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CITY OF BRISTOL
CITY ORDINANCE

2000

ORDINANCE NO. **00-1**

EFFECTIVE June 18th, 2000

Revised Under the Direction of the City Council of Bristol

and Lonnie VanderLinden , City Attorney

By

The Northeast Council of Governments

ORDINANCE NO. 00-1

AN ORDINANCE ESTABLISHING CITY REGULATIONS FOR THE CITY OF BRISTOL, SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF; AND REPEALING ALL ORDINANCES OR PART OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE TOWN BOARD OF BRISTOL, SOUTH DAKOTA: this hereby establishes City Ordinances for the City of Bristol, South Dakota, with such regulations being set forth in the document titled City Ordinances; provides restrictions, provides for the administration, enforcement, and amendment of this Ordinance; and repeals any other ordinance or parts thereof in conflict with this Ordinance. The City of Bristol is adopting this Ordinance in order to protect the public health, safety and general welfare.

First Reading: April 3rd, 2000
Second Reading: April 12th, 2000
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_____
Shayne Schmieg, President

ATTEST:

_____
Fran Morehouse, Finance Officer

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Chapter 1-2 Officers, Bonds, Salaries, and Compensation
Chapter 1-3 Law Enforcement
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Chapter 1-1 City Council Meetings

1-1-1 Regular Meetings. The regular monthly meeting of the City Board of the City of Bristol shall be held on the first Monday of each month, at the council rooms in the City of Bristol, at 7:00 p.m. In such case such day falls on a holiday, the said meeting shall be held one (1) day later.

1-1-2 Special Meetings. Special meetings of the City Council may be held at any time on the call of the Mayor or in case of his/her absence or inability to act or refusal to act, by the majority of the aldermen.

1-1-3 Notice. In case of special meetings, it shall be the duty of the Mayor or other official calling the same to issue notice to each of the Council Members, in due time before the holding of such meeting. The notice may be given by person, letter, or by telephone.

1-1-4 Order of Business - Regular Meetings. At all regular meetings of the City Council after the same shall have been called to order, the business of the meeting shall be considered in the following order:

A. Calling the roll or members;
B. Correcting and approval of the minutes of the last regular meeting and of any intervening special meeting or meetings;
C. Presentation of claims and communications;
D. Introduction and first reading of ordinances;
E. Introduction of resolutions;
F. Reports of standing and special committees;
G. Second reading and final passage of ordinances;
H. Reports of city officers;
I. Unfinished business;
J. Miscellaneous business;

provided, however, that this order of business may be temporarily suspended at any meeting by the affirmative vote of a majority of the City Council.

1-1-5 Order of Business - Special Meetings. Special meeting of the City Council may consider only the matters for which the meetings were called, and the order of business provided for regular meetings in the preceding section shall not be observed.

1-1-6 Adjournment of Meetings. Any regular or special meeting may be adjourned to meet at a later date to be fixed at the time of adjournment.

Chapter 1-2 Officers, Bonds, Salaries, and Compensation

1-2-1 Elective Officers. The elective officers of the City shall be a Mayor, elected at large, and two (2) Council Members from the City of Bristol.

1-2-2 Term of Officers. Terms of the elective officers shall be for two (2) years and until their successors are elected or the City shall be elected each year at the annual election. Each elective officer, when elected to fill a vacancy, shall have qualified and shall serve until the next annual election at which the vacancy could be filled, and every such officer when elected for a full term shall enter upon the discharge of his/her duties on the first Monday of May next succeeding his/her election or as soon thereafter as he/she shall have duly qualified.

1-2-3 Duties of Mayor. The Mayor shall preside at all meetings of the Council but shall have no vote except in case of a tie. He shall perform such other duties as may be prescribed by the laws and ordinances , and take care that such laws and ordinances are faithfully executed. He shall annually and from time to time give the Council information relative to the affairs of the City, and shall recommend for their consideration such measures as he may deem expedient. He shall have the power to sign or veto any ordinance or resolution passed by the Council, and the power to veto any part or item of any ordinance or resolution appropriating money.

1-2-4 Appointed Officers. The appointed officers of the City shall be Municipal Finance Officer, Attorney, and such other officers as may be provided for by ordinance.

1-2-5 Mode of Appointment. All appointed officers of the City shall be appointed by the City.

1-2-6 Term of Appointed Officers. Each appointed City officer shall enter upon the discharge of his/her duties as soon as each have duly qualified and shall hold office until the appointment and qualification of his/her successor.

1-2-7 Qualifications of Officers. The Mayor, Council Member, and City Attorney shall qualify by filling the Constitutional Oath with the Municipal Finance Officer. All appointed officers shall qualify by executing the Constitutional Oath and, except for the City Attorney, by furnishing an undertaking to be

approved by the governing body in such sum as it shall prescribe, conditioned for the faithful performance of the duties of their offices and to account, pay over, and deliver all money or property coming into his/her hands by virtue of his/her office according to the law. The amount of the municipal Finance Officer's bond shall be annually established by the City Council in an amount equal to the maximum amount estimated to be on had at any one time, but the amount of such bond required shall not exceed one hundred-fifty thousand dollars ($150,000).

1-2-8 Certificates of Appointment. All appointed officers, except the Municipal Officer, shall be commissioned by warrant under the corporate seal, signed by the Mayor and Municipal Finance Officer. The Mayor shall issue a certificate of appointment under the seal of the municipality to the Municipal Finance Officer.

1-2-9 Vacancies, How Filled. The removal of any City officers from the ward or City for which he/she was elected or appointed, or his/her failure for ten (10) days after notice of his/her election or appointment to qualify and enter upon the duties of his/her office, or the conviction of any such officer of any public offense other than a misdemeanor, shall cause a vacancy in the office. The vacancies shall be filled by the City Council. Vacancies in the office of Council Members shall be filled by the City Council until the next regular election by the appointment of a qualified person from the ward in which the vacancy exists.

1-2-10 Removal of Appointed Officer. The City Council shall have the power to remove from office, any officers or employees appointed by the City Council whenever it shall be of the opinion that the interests of the City demands such removal. Such removal shall be by majority vote of the City Council.

1-2-11 Certain Officers Not to Hold Other Office. No Mayor or Municipal Finance Officer shall hold any other office under the municipality while an incumbent of any such office. If a Council Member holds any office other than that of Council Member, he/she must abstain from voting on issues of importance to that office.

1-2-12 Public Records. The Municipal Finance Officer shall keep a record of the official acts and proceedings of this office; such record shall be open to public inspection upon request of the Municipal Finance Officer.

1-2-13 Compensation. The compensation of all official personnel should be up to the discretion of the City Council on an annual basis.

Chapter 1-3 Law Enforcement

1-3-1 Provision for law Enforcement. Law enforcement in the City of Bristol shall be as provided by the Day County Sheriff Department or as otherwise agreed upon or arranged by the City Council, Bristol, South Dakota.

Chapter 1-4 Fire Department

1-4-1 Agreement. It is hereby agreed between the Bristol Volunteer Fire Department, hereinafter referred to as the Fire Department, and the City of Bristol, that the Fire Department is a nonprofit corporation, organized under the laws of the State of South Dakota, for the purpose of establishing and maintaining fire protection for cities and townships contracting with said Fire Department for that protection, and that said Fire Department is governed by the laws of the State of South Dakota and its bylaws.

