

RESOLUTION 2021 -28
A RESOLUTION TO PERMIT MALT BEVERAGE AND WINE OPEN CONTAINERS ON
CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY

WHEREAS, the City of Sturgis Motorcycle Rally is one of the nation's largest events, drawing hundreds of thousands of visitors each year to the State of South Dakota and focusing that attention on the Black Hills, and,

WHEREAS, the City of Sturgis Motorcycle Rally is the single largest event contributor to the State of South Dakota's General Fund and Tourist Fund as well as to numerous hotels, casinos, restaurants, gas stations and other businesses located throughout the State of South Dakota; and,

WHEREAS, the City of Sturgis is the host of the annual City of Sturgis Motorcycle Rally and has a particular responsibility to help ensure a successful event which continues to draw hundreds of thousands of visitors to the State of South Dakota; and,

WHEREAS, numerous events and tourist destinations throughout the United States makes use of an open container area in order to allow for responsible outdoor malt beverage and wine consumption; and,

WHEREAS, one of the highest catalysts for interactions between Sturgis law enforcement and attendees is unlawful open container and the City seeks to reduce unnecessary interactions to the greatest degree possible; and,

WHEREAS, the City of Sturgis Motorcycle Rally must continue to evolve in order to ensure that it remains a competitive and relevant destination throughout the summer period to help ensure the profitability of numerous businesses throughout the region and the State of South Dakota; and,

WHEREAS, the request from numerous landowners and business owners for a designated Open Container area is permitted under the authority of state law;

IT IS HEREBY RESOLVED as set forth herein that the City of Sturgis shall establish a malt beverage and wine open container area beginning on August 6th, 2021 and continuing through August 15, 2021, to commence each day at 10:00 a.m. and to conclude each day at 10:00 p.m. as authorized by Section 3.02.20(C) of Sturgis City Ordinance and SDCL 35-1-5.5, those persons legally possessing a malt beverage and/or wine in the authorized non-glass container, bearing the logo of the City of Sturgis Motorcycle Rally and wearing a wrist band issued by the City of Sturgis noting that the individual has been checked for being 21 years of age or older, may do so on that public property open to the public, within area bounded as follows:

1. Beginning on the west, along the western edge of the Right of Way of 7th Street, beginning at the intersection of 7th Street and Williams Street and continuing south to the intersection of 7th Street and Main Street, and
2. From Main Street and 7th Street continuing east on the northern edge of Main Street to 4th Street and Main Street; and
3. From Main Street and 4th Street south on the western edge of 4th Street to Sherman Street; and
4. From 4th Street and Sherman Street then East along the northern edge of Sherman Street to the intersection with the eastern edge of Lot 34, Block 3 of Ft. Meade Addition, then North along the east edge of lot 34 to the alley, then East along the southern edge of the alley, across Middle Street, to a point 280 feet East of the intersection of Middle Street and that alley; and

5. From that point then north along the eastern lot line of the Vet's Club property to the North side of Main Street, then West along the northern edge of Main Street to the intersection of Main Street and Middle Street; and
6. From that intersection then North along the eastern edge of Middle Street across Lazelle Street to the intersection with Dudley Street; and
7. From the intersection of Middle Street and Dudley Street West along the northern edge of Dudley Street across Junction Avenue to the intersection with First Street; and
8. From that intersection, North along the western edge of First Street to a point 220 feet north of that intersection, and then due West along an imaginary line to a point immediately adjacent to the eastern edge of the US Postal Service property; and
9. From that point then due South to a point at the southeast corner of the US Postal Service property, and from that point then due West to Kinship Street; and
10. Then proceeding North along the eastern edge of the Kinship Street to the intersection with Williams Street; and
11. Then proceeding West along the northern edge of William Street to the point of beginning at the Intersection with 7th Street.
12. Included in this Open Container area are the designated cross walks at the intersections of Main Street with Middle Street, Junction Avenue, First Street, Harley Davidson Way, Third Street and Fourth Street within these boundaries.
13. Not included in the area are the cross walks at the intersections of Lazelle Street and Junction Avenue, First Street, Harley Davidson Way, Third Street and Fourth Street within these boundaries.

This area shall be marked by clearly legible signs, provided by the City and consistent with the limitations of this Resolution, stating that the sign 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 17th day of May, 2021.

CITY OF STURGIS

Mayor Mark Carstensen

ATTEST:

Fay Bueno, Finance Officer

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Effective: 06-15-2021