

ORDINANCE 24-026

AN ORDINANCE AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKINGS AND PERTAINING TO THE COVERING OF VEHICLE LOADS IN THE CITY OF BROOKINGS.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BROOKINGS, STATE OF SOUTH DAKOTA, AS FOLLOWS:

I.

THAT SECTION 82-567 of the Code of Ordinances and pertaining to covering of vehicle loads is hereby amended to read as follows:

Section 82-567. Covering of vehicle loads; spillage.

- (a) No person may drive or move a vehicle on a street or highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, blowing off, or otherwise escaping from the vehicle. This requirement does not apply to a vehicle transporting agricultural or horticultural products when hay, straw, silage or residue from a product, but not including the product itself, or when materials such as water used to preserve and handle agricultural or horticultural products while in transportation, escape from the vehicle in an amount that does not interfere with other traffic on the highway. The tailgate, faucets and taps on a vehicle shall be securely closed to prevent spillage during transportation, whether the vehicle is loaded or empty, and the vehicle must not have any holes or cracks through which material can escape. Any County highway or City maintenance vehicle engaged in either ice, snow or waste removal or citywide cleanup or emergency operations shall be exempt from this section.
- (b) Actual spillage of material on a street or highway or proof of that spillage is not necessary to prove a violation of this section.

II.

Any or all ordinances in conflict herewith are hereby repealed.

FIRST READING: August 13, 2024
SECOND READING: August 27, 2024
PUBLISHED:

CITY OF BROOKINGS, SD

ATTEST:

Oepke G. Niemeyer, Mayor

Bonnie Foster, City Clerk