1-4-2 Organization. The Fire Department shall be under the direct supervision and control of the Chief of the Fire Department, and shall be organized into such units as are now or may hereafter be determined and shall be governed by such constitution and bylaws as the Department may consider necessary and proper.

1-4-3 Duties of the Chief. The Chief of the Fire Department shall have direct supervision and control of all fire apparatus and equipment owned and maintained by the City of Bristol for fire extinguishment or prevention, or for the public safety; and he shall have sole and absolute control over all persons and property connected with said Fire Department. He shall on the first day of December of each year and at such times as may be deemed necessary, report to the City Council the condition of the Fire Department and the apparatus and property thereof, and shall recommend such alterations and improvements thereto as the Fire Department may deem necessary.

1-4-4 Fire Department Members. The Finance Officer shall keep, as a record of the City of Bristol, a list of all persons who are members of the Fire Department. No person shall become a member of such Fire Department until he shall have been approved by the City Council.

1-4-5 Fire Zone. The Chief or acting Chief in command may prescribe limits around any fire; and it shall be unlawful for any person to enter this zone, except those who reside therein, firemen, policemen, and those given permission by an officer of the Fire Department.

1-4-6 Destroying Building in Case of Fire. The Chief of the Fire Department may direct that any building or structure may be pulled, cut down, or removed

or the may take such other steps as he may deem necessary to arrest the progress of any fire.

1-4-7 Taking Apparatus Without Leave. No fire apparatus or equipment shall at any time or upon any pretext be taken used or removed without permission of the Chief of the Fire Department, or in his absence, the Mayor or acting Chief.

1-4-8 Injury to Apparatus. It shall be unlawful for any person without permission of the Chief of the Fire Department to drive any wagon, cart, or other vehicle across any fire hose belonging to the City of Bristol, or to destroy or otherwise damage any fire apparatus or equipment.

1-4-9 Meddling with Hydrants. It shall be unlawful for any person to meddle or interfere in any manner with any fire hydrant except by permission of the Chief of the Fire Department or the City Council.

1-4-10 Hindrance of Firemen. It is unlawful for any person to willfully hinder any officer or fireman in the performance of his duty at any fire.

Chapter 1-5 Cemetery

1-5-1 Name. The cemetery owned by the City of Bristol shall be known and designated as "The Bristol Cemetery."

1-5-2 Care and Management. The operation and control of such cemetery, with the exception of the sale of lots therein, is hereby granted to the Bristol Cemetery Association, and such association is granted the power and duty for the maintenance and upkeep of such regulations for such purposes as such association deems proper.

1-5-3 Sale of Lots. Lots are sold subject to all the rules and regulations which now are or hereafter may be prescribed by the City Council, and no person shall use any lot or any part of said cemetery, except in conformity with the rules and regulations that may be adopted by the City Council or by the Bristol Cemetery Association.

1-5-4 Execution of Conveyance. The Mayor and Finance Officer of the City of Bristol shall execute all conveyances for lots upon presentation of the certificate of the Secretary of the Bristol Cemetery Association showing the lot to be conveyed. No burial shall be permitted until the purchase price of said lot is fully paid.

1-5-5 Price of Lots. The price of lots in such cemetery owned by the City of Bristol shall be set by the City Council and on file with the Finance Officer. Each lot sold shall be marked upon the plat of said cemetery which is kept by the Secretary of the Bristol Cemetery Association.

1-5-6 Lost Deeds. When a deed to a lot in said cemetery is lost, the City Council may authorize and direct the Mayor and Finance Officer to execute and deliver a quit claim deed, in place of said lot entrustment, upon proof as said Council may deem reasonable.

1-5-7 Funds. The receipts from the sale of lots shall be placed by the Finance Officer in the general fund.

Chapter 1-6 Ordinance and Resolution Regulations

1-6-1 Ordinance Control Authority. The Mayor and City Council shall have authority to make, publish, ordain, amend, and repeal all such ordinances, bylaws, and police regulations not contrary to the Constitution of the United States and the laws of this State for the good government and commerce of the city as may be necessary to carry into effect the powers vested in the City Council or any officer of said City by this act. They may also force the observance of all rules, ordinances, bylaws, police, and other regulations made in pursuance of this act by penalties not exceeding two hundred dollars ($200) and imprisonment not exceeding thirty (30) days for any offense against the same.

1-6-2 Rules and Regulations Regarding Enactment of Ordinances and Resolutions.

A. All ordinances of the City shall be passed pursuant to such rules and regulations as the Mayor and City Council may prescribe provided that upon the passage of all ordinances the yeas and nays shall be entered upon the record of the City Council. A majority of the votes of all the members of said Board present shall be necessary to their passage, provided a majority of all the members elected shall constitute a quorum for the transaction of business.

B. All ordinances of the City may be proven by the ordinance book or the certificate of the municipal Finance Officer under the seal of the City, if there be such seal, and, when posted or published in a book or pamphlet form and purporting to be published or printed by authority of the City, shall be read and received in all courts and places without further proof.

C. The style of all ordinances shall be as follows:
"An ordinance _____(inserting the title)" followed by: "Be it ordained by the City of Bristol" followed by the substance of the ordinance.

D. An ordinance must embrace but one subject which shall be expressed in its title.

E. All ordinances shall be read twice with at least one (1) week intervening between the first and second reading, shall be signed by the Mayor or acting Mayor, filed with the Municipal Finance Officer, and published once except that and ordinance incorporating and adopting comprehensive regulations or a code promulgated, approved, and published by a recognized and established national organization prescribing building, electrical, plumbing, safety, fire, health, or milk regulations need not be published in a newspaper, but upon adoption of such a ordinance, the Municipal Finance Officer shall publish a notice of the fact of adoption once a week for two (2) successive weeks in the official newspaper, and twenty (20) days after the completed publication of such notice, unless the referendum shall have been invoked, such ordinance shall become effective.

F. Except such resolutions or ordinances as may be necessary for the immediate preservation of the public peace, health, or safety, or support of the municipal government and its existing public institutions, or which provide for an election, or for hearing on an improvement or assessment, or which call for bids, which take effect on the twentieth day after its publication unless suspended by operation of a referendum.

G. A resolution may be passed after one (1) reading. It shall be recorded at length in the minutes of the meeting at which it is passed with a statement of the number of votes for and against the same. It shall be published in full as art of the minutes.

1-6-3 Expansion of Powers Beyond Existing Ordinances. When by state law the power confirmed upon the Mayor and Board to do and perform any act of things and the manner of exercising the same is not specially pointed out, the Mayor and Board may provide, by ordinance, the details necessary for the full exercise of such powers.

1-6-4 Severability Clause. If any ordinance or part thereof the ordinances of Bristol or the application thereof to any not affect other ordinances or parts of thereof or applications of these ordinances which can be given without the invalid ordinance or part or application; and to this end, the provision of these ordinances of the City of Bristol, South Dakota, are declared to be severable.

