

MC12-88

AN ORDINANCE

PUBLIC PARKING

WHEREAS Minnehaha County presently owns several parcels of land for public use upon which certain areas have been improved and/or designated for parking;

WHEREAS there appears to be a need for supervised control of such parking areas; and

WHEREAS pursuant to SDCL 7-18A-2 Minnehaha County is empowered to enact such an Ordinance as may be necessary to provide for the fair and efficient administration of public lands, THEREFORE BE IT ORDAINED BY THE MINNEHAHA COUNTY COMMISSION:

SECTION I

Public Parking Director

The Minnehaha County Sheriff or his designate is hereby appointed as the Minnehaha County Director of Public Parking. The Director is hereby empowered to designate and mark all areas of designated parking to allow for parking by permit, open parking, and/or any further and special parking otherwise as deemed appropriate. The Minnehaha County Sheriff's Office shall be responsible for the enforcement of the Parking Ordinance. The Director of Maintenance shall be responsible for maintenance of the Parking Lot. All decisions of the Parking Director and Maintenance Director shall be subject to review by the Minnehaha County Commission.

Section II

Designation of Zones

The Minnehaha County Commission shall establish parking zones on all County owned parking lots as traffic conditions require. Such zones shall be posted to designate the allowed parking in said zone or zones.

SECTION III

Maintenance and Regulation

The Director of Maintenance is hereby authorized to provide for the installation, operation, maintenance, supervision, regulation and use of appropriate signs or other equipment as he may deem necessary.

SECTION IV

Parking Zones

The Minnehaha County Commission shall fix limitations for legal parking in the parking zones, in compliance with the provisions of this Ordinance and shall indicate the limitations by use of appropriate signs posted at the entrance or in the respective lots.

SECTION V

Parking Permits

Upon rates and periods approved by the Minnehaha County Commission, the County Auditor shall prepare and distribute permits allowing the holder thereof to park in certain designated portions of the County's parking area. Such permit shall be available primarily to County employees; and

shall only be available as specifically approved by the Minnehaha County Commission.

SECTION VI

Parking Revenues

All revenues derived from parking permits or fines resulting from parking violations shall be deposited with the Minnehaha County Treasurer.

SECTION VII

Disabled Veterans and Physically Handicapped Persons

Parking:

Any person who:

(1) Meets the qualifications set forth in SDCL 32-30-7 as established by 38 USC Sections 1901 to 1903 and who has a Disabled Veterans license plate on the vehicle shall be exempt from the penalties established for violation; or

(2) Qualifies pursuant to SDCL 32-30-11.1 shall be exempt from the penalties stated herein for violations of this Ordinance.

SECTION VIII

Handicapped Parking

The Minnehaha County Commission hereby authorizes that there shall be designated special parking spaces which shall be accessible to and useable by physically handicapped persons. Such spaces shall meet the specifications set forth in the most recent American Standard Specifications for making buildings and facilities accessible to, and useable by, the physically handicapped A-117.1, 1961, R 1971.

SECTION IX

Unauthorized Parking

It shall be unlawful and a violation of this Ordinance for any person who is not physically handicapped to exercise the privileges granted a physically handicapped person under SDCL 32-30-11.1.

SECTION X

Unauthorized Parking in Handicapped Space

It shall be unlawful and a violation of this Ordinance for any vehicle not displaying a serially numbered certificate or special license plate parked in a parking space or in a parking lot on County property which is designated as reserved for the physically handicapped.

SECTION XI

Enforcement

In the event any vehicle is found parked in violation of the provisions of this Ordinance, it shall be the duty of the Minnehaha County Sheriff's Office to report:

- (A) The state license number of such vehicle.
- (B) The time or manner in which such vehicle is parked in violation of this Ordinance.
- (C) Any other facts, knowledge of which is necessary or helpful to a thorough understanding of the circumstances of such violation.

Each Deputy Sheriff or parking patrol person or persons shall attach to such vehicle a notice to the operator thereof that such vehicle has been parked in violation of the provisions of this Ordinance and instructing the owner of such vehicle to report to the Office of the County Treasurer or Clerk of the Magistrate Court in regard to such violation.

SECTION XII

Penalty for Violations

The owner of each vehicle found in violation of this Ordinance may, within seventy two (72) hours of the time when the notice of violation was attached to such vehicle, pay to the Minnehaha County Treasurer's Office as a penalty for and in full satisfaction of such violations such sum as may be fixed by Resolution of the County Commission from time to time. Failure of such owner or operator to make such payment within said seventy two (72) hours, shall render such owner/operator subject to the penalties provided for a violation of the provisions of this Code.

It shall be unlawful and a violation of the provisions of this Ordinance for any person:

(A) To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking zone as herein before described.

(B) To otherwise cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in a parking lot or zone other than a parking lot or zone for which the vehicle is properly designated.

A violation of any Section of this Ordinance shall be punishable for each violation thereof by a fine not exceeding \$100.00, or by imprisonment for a period not exceeding thirty (30) days, or by both such fine and imprisonment, consistent with and in the manner provided by the laws of the State of South Dakota.

SECTION XIII

General Repealer

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION XIV

Severability


If any provision of this ordinance shall be held invalid, it shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

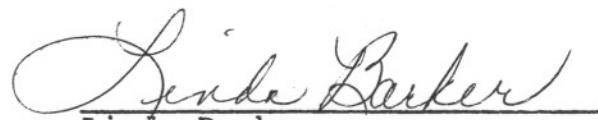
SECTION XV

Separate Violations

Each violation of this Ordinance is deemed to be separate and is punishable as such.

Adopted on this 20th day of December, 1988 as witnessed by


Jack Rentschler, Chairperson
Minnehaha County Commission


Linda Barker,
Minnehaha County Commissioner


Candis Hanson,
Minnehaha County Commissioner

M. E. Schirmer

M. E. Schirmer
Minnehaha County Commissioner

James Zweep

James Zweep
Minnehaha County Commissioner

ATTEST:

Donna Thoms

Donna Thoms
Minnehaha County Auditor

RESOLUTION MC 01- 49

**SCHEDULE OF FINES FOR
PARKING VIOLATIONS**

WHEREAS, Minnehaha County has adopted Ordinance MC 12-88, an Ordinance for Public Parking, to provide for the regulation and enforcement of parking on county property; and

WHEREAS, it is necessary to update the schedule of fines for violations of the Ordinance for Public Parking; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the schedule of fines for parking violations shall be as follows:

	Within 72 Hours	After 72 Hours
1. Overtime Parking	\$ 5.00	\$15.00
2. Improper Double Parking	\$10.00	\$30.00
3. Prohibited Parking	\$10.00	\$30.00
4. Handicapped Parking	\$25.00	\$50.00

and it is further resolved that upon the effective date of this resolution, the provisions of Resolution MC 88-123 are null and void.

Dated this 14th Day of August, 2001.

APPROVED
BY THE COMMISSION:

Sh. Red

Michael J. O'Connell

Carol Perry

Robert Williams

Attest: Sue Roust, Auditor

Jody Hulme
Deputy Auditor