**ORDINANCE 2020-02**

**AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF KIMBALL, SOUTH DAKOTA, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.**

WHEREAS, the present general and permanent ordinances of the political subdivision are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of South Dakota empower and authorize the political subdivision to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the Political Subdivision has authorized a general compilation, revision and codification of the ordinances of the Political Subdivision of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

 NOW THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF KIMBALL:

Section 1. The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the “Code of Ordinances of the City of Kimball, South Dakota.”

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

 **KIMBALL, SOUTH DAKOTA**

**CODE OF ORDINANCES**

 **TABLE OF CONTENTS**

Chapter

 **TITLE I: GENERAL PROVISIONS**

 10. Rules of Construction; General Penalty

 11. City Wards

 **TITLE III: ADMINISTRATION**

 30. Council

 31. Finance and Taxation

 **TITLE V: PUBLIC WORKS**

 50. Garbage

 51. Water

 52. Sewers

 **TITLE VII: TRAFFIC CODE**

 70. Traffic and Parking

 **TITLE IX: GENERAL REGULATIONS**

 90. Animals

 91. Nuisances

 92. Fireworks and Explosives

 **TITLE XI: BUSINESS REGULATIONS**

 110. Licensing Conditions

 111. Alcoholic Beverages

 112. Cable Communication Franchises

 113. Sexually-Oriented Businesses

 **TITLE XIII: GENERAL OFFENSES**

 130. General Offenses

 **TITLE XV: LAND USAGE**

 150. Comprehensive Development Plan

 151. Streets, Sidewalks and Public Places

 152. Buildings and Construction

 **TABLE OF SPECIAL ORDINANCES**

Table

 I. Franchises

 II. Bonds

 III. Annexations

 **PARALLEL REFERENCES**

 References to South Dakota Codified Laws

 References to Resolutions

 References to Ordinances

 **INDEX**

Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. This ordinance is declared to be an emergency measure of necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this \_\_\_\_\_\_\_\_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Wayne Tupper

 City of Kimball Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Barbara Gakin

City of Kimball Finance Officer

First Reading: March 2, 2020

Second Reading: March 16, 2020

Published: March 25, 2020

Effective: April 14, 2020