1-6-5 General Penalty Clause. When no penalty is prescribed for violation of the provisions of any title, chapter, or section of these ordinances, then any person or persons, firm or corporation violating any such provisions of these ordinances, or failing to comply with any of the provisions thereof shall, upon conviction thereof, where no penalty or punishment is

prescribed in the section, title, or chapter containing such provision, be punished by a fine of not exceeding two hundred dollars ($200)1 or by imprisonment in the county jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment in the discretion of the court; provided that in all cases where a fine is imposed, the court may, in the event of the fine is not paid, commit the person or persons to the county jail for a period of one (1) day for each twenty dollar ($20) of such fine.

1-6-6 Trial Provisions. Trial for violation of these ordinances shall be before a judge or Magistrate empowered by the state law to try such violations, and such trial shall follow the procedure prescribed by law.

TITLE 2 -- LOCATION AND BOUNDARIES

Chapter 2-1 Location and Boundaries
Chapter 2-2 Voting Precinct
Chapter 2-3 Annexation

Chapter 2-1 Location and Boundaries

2-1-1 Location and Boundaries. The location of the City of Bristol is in the State of South Dakota, County of Day, Section 5, Township 123, Range 58; and the original plat and plats of subsequent surveys on file at the office of the Register of Deeds in Day County are as follows:

Beginning at the southwest corner of Section twenty-five (25), Township one hundred twenty two (122) North, Range fifty eight (58) West, thence east along the south section line of Section twenty-five (25) a distance of 240 rods to the southeast corner of the southwest quarter (SW1/4) of the southeast corner (SE1/4) of Section twenty-five (25), thence north 240 rods to the northeast corner of the southwest quarter (SW1/4) of the northeast quarter (NE1/4) of Section (25), thence west 240 rods to the northwest corner of the south half (S1/2) of the northwest quarter (NW1/4) of Section twenty-five (25) thence south 240 rods to the point of beginning, all in Section twenty-five (25), Township one hundred twenty-two (122), Range fifty-eight (58), Day County South Dakota.

Chapter 2-2 Voting Precinct

2-2-1 Wards. The City of Bristol is divided into three wards designated respectively as the First, Second, and Third Ward.

First Ward: All that portion of the City of Bristol lying north of Third Avenue and west of Main Street shall be known as the First Ward.

Second Ward: All that portion of the City of Bristol lying east of Main Street shall be known as the Second Ward.

Third Ward: All that portion of the City of Bristol lying south of Third Avenue and west of Main Street shall be known as the Third Ward.

2-2-2 Voting Precinct. All three wards of the City of Bristol are consolidated into one precinct for voting purposes. The City Council shall appoint the judges of an election and there shall be separate ballots, ballots boxes and poll books for each ward. Each ward shall have the same number of judges ballot boxes and poll books.

Chapter 2-3 Annexation

2-3-1 Penal Sum Required. At the time of annexation, the owners petitioning for such annexation shall file written undertaking signed by sureties satisfactory to the City Council in such penal sum as they may require, but in no case in excess of the estimated cost of all necessary storm sewers, sanitary sewers, curbs, gutters, sidewalks, and owner's share of cost of dust proofing, which undertaking shall provide that all of said improvements shall be made as ordered by the City Council, otherwise the penal sum mentioned in the bond shall be forfeited to the City; or in lieu of furnishing such a bond, the owners, prior to the annexation, may install all of said improvements, and the petitioners for annexation shall show that such improvements have been previously installed before petitioning for such annexation.

2-3-2 Grades and Specifications -- Sewers, Curbs, Gutters, Sidewalks. All such septic tanks, storm sewers, curbs, gutters, and sidewalks shall be designed and constructed in accordance with the grades and specifications established by the City Engineer and approved by the Mayor and City Council. All engineering work necessary for the establishment of grade lines to comply with the grades and specifications of the City shall be done by the owner at the owner's expense, but shall be, prior to any construction, approved by the City Engineer.

2-3-3 City to Install Water Mains. The City will install water mains including pipe, labor, hydrants, and fillings; and the City will be responsible for the cost of any other related services which may be for any reason installed by the City; and the City shall, at its own expense, do or furnish grading of streets or provide a dust proofing program then in effect in the City.

TITLE 3 -- BUILDING CODE

Chapter 3-1 Building Code
Chapter 3-2 Moving Buildings

Chapter 3-1 Building Code

3-1-1 Intent. It is the intent of the City of Bristol, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that the following rules and regulations contained in this Title be enforced in the construction of all buildings and other structures within the corporate limits of the City of Bristol.

3-1-2 Definitions.

A. Whenever the word "municipality" is used in the Building Code, it shall be held to mean the City of Bristol.

B. Whenever the term "corporation counsel" is used in the Building Code, it shall be held to mean the city Attorney for the City of Bristol.

3-1-3 Building Permits Required. Any person, firm, or corporation desiring to erect, repair, or remove any building within the City limits of the City of Bristol, shall make application for a permit to the City for a permit for such purpose and furnish a plan and specifications sufficient for the City to determine whether such building, alteration, or repair is in compliance with the provisions of this Chapter and if granted such permit must be signed by the Mayor and the Finance Officer.

3-1-4 Fire Limits. The fire limits of the City of Bristol are hereby established as the City Limits of Bristol.

3-1-5 Permissible wooden Structures in Fire Limits. No frame or wooden structure shall hereafter be built within the fire limits as defined herein, or as they may be hereafter established, except the following:

A. Temporary one (1) story frame buildings for use of builders.

B. Structures Built by a retail lumberman upon his premises and which building must be removed from the premises within three (3) days after completion.

Chapter 3-2 Moving Buildings

3-2-1 Moving Buildings. It is unlawful for any person or persons to move into, along, or over any of the streets, alleys or avenues of the City; any building, without a permit having first been obtained.

Written application for a moving permit shall be made to the Finance Officer and shall include, but not limited to, the following:

1) the proposed location to which such building or part thereof may be moved;
2) the present location of the building to be moved;
3) at least two photographs of the building concerned, taken from different angles;
4) dimensions of the building, width, length, height, and type of construction, frame, masonry, steel, etc.
5) the moving route;
6) signature of the applicant, date of application, and name of the bonded mover; and
7) a statement of the willingness of the applicant to furnish a performance bond executed to the City prior to granting of the moving permit and necessary building permits. Bond requirement may be waived in lieu of copy of bona fide contract to cause moved building to conform to City building, plumbing and electrical codes and in compatibility with other buildings in the proposed move-in area. Completion date of conformity to codes and area shall be no more than one hundred eighty (180) days from date of issuance of the permits whether covered by or contract.

However, if such building is to be moved to any location within the City, no permit shall be granted until after a hearing on such application, which the hearing will be at a regular meeting of the governing body and after five (5) days notice of such hearing has been given by posting of not less than one sign containing notice of the hearing, in a conspicuous place on or near the property to which the application is made to move such building,

3-2-2 Bond for Movers. Before issuing such permit, the City Finance Officer shall require the person, firm or corporation who is to move the building to file in the office of the City Finance Officer a written application for such permit which shall describe such building, state the location from which it is to be moved, the streets and alleys over and along which the same is to be moved, and the location to which it is proposed to move said building and shall also require a bond to be executed to the City with good and sufficient surety and conditioned for the payment of any damage that said City may be liable in consequence of the use of any street, alley or avenue for the removal of such building, and for any damage which may occur to any street, alley or avenue on account of the removal of such building, and

the payment of any penalty that may be incurred by such person, firm or corporation, his, their, or its agents, for the violation of any of the provisions of this chapter.

