

PREPARED BY:
CITY OF LEAD
801 W. MAIN ST.
LEAD, SD 57754
(605) 584-1401

ORDINANCE #1099-24

AN ORDINANCE MODIFYING LEAD CITY ORDINANCES TITLE VII, CHAPTER 71, TRAFFIC VIOLATIONS, BY AMENDING CHAPTER 71.

BE IT ORDAINED by the City Commission of the City of Lead that, pursuant to SDCL 9-19, section of Lead Ordinance Title VII, Chapter 71, Traffic Violations be amended to read as follows:

71.26 DEAD STORAGE.

(A) *Vehicles.*

(1) Any vehicle, motorized, self-propelled or towed shall be deemed dead storage if any of the following conditions exist:

- (a) Not legally licensed in the current year.
- (b) Not operable upon demand.
- (c) Not moved within 72 hours from city streets or city-owned parking lots.

(2) Exception to this section shall be if the owner leaves the area for any reason and has notified the Police Department of that fact. The owner shall be responsible for any towing if an emergency arises, and the city has to remove the vehicle for the emergency. Nothing in this section precludes the Police Department from immediately removing a motor vehicle in violation of division (A)(1)(a) and (b) above.

(B) *Enforcement.* Any officer observing or receiving information of dead storage shall observe and/or mark the vehicle for 72 hours. If said violation is there after 72 hours, a notice to remove and a \$25 citation will be issued. If said violation remains there after a notice to remove is given the vehicle shall be towed off city property or street. If the same vehicle is found to be in violation of the dead storage ordinance a second time, the second and subsequent citations shall be increased progressively by \$25 each time up to \$100. If the vehicle exhibits obvious signs that it has not been moved, (i.e. one or more flat tires, snow build up on or around vehicle, expired or no license plates, or any other obvious signs) (i.e. two or more flat tires, snow build up on or around vehicle, expired license plates) the officer may remove the vehicle immediately upon view without notice to the owner of said vehicle.

(C) *Vehicle disposal.* Vehicles towed under division (B) above may be released to the towing company to dispose of in compliance with state statute. ~~Vehicle disposal. Vehicles towed under division (B) above may be impounded in the city impound area or released to the towing company to dispose of in compliance with state statute. Any vehicle towed to the city impound area will require that a letter to the last registered owner and lien holder shall be sent within 24 hours, unless towed during the weekend, then the letter shall be sent the following Monday. If vehicles are held unclaimed for more than ten days, the city may publish a notice of abandonment. Such notice shall allow the registered owner 30 days to reclaim vehicles by paying all fines, towing and storage against said vehicles. After 30 days, the city may sell vehicles by sealed bid. A bill of sale will be issued upon all sales.~~

(Prior Code, §§ 19-624A, 624B, 624C) (Am. Ord. 1017-13, passed 5-20-2013)

Those voting aye:

Those voting nay: None

Motion carried.

Ron Everett
City of Lead, Mayor
(Seal)

ATTEST:

John Wainman
City of Lead, Administrator

First Reading: 06/03/2024

Second Reading: 06/17/2024

Published:

Enacted: