

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, April 1, 2019 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Steve Keszler, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by T. Keszler, second by Zerbst and carried with all members present unanimously voting yes to approve the agenda.

Motion by S. Keszler, second by Waterland and carried with all members present unanimously voting yes to go into executive session for one legal case and two contracts at 6:02 pm.

Motion by Crane, second by Waterland to return to regular session at 6:32 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- MUB meeting minutes – 2/26/2019

Announcements:

- Municipal Election April 9, 2019
- Chamber Banquet April 4, 2019
- National Library Week April 8-12, 2019

City Manager Ainslie reported:

- Payroll Changes – within budget:
 1. Ambulance Dept – Paramedic – Alexis Manolovits – change to full-time - no wage change; Derek Swain - \$12.00 (pre-deployment wage); Driver/EMT – Parker Peterson - \$12.00 (pre-deployment wage).
 2. Recreation Dept – Referee – Kelli Grubl - \$20/game.

Motion by Zerbst, second by Anderson and carried with all members present unanimously voting yes to approve the following items on the consent calendar with the exception of the removal of f:

- a. Consideration of minutes from the March 18, 2019 Board of Equalization meeting and the regular Council meeting.
- b. Consideration to set a public hearing for April 15, 2019 for Resolution 2019-XX – Vacate the dead-end portion of S Baldwin St for SEDC.
- c. Consideration to set a public hearing on April 15, 2019 for Resolution 2019-XX – Street Closure for the Black Hills Black Top Tourney on June 22-23, 2019.
- d. Consideration to set a public hearing on April 15, 2019 for Resolution 2019-XX – Street Closure for the 2018 DAM 5K on May 11, 2019 from 7am – 1 pm.
- e. Consideration of Resolution 2019-21 – Plat for Lots 1A, 1B & 1C, Block 1 of Glovers 3rd Addition for Gloria Peterson and Cheryl Goodall.

**RESOLUTION 2019-21
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for Cheryl A Goodall & Gloria J Peterson:

Plat of Lot 1A, Lot 1B and Lot 1C, Block 1 of Glovers Third Addition and Dedicated Public Right-of-Way for Harmon Street. Formerly Lot 1, Block 1 of Glovers Third Addition. Located in the NE ¼ of the NW ¼ of Section 15 Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes.

WHEREAS, that the municipality approves the plat, and that the written certification of the City's approval will be affixed to the plat, by the Mayor.

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved as provided herein.

Dated this 1st day of April 2019.

Published: 04-08-2019

Effective: 04-29-2019

~~f. Consideration of Resolution 2019-22 – Application for Recreational Trails Program to Build Non-Motorized Trails.~~

Motion by Zerbst, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2019-22 – Application for Recreational Trails Program to Build Non-Motorized Trails.

**RESOLUTION 2019-22
APPLICATION FOR RECREATIONAL TRAILS PROGRAM APPLICATION IN
BUILDING STURGIS NON-MOTORIZED TRAILS**

WHEREAS, the City of Sturgis desires to construct a Sturgis non-motorized trails for the citizens of Sturgis and their families; and,

WHEREAS, the Sturgis non-motorized trails will connect to the Centennial Trail, a few Forest Service Roads, and Vanocker County Road for legal access to Sturgis Watershed; and,

WHEREAS, the Sturgis non-motorized trails will provide a safe alternative for people to access the Sturgis watersheds; and,

WHEREAS, the Sturgis non-motorized trails will be located partially on the United States Forest Service property; and,

WHEREAS, in order to finish constructing the desired Sturgis non-motorized trails an Application for Recreational Trails Program Application must be submitted.

NOW THEREFORE BE IT RESOLVED, that the City Manager is authorized to sign the above stated application on behalf of the City of Sturgis, South Dakota.

Dated this 1st day of April 2019.

