

## **RESOLUTION 2021 - 39**

### **A RESOLUTION TO CLOSE STREETS TO CREATE AN SHOW AND SHINE AREA, AND TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, the Sturgis Mustang 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 Mustang Rally event in past years, and

WHEREAS, the Sturgis Mustang 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 Sturgis Mustang 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 September 4, 2021, from 5:00 am until 7:00 pm, on the public streets as follows:

- a. On Main Street, beginning at the east edge of the Right of Way of 4<sup>th</sup> Street, and continuing east to intersection of Main Street and Junction Avenue, and resuming on the East side of Junction Avenue and continuing to the intersection of Main street and Middle street, and
- b. On First Street, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and
- c. On Harley-Davidson Way, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and
- d. On Third Street, between its intersection with the alley south of Lazelle Street and then south to its intersection with Sherman Street, 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 September 4, 2021, at 2:00 a.m. through 8:00 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 September 4, 2021, from 10:00 am to 8:00 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 23<sup>rd</sup> day of August 2021.

CITY OF STURGIS

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Mayor Mark Carstensen

ATTEST:

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Fay Bueno, Finance Officer

Published: 08/30/2021

Effective: 09/20/2021