Any person, firm, or corporation in the business of moving buildings may file their bond for one year covering all buildings moved by them, subject to the provisions of this chapter.

3-2-3 Removing Telephone Wires, etc. and Planking Streets. Any person, firm, or corporation to whom a permit for moving buildings is granted shall see that all telephone or electric wires or poles are removed when necessary and replaced in good order, and shall be liable for the costs of the same and necessary trimming of any trees or branches enroute shall be done or supervised by the City, who shall be notified by the mover of such need, and such person, firm, or corporation engaged in moving buildings shall plank all streets, alleys and avenues which are paved in such ways as to fully protect such paving or pavement from damage, and any damage to any sidewalk, pole or other City property, including the City roadways, caused by any person, firm, or corporation moving the building, shall be repaired by the City, or his/her, their sureties, shall be liable for the same.

3-2-4 Buildings Not to Remain on Streets. It is unlawful for any person, firm, or corporation to allow any building for which a removal permit shall be obtained, to remain upon, occupy or stand upon any streets, avenues, alleys or sidewalk. Warning lights shall be displayed at night on buildings being moved while standing upon the streets or alleys or avenues of the City.

3-2-5 City May Move Buildings. Whenever the person, firm, or corporation moving a building upon or along any street, avenue, or alley shall willfully or negligently permit such building, while in transit, to remain upon the street, avenue, alley or sidewalk, the City shall have the authority and is authorized to move said building to any point or place in the City where the same shall not obstruct traffic or inconvenience the public, and the City shall keep an account of the expenses of such removal, and said person, firm, or corporation and the sureties on the bond filed, as required by the provisions of this chapter, shall be liable to the City for such expenses and the same shall be collected in any court having jurisdiction.

3-2-6 Conforming to Codes. All moved buildings to be located within or relocated within the City shall be brought into compliance with the building, plumbing and electrical codes in existence at the time the building or buildings are located or relocated, The foundation and/or basement on which the moved or relocated building will rest shall be complete and ready to accept the building prior to moving said building from the present location to the proposed location. A maximum of one hundred eighty (180) days from the date of issue of the moving permit, and other permits issued

at the time of the moving permit, shall be allowed for complete compliance with this chapter.

3-2-7 Fee for Permit for Moving Building. The fee for a permit to move a building into, along, or over any of the streets, avenues, or alleys of the City shall be $20.

3-2-8 Violations and Penalties. Any person, firm, or corporation violating any of the provisions of this chapter is guilty of a misdemeanor, and each such person is guilty of a separate offense for each and every day or portion thereof during which any violation of any the provisions of this chapter is committed, continued, or permitted, and upon conviction of any such violation such person is punishable by a fine of not more than one hundred dollars ($100) or by imprisonment for not more than thirty days (30), or by both such fine and imprisonment.

TITLE 4 -- FIRE CODE

Chapter 4-1 Fire Code

4-1-1 Intent. It is the intent of the City of Bristol for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that the following rules and regulations contained in this Title be enforced within the limits of the City of Bristol.

4-1-2 Definitions. Wherever the work "municipality" is used in the Code hereby adopted, it shall be held to mean the City of Bristol.

4-1-3 Enforcement. The rules regulations hereby adopted shall be enforced by the Chief of the Bristol Fire Department.

4-1-4 Establishment of Limits of Districts in Which Storage of Flammable Liquids in Outside Aboveground Tanks and Bulk Storage of Liquefied Petroleum Gasses is to be Restricted. The limits set forth in this Chapter which storage of flammable liquids in outside aboveground tanks is prohibited, and the limits referred to in this Chapter in which bulk storage of liquefied petroleum is restricted, are hereby established as follows:

Liquid petroleum gases within the jurisdiction of the City shall be handled, transported, and stored in a safe manner.

4-1-5 Modifications. The Bristol City Council shall have power to modify any of the provisions of this Chapter hereby adopted upon application in writing by the owner of lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Chapter, provided that the spirit of the Chapter shall be observed, public safety secured, and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Chief of the Bristol Fire Department thereon shall be entered upon the records of the Department and a signed copy shall be furnished to the applicant.

4-1-6 Appeals. Whenever the Bristol City Council shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of the Chapter do not apply or that the true intent and meaning of the Chapter have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Bristol Fire Department to the City Council within thirty (30) days from the date of the decision of the appeal.

4-1-7 Burning of Buildings or Other Property. No property owner or occupant shall destroy a building or other such property by fire unless he shall first notify and receive permission from the Fire Chief of the Bristol Fire Department and the City Council.

TITLE 5 -- HEALTH CODE

Chapter 5-1 Sanitation
Chapter 5-2 Miscellaneous Nuisance

Chapter 5-1 Sanitation

5-1-1 Sanitary Regulations. It shall be the duty of the City Council of the City of Bristol to make such regulations from time to time as it may deem necessary and expedient for the welfare and health of the people of said City. Such regulations shall be published in the official newspaper of said City for at least two successive publications.

5-1-2 Garbage Disposal. City residents shall dispose of all rubbish at the designated areas in the rubble site provided by Day County or the City of Bristol. The City Council of the City of Bristol may, by resolution, authorize the collection of garbage and other refuse and, to that extent, may employ garbage collectors from the rubble sites or designated dumpsters.

5-1-3 Garbage Rates. Garbage rates will apply to all homes and businesses in the City and such rates shall be set by resolution of the City Council and on file with the Finance Officer. When a resident is moving between residences within the City of Bristol, only one garbage charge will be made.

Chapter 5-2 Miscellaneous Nuisances

5-2-1 Nuisances Defined and Prohibited. No person shall create, commit, maintain, or permit to be created, committed, or maintained any nuisance as defined herein.

Whatever is dangerous to human health, whatever renders the ground, the water, the air, or food a hazard or an injury to human health, and the following specific acts, conditions, and things are, each and all of them, hereby declared to constitute nuisances.

A. Impure Food. Selling or offering for sale within the City of Bristol any spoiled, diseased, or rotten meat or provision of any kind.

B. Offensive Substance. Permitting any dead carcass, carrion, or other offensive, nauseous, or unwholesome substance to be in any building or remain upon the surface of any lot in the City for any period exceeding twenty-four (24) hours.

C. Offensive Sewage. Suffering or permitting any house, barn cellar, vault, private draft, cesspool, privy, or sewer upon any premises within the limits of the City of Bristol to become nauseous or offensive or injurious to public health.

D. Dead Animals. For the owner of any animal which shall have died to permit the same to lie on any public street, alley, public ground, or private lot or place within the City of Bristol.

E. Slaughter Houses. For any person, firm, or corporation to carry on the business of slaughtering animals or rendering any animal matter, or manufacturing the same into fertilizing material by the use of heat or otherwise, at any place within the City of Bristol, except by permit of any ordinance passed by the City Council.

F. Depositing Offensive Matter. Throwing of depositing in any of the streets, avenues, alleys, or pubic grounds of the City of Bristol any offal, dead, or decaying animals, fruit or vegetable matter, or materials offensive to the public or liable to cause injury to persons or vehicles in the lawful use of such streets, avenues, alleys, or public grounds.