Published: 04-08-2019

Effective: 04-29-2019

Motion by Waterland, second by Martinson and carried with all members present unanimously voting yes to approve the following claims:

WAGES – Ambulance \$26,836.88; Attorney \$4039.26; Auditorium \$193.67; Buildings \$1165.21; Cemetery \$2206.72; City Manager \$4571.98; Community Center \$10,329.22; Finance Office \$9406.52; Fire Department \$86.01; Human Resource \$6414.59; Library \$9011.30; Liquor \$5559.82; Mayor and Council \$3837.04; Parks \$11,014.78; Planning & Permitting \$8722.07; Police \$38,159.56; Rally \$8001.24; Recreation \$3019.76; Sanitary Service \$15,628.30; Streets \$12,643.80; Wastewater \$8932.88; Water \$14,067.38; Federal Withholding \$16,011.19; FICA \$14,735.75.

COMBINED CASH FUND – First Interstate Bank, \$2,000.00, ATM.

GENERAL – A&B Business, \$435.48, sup; Amazon, \$174.85, rep; Amick Sound, \$34.24, rep; Animal Health International, \$52.72, sup; APWA, \$575.00, travel; Axon Enterprises, \$2,878.00, equip; Baker & Taylor, \$965.83, sup; Dustin Barnes, \$30.00, other; Shawn Barrows, \$5,000.00, contact; Black Hills Energy, \$1,802.31, util; Roger Burnham, \$3,605.00, prof fees; Cash-Wa Distributing, \$332.15, resale; Central States Sanitation, \$100.00, rep; Dakota Extinguisher & Safety, \$147.00, rep; Demco, \$367.82, sup; Double Star Computing, \$4,173.00, prof fee; EB Communications, \$110.00, prof fee; Greg Smith Equipment, \$2,302.50, sup; Jerred Hegstrom, \$86.90, sup; Jerrys Refrigeration, \$213.50, rep; Junction Avenue Floral & Gifts, \$50.00, other; Key City Glass, \$15.00, rep; Scott Lensegrav, \$1,500.00, contract; Light & Siren, \$4,334.00, equip; Long Rider Books, \$777.46, sup; Mangled Momentum Event Timing & Mgmt, \$100.00, prof fee; Matthew Bender, \$55.44, sup; Meade County Auditor, \$4,172.01, other; Mid-American Research Chemical, \$337.98, sup; Motionsoft, \$450.00, prof fee; Nebraska Salt & Grain Co, \$4,004.28, sup; North Central International, \$111.72, rep; Brian Owen, \$30.00, other; Penworthy Co, \$137.66, sup; Petty Cash, (\$15.03), sup; Piedmont Cutting Edge Meat Market, \$65.00, other; Potomac Aviation Technology, \$300.00, sup; Public Safety Equipment, \$25.98, sup; Push-Pedal-Pull, \$967.58, rep; Ramkota Hotel, \$2,065.89, travel; Richter's Tire & Exhaust, \$199.91, rep; Roger Frye's Paint & Supply, \$86.78, sup; S&C Cleaners, \$3,000.00, rep; Billy Schlosser, \$90.00, other; Chris Schmoker, \$13.81, sup; SD Dept of Revenue, \$6.20, other; SD Municipal League, \$238.00, travel; SD Sheriffs' Assn, \$85.00, travel; Sturgis Ambulance, \$350.00, travel; Sturgis Real Estate & Auctions, \$20,625.00, rent; Sturgis Volunteer Fire Dept, \$7,547.61, contract; The Corner Station, \$29.67, sup; Tom's T's, \$289.20, sup; Twilight First Aid & Safety, \$104.50, sup; Universal Athletic, \$3,492.00, equip; Pat Urbaniak, \$1,500.00, contract; Vanway Trophy & Award, \$45.35, other; Western Communications, \$423.00, sup.

SPECAIL SALES TAX – Sturgis Area Chamber of Commerce, \$9,333.33; Sturgis Economic Development, \$8,500.00.

