County, South Dakota, that:

[1] Speed limits on all county and township roads located within the corporate limits of Hanson County, South Dakota, and not within the corporate limits of any municipality, is hereby set at fifty-five (55) miles per hour, except as modified herein.

[2] Exceptions to fifty-five miles per hour limit:

[a] Trucks over ten-thousand (10,000) pounds, weight empty or loaded are limited to a speed of forty (40) miles per hour except where a lower speed is posted;

[b] The speed limit is forty (40) miles per hour on County Highway 16, from the Davison County line eastward to highway 262 (257th Street);

[c] The speed limit is thirty (30) miles per hour on that portion of 257th street starting on the west end at its junction with Highway 262 and extending eastward to the eastern boundary of the Greenhill Cemetery;

[d] The speed limit of thirty (30) miles per hour applies on that portion of County Highway 05 located in Section 21, Township 103 North, Range 58 West of the 5 P.M. (The north side of Lake Hanson);

[e] The speed limit is fifteen (15) miles per hour in the County Park located on the north side of Lake Hanson in Section 21, Township 102, Range 58 West of the 5 P.M.;

[3] Emergency and Public Safety. In the event of an emergency, as needed for public safety, the Hanson County Sheriff, or his designee, is authorized to establish other temporary speed and traffic regulations. If an emergency exists and this is done by the sheriff, he shall immediately inform the county auditor and Hanson County Commissioners of his actions.

[4] Penalty for Violation. A violation of this Ordinance will be subject to a maximum penalty of a fine Five Hundred (\$500.00) Dollars or by incarceration in a county jail for a period of up to thirty (30) days, or by both such fine and imprisonment.

[5] Repealer. All ordinances, or portions of Ordinances, which conflict with the provisions of this Ordinance are repealed.

[6] Severability Provision. Any section, portion, or part of this Ordinance determined by any Court to be invalid will be considered removed there from and the balance of the Ordinance will remain in effect if it can be done, to carry out the intent of this Ordinance.

Justification for Ordinance:

[a] A controlled and regulated maximum speed or rate of travel on the county and township roads is necessary for the preservation of public safety and the protection of public and private property.

[b] A regulation of the maximum speeds to be traveled on county and township roads aids in preserving public order; and

[c] It is in the best interest of the citizens and residents of Hanson County, South Dakota, to have these limits for rates of travel placed upon the roadways effective.

Votes For: 5 Votes Against: 0

Ordinance adopted.

First reading: September 18, 2018.

Second reading: November 20, 2018.

Published: December 6, 2018.

Effective date: December 26, 2018.

(20 days after publication)