G. Burial. For any person, firm, or corporation having dead chickens, dogs, cats, or animals of any description on or about his/her, or their premises to dispose of the same in any manner or form other than burial. It shall be unlawful for any person, firm, or corporation to remove any such dead chickens, dogs, cats, or animals from the place where the same may be found dead other than for the purpose of destruction by burial.

H. Litter of Streets. Dumping or depositing or causing the same to be done on any street, alley, lot, or parcel of land within the City of Bristol, any paper, letter, or other substances capable of being carried by the wind.

I. Hay, Straw, Etc. Depositing or stacking any hay, straw, shavings, or other easily combustible material in any yard or in an area where the wind may blow freely at less than three hundred (300) feet from any dwelling or house situated within the City of Bristol.

J. Rodents. Accumulation of junk, old iron, automobiles, cement slabs, or parts thereof, or anything in which rodents may live or breed or accumulate.

K. Ice Boxes, Refrigerators, or Air-Tight Containers. Keeping, leaving, or permitting to remain outside of any dwelling, building, or other structures or premises, in a place accessible to children, any discarded ice box, refrigerator, or other container which has an air-tight door, lid, snap lock, or other locking device which may not be released form the

inside, without first removing said door, lid, snap lock, or other locking device from said ice box, refrigerator, or container.

5-2-2 Nuisances, How Abated. The City Council shall give written notice to any person, firm, or corporation creating, permitting, or maintaining any nuisance to abate such nuisance forthwith, and if such person, firm, or corporation shall neglect or refuse to do so within ten (10) days after such notice, he/she shall be deemed guilty of violation of this ordinance. The City Council shall cause to be removed or abated any such nuisance upon the expiration of a reasonable time after the serving of such notice, and the City may recover the expenses so incurred from the person maintaining such nuisance as authorized by law.

TITLE 6 -- LICENSES

Chapter 6-1 Alcoholic Beverages
Chapter 6-2 Dogs
Chapter 6-3 Cats

Chapter 6-1 Alcoholic Beverages

6-1-1 License Required. No person shall sell, offer for sale, keep for sale, exchange, distill, manufacture, produce, bottle, blend, or otherwise concoct, within the City, any alcoholic beverages or malt beverages as defined by statute, without having a license therefore as required by South Dakota Codified Laws, or as amended.

6-1-2 Restrictions. Licenses for the sale of alcoholic beverages or malt beverages in the City of Bristol shall be submitted as prescribed by South Dakota Codified Laws, as amended. The number of licenses approved by the City Council but will not exceed the limits set by South Dakota Codified Law, as amended.

6-1-3 Temporary Permit. Upon application duly made to the Board, a temporary permit may be issued by the board for a specific time and public place when and where possession of an unsealed can, bottle, glass, pitcher, container, or package containing alcoholic or malt beverages may be temporarily permitted as the special occurrence may require. Such application and permit shall be in writing and in such form as the City Council may establish.

Chapter 6-2 Dogs

6-2-1 License. It shall be unlawful for any person or persons within the City of Bristol keep, maintain, or have in their custody or under their control, any dog, or animals of the dog kind, without first having obtained a license to do so from the Municipal Finance Officer as hereinafter provided and without having paid the license fee.

6-2-2 Application. Any person or persons desiring to keep, maintain, or have in his/her custody or control by himself/herself or agent within the said City of Bristol, any dog shall on or before the first day of May in each year make application to the Municipal Finance Officer for a license to keep such dog; such application shall be in writing stating the name, sex, color, and other distinguishing characteristics of said animal has no vicious propensities so far a known to said applicant, which application shall be made on a printed blank furnished by the Municipal Finance Officer and shall be filed with the Municipal Finance Officer.

6-2-3 Fee, Tag, and Certificate of Inoculation.

A. The applicant shall, at the time of making such application, pay to the Municipal Finance Officer as a license fee, the sum of five dollars ($5) for each dog for which a license is sought; and it shall be the duty of the Municipal Financial Officer at the time of the issuance to the license herein provided for, to furnish and deliver to said applicant a metallic dog tag for each dog for which such license is issued, upon which tag shall be stamped or engraved the registered number and it shall then be the duty of the owner of the dog to place a collar around the neck of such dog so owned or kept by him/her, on which collar shall be securely fastened a metallic tag so furnished by the Municipal Financial Officer is authorized to issue a duplicate thereof upon, payment to him/her of the actual cost of same upon application being made thereof, and upon satisfactory proof that such tag has been lost.

B. That in addition to the payment of the license fee as herein set forth, applicant shall exhibit to the Municipal Finance Officer a certificate by a registered veterinarian showing that such dog has been inoculated against rabies and that said inoculation will be effective during the period for which the dog is licensed.

6-2-4 Record and File. The Municipal Financial Officer of the City of Bristol shall keep; in his/her office a register containing the names and general description of the dog and the number of the license granted and shall issue a receipt for such payment, which must be presented to him for the numbered tag herein provided for.

6-2-5 Removing Collar. No person shall destroy the tag or remove the collar to which it is attached on any licensed dog, nor shall any person wrongfully kill, maim, entice, or carry away any dog licensed and collared as aforesaid.

6-2-6 Unlicensed Dogs. The Mayor or Council Member duly authorized by him in writing shall kill or cause to be killed all dogs going collared according to the provisions of this chapter.

6-2-7 Impounding ; Destruction of Dogs Running At Large. All dogs captured and conveyed to the dog pound, as established by the City, shall be kept for a period of at least forty-eight (48) hours, unless sooner reclaimed by the owner or keeper thereof. When the owner or claimant of any dog so impounded shall desire to redeem such dog from the dog pound, such dog may be released upon the payment to the person in charge of such dog pound, of an amount set by the City Council and on file at the office of the Finance Officer, and costs of keeping, and shall exhibit a license for such dog issued in the manner herein provided, and the person in charge of such dog pound shall thereupon release such dog to such owner of claimant. At

the expiration of forty-eight (48) hours from the date of impounding the dog, if the same shall fail or refuse to comply with the provisions of this ordinance for the releasing the same, it shall be the duty of the person in charge of such dog pound to dispose of such dog; provided that the owner of licensed dogs shall have an additional twenty-four (24) hours notice in writing. Disposal of such dog shall include selling or giving away with payment of proper license fees, destroying such animal, or any other authorized manner of disposition.

6-2-8 Vicious or Dangerous Animals. If any dog or other animal is of a vicious disposition or has dangerous habits, the City Council or its designated representative shall notify in writing the owner of or possessor of such dog or other animal and if thereafter such owner or possessor fails to comply with such notice, the County Sheriff or other authorized person is authorized, empowered, and directed to kill or cause to be killed such dog or other animal, forthwith, and without impounding the said dog or other animal.

6-2-9 City Law Enforcement Officer Not to Enter any House or Enclosure. The Mayor or any other officially designated law enforcement officer shall not enter any house or enclosure for the purpose of taking, removing, or killing any dog or cat, unless the owner or occupant of such premises consents thereto.

6-2-10 Running at Large.