CAPITAL IMPROVEMENT – Ainsworth Benning Construction, \$240,800.44; American Engineering Testing, \$1,850.20; Brosz Engineering, \$14,584.37; Grangaard Construction, \$33,750.00.

BUSINESS IMPROVEMENT DISTRICT – Dakota Playground, \$11,536.00; Petty Cash, \$100.00.

HOTEL OCCUPANCY TAX DISTRICT – Lawrence & Schiller, \$4009.96, other.

LIQUOR – Coca Cola, \$652.50, resale; Dakota’s Best Distributing, \$204.90, resale; Double Star Computing, \$268.00, prof fee; Fat Boys, \$372.00, resale; First Interstate Bank, \$5,000.00, ATM; Fisher Beverage, \$9,484.36, resale; Johnson Western Wholesale, \$9,312.83, resale; MB Enterprises, \$78.95, resale; Pepsi Cola, \$97.00, resale; Prairie Berry, \$780.00, resale; Quality Brands of the Black Hills, \$12,345.28, resale; Republic Beverage Co, \$15,294.81, resale; Southern Glazer’s of SD, \$4,652.03, resale; True Brands, \$543.35, resale.

WATER – Black Hills Energy, \$262.75, util; Credit Collections Bureau, \$58.69, prof fee; Double Star Computing, \$268.00, prof fee; Greg Smith Equipment, \$767.50, sup; Lathem Time Corporation, \$300.00, sup; Petty Cash, \$7.32, sup.

WASTEWATER – Black Hills Energy, \$3,400.43, util; Dakota Redi-Mix, \$153,381.93, cap imp; Double Star Computing, \$134.00, prof fee; Greg Smith Equipment, \$767.50, sup; Lathem Time Corporation, \$300.00, sup; Quality Services, \$790.00, cap imp; Watertree, \$2,025.48, prof fee.

SANITATION – Black Hills Energy, \$423.33, util; Dakota Playground, \$5,500.00, sup; Double Star Computing, \$268.00, prof fee; Greg Smith Equipment, \$767.50, sup; Holtz Industries, \$149.00, rep; Lathem Time corporation, \$300.00, sup; rapid City Journal, \$468.32, pub.

AMBULANCE – Double Star Computing, \$670.00, prof fee; Michael E Hogue, MD, \$500.00, prof fee; Image Trend, \$330.00, prof fee.

Motion by Waterland, second by S. Keszler and carried with all members present unanimously voting yes to approve Resolution 2019-17 - Use of City Property, Street Closure and Open Container for the Camaro Rally on June 28-29, 2019.

RESOLUTION 2019-17

RESOLUTION TO CLOSE DESIGNATED STREETS AND PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY FOR THE STURGIS CAMARO RALLY

WHEREAS, the Sturgis Camaro Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has supported the Sturgis Camaro Rally event past years, and

WHEREAS, shall hereby close the City streets to vehicular traffic and unauthorized parking between 6:00 am-7:00 pm on June 28, 2019 for 3rd Street from Lazelle to the Post Office; 11:00 a.m. and 3:00 p.m. on June 29, 2019, the area bounded on the West by the east edge of the Right of Way of 4th Street, bounded on the East by the west edge of the Right of Way of Junction Avenue, bounded on the South by the north edge of the Right of Way of Sherman Street, and bounded on the north by the south edge of the Right of Way of Lazelle Street, and including within this boundary the street area of Third Street, Harley-Davidson Way, First Street and Main Street. This area shall be marked by city barricades with clearly legible signs. The Police Department will be authorized to tow vehicles within the street closure area, starting June 28 and 29, 2019 at 2:00 a.m.

WHEREAS, a request was made for a parade on June 29, 2019 starting at 3:00 pm after the Show and Shine Car Show. They are asking for a police escort from the West side of Lynn’s Parking lot onto Lazelle Street and go right on Lazelle to Whitewood Service Road.

