

**CITY OF TEA
ORDINANCE NO. 327**

AN ORDINANCE AMENDING CHAPTER 9, STREETS, SIDEWALKS AND PUBLIC PLACES, SECTION 9.03 SNOW AND ICE REMOVAL, OF THE MUNICIPAL ORDINANCES OF THE CITY OF TEA, LINCOLN COUNTY, SOUTH DAKOTA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TEA, LINCOLN COUNTY, SOUTH DAKOTA:

SECTION 1. That Chapter 9, Streets, Sidewalks and Public Places, Section 9.03 Snow and Ice Removal, of the Tea Municipal Ordinances is hereby amended in its entirety to read as follows:

CHAPTER 9: STREETS, SIDEWALKS, AND PUBLIC PLACES

SECTION 9.03 SNOW AND ICE REMOVAL

(a) Duty to Remove.

The owner or person in possession of any property abutting on any sidewalk shall keep the sidewalk free from snow and ice and shall remove any snow or ice from the sidewalk within 48 hours after the termination of any snowfall or snow or ice accumulation. The owner or person in possession of any property abutting upon any sidewalk which ends at an intersection or crosswalk shall maintain the sidewalk free from snow and ice to the edge of the street. Snow and ice deposited on the sidewalk during the street removal process shall be removed within 48 hours of being deposited.

(b) Notice

The city shall notify all owners or persons in possession of property abutting on sidewalks to keep the sidewalks free from snow and ice and to remove the same within 48 hours after every fall or accumulation of snow or ice. The notice need not be given personally but may be given generally through the official newspaper annually. The notice shall provide that each owner or person in possession is required to keep the sidewalk in front of the premises free and clear from snow and ice. It shall further provide that if the owner or person in possession fails to remove the snow or ice within 72 hours of the falling or accumulation hereof, the city may cause the snow or ice to be removed and charge the cost to the abutting property.

(c) Disposal of Snow.

The property owner, person in possession or person removing snow or ice from any sidewalk, public or private driveway, parking lot or parking area shall dispose of accumulated snow and ice upon the property as follows.

- a) Snow and ice shall not be deposited on any sidewalk or in any park.
- b) Snow and ice shall not be deposited so as to obstruct or interfere with the passage or vision of vehicular or pedestrian traffic.

- c) Snow and ice shall not be deposited upon any public street or alley that has been cleared of snow by the grading of snow away from the curb or the picking up and carrying away of snow by the city.
- d) No snow may be blown, pushed, or otherwise placed on any street at any time (both before and after the street has been plowed).
- e) It shall be unlawful to deposit snow upon any other persons private property without their written approval.

(d) Removal Costs Assessed.

If the owner or person in possession of property fails to remove the snow or ice from the sidewalks within the time specified, the city may have the snow or ice removed and charge the cost thereof against the abutting property each time the snow or ice is removed. Removal costs may be assessed in accordance with the State of South Dakota codified law.

(e) Temporary Snow Fences.

No person shall erect, construct or maintain any temporary fence in the City of Tea which may cause or create accumulations of snow, ice or water on public streets and sidewalks or other private properties, which are greater than those accumulations that would occur without such fence.

- (i) Any temporary snow fence hereafter erected, constructed and maintained in the City of Tea shall comply with all other ordinances of the City.
- (ii) That a temporary fence shall be defined as any fence attached to the ground with a fixed location on the ground, and intended to be used for a limited period of time for the specific purpose of controlling snow accumulation.
- (iii) That the penalty for failure to comply with the provisions of this Title shall be in accordance with Chapter 17 of the Revised Ordinances of the City of Tea, South Dakota.

(f) Definitions.

For the purposes of this article, the following definitions shall apply:

- (i) "Snow removal alert" shall mean such times as there is a snow accumulation on the public streets of two (2) inches or more, or such times as the Mayor declares that snow removal operations on the public streets will commence and that the provisions of this article in regard to parking on public streets during snow removal operations are effective and will be enforced.
- (ii) "Street" shall mean the entire width of any public roadway within the City and it shall not be limited to those roadways designated as a "Street", but include "Avenues" and all other names by which public roadways are designated.

(g) Issuance of a Snow Removal Alert.

When the Mayor determines that snow removal from the public streets will commence, the Mayor will announce through the local news media that there has been declared a snow removal

alert and that the provisions of this article will be effective and enforced, designating a particular date and time when such alert shall commence. The determination to declare a snow removal alert will be based on the then existing weather conditions and the amount of snow then on the ground or expected according to forecasts from the National Weather Service.

(h) Parking Restrictions During a Snow Removal Alert.

In the event of a snow removal alert, all public streets in the City are designated as emergency snow routes.

In the event of a snow removal alert, it shall be unlawful to leave any vehicle parked following the start of the alert, as determined by the Police Department, so as not to interfere with the City's snow blading and/or removal operations. North/South streets shall be cleared first; and upon their completion, East/West streets will be cleared.

Any vehicle remaining on a City street following the start of the alert shall be ticketed and towed as determined by the Police Department.

(i) Violation

It is unlawful to violate any provision of this subchapter.

Adopted this ____ day of _____, 2025.

Signed: Casey Voelker
Mayor, City of Tea

ATTEST:

Dawn Murphy
Finance Officer, City of Tea

Seal

First Reading: October 6, 2025
Second Reading & Adoption: _____
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