A. It shall be unlawful for any person or person to permit or suffer to run at large within the limits of the City of Bristol any dog or animal of the dog kind, whether licensed or unlicensed, and any police officer or person of proper authority is hereby authorized and empowered to impound any such dog or animal found running at large.

`B. Any dog shall be deemed running at large within the meaning of this section when such animal is not confined upon the premises of its owner or on a leash in the hands of some attendant, or unless such animal, if loose, is accompanied by its owner or attendant.

C. No person owning any dog, licensed or unlicensed, confined on the premises, or otherwise, shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by continuous barking or making other loud or unusual noises.

Upon signed complaint to the City Council or its designated representative that any person is keeping or harboring any dog which disturbs the peace as herein set forth, the owner of said dog shall be notified in writing of said complaint, and after such owner has been given twenty-four (24) hours notice of such habit, any police officer or person of proper authority is

hereby authorized and empowered to go upon the premises and impound any such dog or animal so disturbing the peace.

In addition to the impounding of such animal or other penalties prescribed, the owner thereof shall be subject to penalties described in this ordinance.

6-2-11 Restrictions. All dogs must be chained or so confined at all times during all the months of the year so as not to reach the sidewalk or onto another person's property, except as provided in 6-2-12.

6-2-12 Control Exception. Dogs may be taken out for exercise on sidewalks or streets provided they are accompanied by some person.

6-2-13 Keeping Predators. The keeping of predators or unusual animals such a skunks, foxes, or raccoons as pets shall be by special permission of the City Council and shall be subject to same conditions for dogs defined in 6-2-1 through 6-2-12 of this chapter.

Chapter 6-3 Cats

6-3-1 License - Required. It is unlawful for any person or persons within the City, to keep maintain, or have in his custody or under his control, any cat or animal of the cat kind, without first having obtained a license to do so from the Municipal Finance Officer, as provided in this article and without having paid the license fee therefore.

6-3-2 Licensing Authority Designated. The Municipal Finance Officer shall be the licensing authority.

6-3-3 License - Application. Any person or persons desiring to keep, maintain, or have in his/her custody or control by himself/herself or agent for any cat shall on or before the thirty-first (31) day of December in each year make application to the Municipal Finance officer for a license to keep such cat stating the name, sex, color, other distinguishing characteristics of the cat, and the name of the owner thereof. The owner states that the cat has no vicious propensities so far as known to the applicant. A record of the receipt shall be filed at the time of making such application. A license shall not be required until the cat has attained the age of two months.

6-3-4 License - Fee - Tag. The applicant shall at the time of making such application pay to the Municipal Finance Officer as a license fee the sum of two dollars ($2) for each cat for which a license is sought at the time of filing such application and it shall be the duty of the municipal Finance Officer at the time of the issuance of the license herein provided for to furnish and deliver to the applicant a metallic tag for each cat for which such license is issued upon which the tag shall be stamped or engraved with

the registered number of the cat and the year when registered. It shall then be the duty of the owner of the cat to place a collar around the neck of such cat so the tag can be seen and it is obvious that the cat is owned or kept by him/her on which the collar shall be securely fastened a metallic tag so furnished by the City Finance Officer; provided that in case of the loss of any tag so issued the Municipal Finance Officer is authorized to issue a duplicate thereof upon payment to him/her of the actual cost of same upon application being made, therefore, and upon satisfactory proof that such tag has been lost. It shall be the duty of the Sheriff Department to collect all delinquent license fees.

6-3-5 Running At Large - Prohibited - Impoundment.

A. It is unlawful for any person or persons to permit or suffer to run at large within the limits of the City, any cat or animal of the cat kind of destructive habit or vicious disposition or which is in the habit of destroying shrubbery, flowers, gardens, lawns, etc., or that may in any way annoy or otherwise disturb any person or persons while in their homes or elsewhere at any time or passing along or using the streets or sidewalks of the City after being notified in writing that such cats of animals possess such habits. Any police officer or person of proper authority is authorized and empowered to impound any such cat of animal found running at large in the City after the owner of keeper thereof, or the person having custody of the cat or animal has been notified of such habit.

B. Any person violating the provision of this section shall be fined in the amount of ten dollars ($10).

6-3-6 Running at Large - Impoundment - Disposition. The Mayor or Council Member is authorized to employ, whenever he may deem it necessary, a sufficient number of persons to capture and convey to the pound, and care for, kill, and dispose of in the manner herein provided, all cats found running at large contrary to the provisions of this chapter. All cats captured and conveyed to the cat pound, as established by the City, shall be kept with humane treatment and supplied with sufficient food and water for a period of at least forty-eight hours, unless sooner reclaimed by the owner or keeper thereof as herein provided. When the owner of claimant of any cat so impounded shall desire to redeem such cat from the City pound, the sum of one dollar (S1) and costs for keeping for twenty-four (24) hours. Also, a license for the cat must be issued in the manner herein provided and the person in charge of such City pound shall thereupon release such cat to such owner or claimant once all of the requirements set forth herein have been fully met and satisfied.

If the same shall still be unclaimed or if the owner or claimant thereof shall fail or refuse to comply with the provisions of this chapter for the releasing

for the same, it shall be the duty of the person in charge of such City pound to destroy such cat and to cause it to be removed; provided, that the owner of licensed cats shall have twenty-four (24) hours notice in writing, after the expiration of the forty-eight (48) hours, before the same shall be killed or destroyed. It shall be the duty of the persons in charge of the pound before destroying any cat under the provisions of this chapter to attempt to sell the cat at a private sale to the City for all expenses of keeping the cat, the dollar fee herein provided, and that such person hall pay the City the license fee for the cat as provided in this chapter. If any cat is of vicious disposition or has dangerous habits, the sheriff shall notify, in writing, the owner of or possessor to confine such cat. If thereafter such owner or possessor fails to comply with such notice, the Sheriff is authorized, empowered, and directed to kill or cause to be killed such cat without impounding the cat.

6-3-7 Kennels - Definitions. For the purpose of this article "cat" means a cat that is more than two months of age. "Cat kennel" means a place where more than two cats are kept and or maintained.

6-3-8 Kennels - License - Required. It is unlawful for any person or persons within the City to keep, maintain, or operate a cat kennel as defined in 6-3-7 without first having obtained a license to do so from the Municipal Finance Officer, as provided in this article and without having paid the license fee therefore.

6-3-9 Kennels - License - Application. Any person or persons claiming to deep, maintain, or operate a cat kennel within the City, shall on or before the thirty-first day of December in each year make application to the Municipal Finance Officer for a license to operate a cat kennel.

6-3-10 Kennels - License - Fee. The license fee for a cat kennel operator shall be twenty-five dollar ($25) per year.

6-3-11 Kennels - Location. A cat kennel may not be operated within the distance of seventy five feet of any dwelling house or place of business used or occupied as the residence of any person; or within seventy-five feet of any church, school, or other public building. Such cat kennels shall be maintained at all times in a clean and sanitary condition.

6-3-12 Kennels - Health Inspection. Any person making application for a cat kennel license grants the City health officer the right to inspect the cat kennel from time to time at reasonable hours.