WHEREAS, the Sturgis Camaro Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis from 10:00 am to 5:00 pm, and

WHEREAS, the request from the Sturgis Camaro Rally is permitted under the authority of state law;

a. On the west, by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street,

b. On the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and on

c. On the east, by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, continuing west from Middle Street to Fourth Street on the south side of Lazelle Street.

d. On the north, continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, and by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street and along the south edge of Lazelle from Middle Street to Fourth Street.

e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Avenue, Main Street and Middle Street, Lazelle Street and Junction Avenue, 1st Street, Harley Davidson Way and 3rd Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries. This also includes the Harley Davidson Rally Point.

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall hereby close the City streets to vehicular traffic and unauthorized parking between 6:00 am-7:00 pm on June 28, 2019 for 3rd Street from Lazelle to the Post Office; 11:00 a.m. and 3:00 p.m. on June 29, 2019, the area bounded on the West by the east edge of the Right of Way of 4th Street, bounded on the East by the west edge of the Right of Way of Junction Avenue, bounded on the South by the north edge of the Right of Way of Sherman Street, and bounded on the north by the south edge of the Right of Way of Lazelle Street, and including within this boundary the street area of Third Street, Harley-Davidson Way, First Street and Main Street. This area shall be marked by city barricades with clearly legible signs. The Police Department will be authorized to tow vehicles within the street closure area, starting June 28 and 29, 2019 at 2:00 a.m.

Dated this 1st of April 2019.

Published: 04-08-2019

Effective: 04-29-2019

Motion by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to approve Resolution 2019-18 – Street Closure and open container request for Music on Main at H-D Rally Point during June-July 2019.

**RESOLUTION 2019-18
RESOLUTION TO AUTHORIZE STREET CLOSURE
OF HARLEY DAVIDSON WAY AND OPEN CONTAINER BOUNDARY
FOR MUSIC ON MAIN EVENT**

WHEREAS, Music on Main will be held in the City of Sturgis, June 5th, 12th, 19th, 26th, July 3rd, 10th, 17th, 24th, and

WHEREAS, beginning on each morning of said event dates the City of Sturgis Rally and Events Department will place signs and cones at 9:00 a.m., letting people know that there will be no parking on Harley-Davidson Way after 2:00 p.m. HD Way will be opened by 11:00 p.m. The street closure requested:

Harley-Davidson Way, from Main Street to Lazelle Street and Main Street from east side of First Interstate Bank drive-thru to Harley Davidson Way be closed from 3:00 pm to 9:30 pm. Leaving the intersection of Main Street and Harley Davidson Way open for vehicle traffic.

WHEREAS, an open container request for the street closure area listed above has also been requested for each date previously listed, from 5:00 p.m. to 10:00 p.m.

a. On the west, by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street,

b. On the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and on

c. On the east, by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, continuing west from Middle Street to Fourth Street on the south side of Lazelle Street.

d. On the north, continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, and by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street and along the south edge of Lazelle from Middle Street to Fourth Street.

e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Avenue, Main Street and Middle Street, Lazelle Street and Junction Avenue, 1st Street, Harley Davidson Way and 3rd Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries. This include Harley Davidson Rally Point.

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting at 3:00 pm on each Music on Main event date.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, all streets closed would open by 11:00 p.m. each Wednesday evening and open container would go back into effect by 10:00 p.m.

Dated this 1st day of April 2019.

Published: 04-08-2019
Effective: 04-29-2019

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve a Special Events License for the Oasis Bar at H-D Rally Point for Music on Main on June 5, 26 & July 17.

Motion by S. Keszler, second by Anderson and carried with all members present unanimously voting yes to approve a Special Events License for the Knuckle Saloon at H-D Rally Point for Music on Main on June 19 & July 10.

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve Resolution 2019-19 – Street Closure request for Kid’s Movie Night at H-D Rally Point on June 11 and 25, 2019.

