

RESOLUTION 2016-46
RESOLUTION TO CLOSE STREET AND TO PERMIT OPEN CONTAINERS ON CERTAIN
PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY

WHEREAS, the Sturgis Oktoberfest 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 Oktoberfest event in past years, and

WHEREAS, the Sturgis Oktoberfest organizers have requested the 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 Oktoberfest is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall close Harley-Davidson Way between Main Street and the alley located between Main Street and Lazelle on Saturday, September 24, 2016 from 2:00 a.m. to 8:00 p.m.

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 24, 2016 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 23, 2016 from 4:00 p.m. to 11:59 p.m. and on September 24, 2016 from 11:00 a.m. to 11:59 p.m., 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 authorized non-glass container, bearing the logo of the Sturgis Chamber of Commerce and available for purchase from designated on-sale licensees, on that public property open to the public, within area bounded as follows:

1. On the west, bounded 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, and
2. On the south, bounded by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and
3. On the east, bounded by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, except for an extension further east across the Middle Street Right of Way and along 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, and

4. On the north, bounded 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 further including the area within and between the Right of Way of 1st Street and 3rd Street that lies north of Lazelle Street and south of Bear Butte Creek, then from a point at the intersection of the 3rd Street Right of Way and Bear Butte Creek, south along 3rd Street to the intersection with a line extending west from the alley Right of Way located between Lazelle Street and Dudley Street, then along that line further west across 3rd Street to the eastern edge of the Right of Way of Kinship Street, then south along Kinship Street to its intersection with Lazelle Street and 4th Street at the point of beginning.

5. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction, Middle Street, 1st Street, Harley Davidson Way and 3rd Street, and also included is the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries.

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, State Highway Right of Way and does not include any private property within the open container area.

Dated this 19th day of September, 2016.

CITY OF STURGIS

Mayor Mark Carstensen

ATTEST:

Fay Bueno, Finance Officer

Published: 09/28/2016

Effective: Immediately