Chapter 6-4 Junk Dealers

6-4-1 Definition. The terms "junk dealer" as used in this chapter shall mean any person, firm or corporation engaged in business as a junk dealer or trader

in junk, old metals, rags, waste paper, green hides, old automobiles, or other articles which from their worn condition are rendered useless for the purpose for which made.

6-4-2 License Required. No person shall engage in business as a junk dealer as defined in this chapter without first having secured a license to do so.

6-4-3 Application for License. Any person desiring a license to engage in business as a junk dealer shall make a written application to the city Council which shall state the following:

A. The length of time applicant has resided in the City;

B. Applicant's place of residence and previous employment;

C. The premises where the business is located. Such description shall be given by street number, or in case of a vacant lots(s), the same shall be designated by legal description together with the exact dimensions of the space to be occupied in any manner in the conducting of said business.

6-4-4 License Fee. Every junk dealer shall pay an annual license fee for each establishment or place of business which shall be set by the City Council and on file with the Finance Officer.

6-4-5 Granting of License. Upon filing of the application together with the necessary license fee, the Council may grant a junk dealer's license by majority vote if they deem such applicant a fit and proper person to engage in such business. The license will then be issued by the Finance Officer.

6-4-6 Revocation of License. The Council may at any time, for cause and upon investigation, revoke any license granted under provision of this chapter. A reasonable notice of hearing will be given to the named licensee by personnal service of by mail and by filing a copy of such notice with the Finance Officer. Whenever such license shall be revoked, no refund of any unearned portion of the license fee shall be made.

6-4-7 Reports to be Made. Every junk dealer upon being served with written notice to do so, shall report in writing to the Chief of Police or his designated representative all goods, articles and things purchased or received by him in the course of his business as a junk dealer during such time period as specified in the notice. Such written report shall state the amount paid for each item and the name, residence and a general description of the person from whom such goods, articles or other things were received.

6-4-8 Restrictions on Operations. Additional restrictions on junk dealer operations are as follows:

A. No junk dealer shall carry on the business at any other place than the premises designated and described on the application and license. All junk of any kind shall be kept wholly within the boundaries of such premises.

B. It shall be unlawful for any junk dealer to burn junk or refuse on the premises covered by said license or any other place in the City.

C. If located outside the City limits and within one mile thereof, the entire business, including buying, selling, and storage must be conducted within a fence at least seven (7) feet high. Said business and fence must be located at least two hundred feet (200) from any public highway leading into the City.

D. Wrecking and dismantling of old cars for the purpose of securing parts shall be done wholly inside the building occupied by said junk dealer or within the enclosure hereinafter provided and shall not in any event be done upon the highway or streets of the City or outside the premises described on the application and license.

E. In all cases where the business of a junk dealer is to be conducted on a vacant lot(s) or in a partially enclosed structure, the Council shall have the right to determine whether or not the appearance of the lot(s) distracts from the appearance of the area in which located. No license shall be granted until such lot(s) has been enclosed with a tight fence of at least seven (7) feet high or of a height sufficient to cut off public view. Such fence shall be suitably maintained and kept in good repair at all times. In no event shall any such license permit any advertising of any sort to be placed upon said fence, except that such license may use up to fifty (50) square feet for the purpose of advertising his business.

ORDINANCE NO. 7-1-3

AN ORDINANCE REGARDING CURFEW HOURS.

BE IT HEREBY ORDAINED by the City Council of the City of Bristol to adopt the following Ordinance as follows: Offenses Against Public Welfare – Chapter 7-1

CURFEW HOURS:

A. No minor under the age of 18 years shall be or remain in or upon the public alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, streets, vacant lots or other unsupervised public places within the city between the hours of 10:30 p.m. and 5:30 a.m. on Monday, Tuesday, Wednesday and Thursday, or between the hours of 12:00 a.m. and 5:30 a.m. on Friday, Saturday or Sunday.

The provisions of this ordinance imposing a curfew on minors shall not apply to a minor accompanied by his parent, guardian or other adult person having the care and custody of the minor or where the minor is upon an emergency errand or legitimate business authorized or directed by his parent, guardian or such other adult person having the care and custody of the minor.

B. It shall be unlawful for the parents, guardian or other adult person having the care and custody of a minor under the age of 18 years to knowingly permit such minor to be or remain in or upon the public alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, streets, vacant lots or other unsupervised public places within the city between the hours of 10:30 p.m. and 5:30 a.m. on Monday, Tuesday, Wednesday and Thursday or between the hours of 12:00 a.m. and 5:30 a.m. on any Friday, Saturday or Sunday except when the minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor or when the minor is upon an emergency errand or legitimate business authorized or directed by his parent, guardian or other adult person having the care and custody of the minor.

It shall be the right of any authorized law enforcement officer or person to arrest and detain any minor violating the curfew and to keep the minor detained until the parent, guardian or custodian is notified. The minor may be released upon the giving of a promise by the minor and his parent, guardian or custodian that such minor, together with his parent, guardian or custodian, will appear at a stated time before the proper authority to answer to any charges.

TITLE 7 -- PUBLIC OFFENSES

Chapter 7-1 Offenses Against Public Welfare
Chapter 7-2 Offenses as to Property
Chapter 7-3 Noxious and Unhealthy Vegetation
Chapter 7-4 Abandoned Property
Chapter 7-5 Firearms and Fireworks
Chapter 7-6 Animals

Chapter 7-1 Offenses Against Public Welfare

7-1-1 False Emergency Alarms Prohibited. No person shall knowingly make any false alarm of fire or other emergency by calling or causing to be called the Bristol Volunteer Fire Department or any authorized emergency vehicle.

7-1-2 Disturbing the Peace. It shall be unlawful for any person within the City of Bristol to make or engage in any riot, mob disturbance, or disorderly conduct or behavior, or to disturb any lawful assemblage of persons or of any neighborhood, or any religious meeting, family, or any social gathering, or to incite, encourage, aid or assist any person therein.

Chapter 7-2 Offenses as to Property

7-2-1 Injuring Signs. No person shall deface, remove, change, or mar, or in any way interfere with or obliterate wither wholly or in part any sign, signboards, or card placed, post, extended, or erected by the City.

7-2-2 Traffic Signs, Injuring or Placing Unauthorized Prohibited. No persons shall deface, injure, move, obstruct, or interfere with any official traffic sign or signal, street sign, or parking meter.

No person shall place, maintain, or display upon or in view of any street any unofficial sign, signal, or device which purports to be or is an imitation of our resembles an official traffic sign or signal, or which attempts to direct the movement of traffic. Every such prohibited sign, signal, or device is hereby declared to be a public nuisance, and the City Council is hereby empowered to remove the same or cause the same to be removed without notice.

7-2-3 Destroying Trees and Plants. No person shall willfully injure, destroy, or deface any tree, shrub, plant, or grass in any parking lot or park.

No person hall willfully injure or destroy any cultivated fruits or vegetables, ornamental trees, shrubs, hedges, vines or flowers, nor injure or carry off any of the products thereof, which are the property of another.

7-2-4 Interference with Electric Light Posts and Apparatus. No person shall interfere with, injure, break, or jar any electric light, telephone, telegraph, or fire alarm system, post, pole, or apparatus in any manner, or climb any telegraph, telephone, electric light, or fire alarm pole without being properly authorized to do so.