**RESOLUTION 2019-19
RESOLUTION TO AUTHORIZE STREET CLOSURE
OF HARLEY DAVIDSON WAY FOR KID’S MOVIE NIGHT**

WHEREAS, Kid’s Movie Night will be held on the eight Tuesdays in June and July, hosting children’s movies on the TV’s, and

WHEREAS, on June 11th and June 25th Harley Davidson Way from Main Street north to the alleyway will be closed from 6:00 pm to 9:00 pm to allow families to enjoy the vehicles being brought in to make these specific movie nights interactive.

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting at 5:00 pm on June 11th and June 25th.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, all streets closed would open by 9:30 p.m. each Tuesday evening.

Dated this 1st day of April 2019.

Published: 04-08-2019
Effective: 04-29-2019

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2019-20 – Street Closure and open container request for the 2019 Off Road Rally at H-D Way on May 24-27, 2019.

**RESOLUTION 2019 - 20
A RESOLUTION TO CLOSE STREETS TO CREATE A SHOW AND SHINE AREA,
AND TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY
AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY FOR THE OFF-ROAD RALLY**

WHEREAS, the Off-Road Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, this will be the third year for this event and the City of Sturgis supports the Off-Road Rally that is an ATV/UTV rally, and

WHEREAS, the Off-Road Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS, the request from the Off-Road Rally is permitted under the authority of state law;

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall close certain streets to the public for a limited period of time to establish a Show and Shine event area on May 25, 2019, from 2:00 pm until 10:00 pm, on the public street as follows:

- a. Harley-Davidson Way, closed from Lazelle Street south to Main Street, with the alley way to remain open, and

IT IS HEREBY FURTHER RESOLVED that the Sturgis Police Department will be authorized to ticket and tow illegally parked vehicles within that street closure area starting May 25th at 2:00 pm through 10:00 p.m. and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall establish an alcoholic beverage open container area on May 25, 2019 from 1:00 pm to 9:00 pm, as authorized by Section 3.02.20(C) of Sturgis City Ordinance and SDCL 35-1-5.5, for those persons legally possessing an alcoholic beverage in the designated cup that is available for purchase from any on-sale licensees, on that public property open to the public, within area bounded as follows:

- a. On the west, by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street,

- b. On the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and on

- c. On the east, by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, continuing west from Middle Street to Fourth Street on the south side of Lazelle Street.

- d. On the north, continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, and by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street and along the south edge of Lazelle from Middle Street to Fourth Street.

- e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Avenue, Main Street and Middle Street, Lazelle Street and Junction Avenue, 1st Street, Harley Davidson Way and 3rd Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries. This also includes the Harley Davidson Rally Point.

This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, any City Property not open to the public, and does not include any private property within the open container area.

Dated this 1st day of April 2019.

Published: 04-08-2019

Effective: 04-29-2019

Motion by Bachand, second by T. Keszler and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, T. Keszler, Martinson and Zerbst voting yes, Waterland voting no, to approve a Voluntary Development Agreement for Gloria Peterson and Cheryl Goodall at Glover's 3rd Addition, Block 1, Lot 1.

Motion by Crane, second by Zerbst and carried with all members present unanimously voting yes to approve second reading of Ordinance 2019-06 – Title 9 – Fire Prevention.

ORDINANCE 2019-06

AN ORDINANCE AMENDING TITLE 9 – FIRE PREVENTION AND REGULATION

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 9 – Fire Prevention and Regulation – Chapter 9.01 General Provisions – Section 9.01.02 Definitions - False Alarms; Chapter 9.04 General Fire Provisions – Section 9.04.13 – Fireworks Lighting Period; Section 9.04.19 – Fire Service Billing and Authority to Recover Costs - to be amended to read as follows:

TITLE 9 FIRE PREVENTION AND REGULATION

CHAPTERS:

- 9.01: General Provisions
- 9.02: Adoption of Fire Codes
- 9.03: Fire Department
- 9.04: General Fire Provisions

CHAPTER 9.01 GENERAL PROVISIONS

SECTIONS:

- 9.01.01: Scope and Purpose
- 9.01.02: Definitions
- 9.01.03: Penalty

9.01.02: DEFINITIONS

FALSE ALARMS: Any call from an alarm system or person indicating a fire or unauthorized entry when no such activity has occurred. False alarms shall include an alarm call related to cooking smoke or small appliance smoke at a residence.

CHAPTER 9.04 GENERAL FIRE PROVISIONS

SECTIONS:

- 9.04.01: Driving Over or on a Fire Hose
- 9.04.02: Parking Near Station or Hydrant
- 9.04.03: Unlawful to Tamper with Fire Appliances or Hydrants
- 9.04.04: False Alarm
- 9.04.05: False Alarm Penalty
- 9.04.06: Refuse Fires
- 9.04.07: Controlled Burns by Permit
- 9.04.08: Authorized Controlled Burns
- 9.04.09: Open Fires
- 9.04.10: Recreational Fire
- 9.04.11: Ban on Outside Burning
- 9.04.12: Fireworks Displays
- 9.04.13: Fireworks Lighting Period
- 9.04.14: Fireworks Sales
- 9.04.15: Installation of Key Boxes
- 9.04.16: Hazardous Materials
- 9.04.17: Unattended Gas Pumps
- 9.04.18: Fire Lane
- 9.04.19: Fire Service Billing & Authority to Recover Costs

9.04.13: FIREWORKS LIGHTING PERIOD

Unless specifically authorized by Resolution of the City Council for a stated period of time within a calendar year, fireworks lighting and use are prohibited within the City of Sturgis. The City Manager, in consultation with the SVFD Fire Chief may recommend to the City Council a Resolution to approve the lighting of fireworks within the City limits for a stated period of time, and as allowed by State law and Administrative Rule within the calendar year. Unless otherwise established by Council Resolution, this period shall be from 8:00 am to 10:00 pm on July 3rd, from 8:00 am to 11:00 pm on July 4th, and from 4:00 pm on December 31st until 1:00 am on January 1st.

A person using or lighting fireworks which results in litter or debris landing on the property of another shall be responsible to clean up such litter and/or debris. An owner of property adjoining a dedicated right of way shall be responsible to clean up litter and debris in such right of way resulting from the use or lighting of fireworks, without regard to where the fireworks were lit. Violations of this subsection are subject to the penalties stated in Subsection 9.01.03 as well as prosecution under Subsection 11.04.07 of Sturgis City Ordinances.

9.04.19: FIRE SERVICE BILLING AND AUTHORITY TO RECOVER COSTS

The Sturgis Volunteer Fire Department, while under contract with the City, is authorized to seek and obtain reimbursement, not to exceed \$500.00, for any and all costs it has incurred in providing public safety services from any party receiving such services or any party obligated to provide reimbursement for any of those services. Such reimbursement is specifically authorized against any property owner, vehicle owner, insurance carrier or other party or person having an obligation to provide partial or complete repayment of such costs.

The billing may include, but is not limited to, the following: travel, man-hours accrued, equipment, material used, and meals for personnel.

Adopted this 1st day of April 2019.

First reading: 03-18-2019
Second reading: 04-01-2019
Adopted: 04-01-2019
Published: 04-08-2019
Effective: 04-29-2019

Heath Ferguson came before the City Council to voice his concerns regarding deadlines mandated by State law. He missed the Property Valuation Boards deadline by one day due to City Hall's closure because of the weather. Ferguson urged the Council to approach the State and ask that they look at those laws and make revisions for unexpected closures on deadline days.

Any other business:

Dwight Griffee came before the City Council to discuss concerns he has with some of the streets in his neighborhood. Hope Street and the corner of 7th and Jackson were his main concern.

Motion by Crane, seconded by S. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 7:31 pm.

ATTEST: _____ APPROVED _____
Ann Bertolotto, Deputy Finance Officer Mark Carstensen, Mayor

Published once at the total approximate cost of \$