7-2-5 Unauthorized Connection with Gas or Water. No person shall, without lawful authority, connect with any main service line, pipe, or other device for the purpose of obtaining gas or water therefrom. No person shall, with intent to defraud, interfere with any meter installed to register the amount of gas or water supplied to any customer.

7-2-6 Interference with City Property. No person shall climb or in any manner interfere with any building, water tower, or structure belonging to the City unless authorized to do so by the City; and no person shall, in any manner, injure or deface any such structure.

7-2-7 Injuring Sidewalks, Streets, Etc. No person, without proper authority, shall tear up, break, or injure any pavement, crosswalk, sidewalk, or other improvement in any street, road, alley, or public ground.

7-2-8 Destroying Property. No person shall willfully damage, deface, break, destroy, or interfere with the property of the City.

Chapter 7-3 Noxious and Unhealthy Vegetation

7-3-1 Definition. The following weeds and plants are hereby declared to be noxious weeds and vegetation and are hereby declared to be nuisances: rag weed, thistle of any kind, wild sunflower, goldenrod, cocklebur, sand bur, wild oars, wild mustard, wild lettuce, wild salsify, pigweed, wild firebrush, burdock, and all other useless, noxious, and unhealthy vegetation suffered or allowed to grow during the growing season.

7-3-2 Noxious Vegetation to be Cut. It shall be the duty of the occupant, person in charge, or the owner of any lot or parcel to keep said lot or parcel free from any noxious or unhealthy vegetation and particularly as to the weeds and plants mentioned in Section 7-3-1 of this chapter, and to cut or cause to be cut, all such noxious and unhealthy vegetation at such time or times as may be necessary to prohibit its growth and bearing seed. The City of Bristol shall in like manner cut or cause to be cut all such noxious or unhealthy vegetation being and growing on the streets or alleys of the City of Bristol.

7-3-3 Failure to Comply. If the owner, occupant, or person in charge of any lot or lots shall fail or neglect to cut or destroy any such noxious and

unhealthful vegetation as a foresaid being or growing upon any such lot or lots or parcel of land, the City Council of the City of Bristol shall notify such persons of the violation. If within ten (10) days after the notice is provided, the owner, occupant, or person in charge of any lot or lots shall continue to fail or neglect to cut or destroy any such noxious and unhealthy vegetation, the City Council shall cause the work to be done and report the expenses thereof to the City Council of the City of Bristol and the cost of such cutting or destruction shall be collected from the property owner in such a manner as authorized by law including, but not limited to, special assessments against the property pursuant to State Statues regarding this matter.

Chapter 7-4 Abandoned Property

7-4-1 Abandoned Automobiles. Vehicles. A person, persons, or business who shall leave or have on their property a vehicle or vehicles which have not been licensed the past year shall remove or cause to have removed said vehicle within thirty (30) days after having received notice from the City Council. The City Council shall reserve the right to remove said vehicle after thirty days from the premises at the owner's expense.

7-4-2 Dilapidated Building. Any building or structure within the limits of the City which is so dilapidated, decayed, out of repair, unsafe, unsanitary, or utterly fails to provide the amenities essential to decent living, such that it is unfit for human habitation and is likely to cause or is causing or aggravating sickness of disease so as to work an injury to the health, morals, safety, of general welfare of the community, shall be removed within thirty (30) days after receiving notice from the City Council to do so.

7-4-3 Miscellaneous Debris. Any miscellaneous debris which is either unsightly or dangerous to the public shall likewise be removed.

7-4-4 Disposition - Failure to Comply. The City of Bristol shall cause to have offensive materials removed and the cost applied to the owner or to the respective tax list.

7-4-5 Leaving Wrecked or Non-Operating Vehicles on Street. No person shall leave any partially dismantled, non-operating, wrecked, or junked vehicle on any street or highway within the City.

7-4-6 Exception. Those vehicles being utilized in the restoration of historical of vintage vehicles should be stored in a manner as not to be adverse to the esthetic quality of the area.

7-4-7 Leaving Wrecked or Discarded Vehicles on Property. No person in charge of any property within the City, whether as owner, tenant, occupant, lessee

or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than ten (10) days; except with regard to (1) a vehicle in an enclosed building (2) a vehicle on the premises of a lawfully operated business enterprise when such vehicle is necessary to the operation of such business enterprise, or (3) a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City or authorized by the City.

7-4-8 Disposal of Abandoned Vehicles. The Chief of Police or a designated representative are authorized to remove or cause to be removed any vehicle left at any place within the City which reasonably appears to be in violation of this chapter or appears to be lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with South Dakota Codified Law.

Chapter 7-5 Firearms and Fireworks

7-5-1 Discharge of Firearms or Air Rifles. It shall be unlawful for any person except the Day County Sheriff in the performance of an official act, to discharge or fire any gun, air rifle, sling shot, or other dangerous weapons within the City Limits of the City of Bristol.

7-5-2 Fireworks. It shall be unlawful for any person to sell, keep for sale, or offer for sale to any person within the limits of the City of Bristol any firecrackers, fireworks cartridges, Roman Candles, rockets, or other fireworks or explosives from with firecrackers, blank cartridges, or other fireworks may be made or manufactured.

Fireworks shall be defined as those fireworks classified by the US Department of Transportation as Class C (common) fireworks [C.F.R. Title 49 - Transportation, Part 173.100 (r)l effective on January 1, 1983, including, but not limited to, hose fireworks designed primarily to produce visible effects by combustion, that must comply with the construction, chemical composition and label regulations promulgated by the US Consumer Products Safety Commission [C.R.F. Title 16 - Commercial Practices, Part 1507j, effective on January 1, 1983.

No person shall in the City of Bristol discharge or shoot off any fireworks or firecrackers of any kind, or light or throw any fire balls or crackers or any kind, except on the fourth (4th) day of July.

Public display of fireworks are permitted at any time with the written consent of the City Council.

Chapter 7-6 Animals

7-6-1 Cruelty to Animals. No person shall, within the City of Bristol, cruelly or immoderately beat, torture, or injure any domestic animal, overload any working animal, or willfully or negligently maltreat, abuse, neglect, or treat in a cruel or inhumane manner any such animal.

7-6-2 Animals Running at Large. It shall be unlawful for any person, firm, or corporation to permit any horse, cattle, swine, sheep, goat, or other animal to run at large in the City of Bristol.

7-6-3 Fowl in City. No person shall allow any ducks, geese, chickens, or other domestic fowl to run at large within the City of Bristol.

7-6-4 Horses, Cows, Sheep, Goats in City. No person shall keep any horse, cow, sheep, goat, or other farm animal or erect or maintain any building or enclosure for use in keeping any of such animal within one hundred and fifty (150) of any dwelling, house, or building used for human habitation, other than that of the owner of such animals.

No person shall keep or maintain any building or enclosure where livestock is kept unless the same be at all times kept in a clean and sanitary condition in accordance with the rules or regulations of the Board of Health.

7-6-5 Pigs in City Prohibited. No person shall place, keep, or maintain any live hogs within the City of Bristol, excepting such hogs as are kept in the yards or pens of the transportation companies for shipping purposes or in pens, houses, yards, stockyards, packing houses, or butcher shops for immediate shipment or slaughter.