

RESOLUTION 2011-08  
A RESOLUTION TO ALLOW THE USE OF PUBLIC RIGHT OF WAY WITHIN THE CITY  
FOR A PUBLIC PURPOSE

**WHEREAS**, the City of Sturgis has by Ordinances enacted by the City Council limited the use of public Rights of Way within the city to public purposes intended to provide for the benefit and safety of the members of the community, balanced with the purpose to encourage commerce and the development of a healthy and robust business and community atmosphere, and

**WHEREAS**, the annual Sturgis Motorcycle Rally brings thousands of tourists to the Sturgis community in August of each year, many of whom are willing to support demonstrated charitable causes, and

**WHEREAS**, the Sturgis Area Chamber of Commerce has worked diligently for several years to invite many Rally tourists to support local charitable causes, as a demonstration of their appreciation of the Community of Sturgis for hosting the annual Sturgis Motorcycle Rally and to support the Rally, and

**WHEREAS**, the Sturgis Rally Charities Foundation, Inc is the Charitable organization which is the direct beneficiary of the annual Chamber of Commerce Rally Raffle, and the organization which in turn distributes all the proceeds it receives from the Chamber of Commerce Rally Raffle to charitable, education and other activities and organizations providing services and located within the Sturgis Community, and

**WHEREAS**, the Sturgis Rally Charities Foundation received approximately \$25,000.00 in the fall of 2010 as the net proceeds of the Chamber of Commerce motorcycle raffle conducted during the 2010 Sturgis Motorcycle Rally, and

**WHEREAS**, the City Council finds that there is no similar charitable foundation or raffle activity that provides such significant, direct and meaningful benefit to all elements of the Sturgis Community, and

**WHEREAS**, the Sturgis Area Chamber of Commerce has presented a request for the exclusive use of a portion of Third Street between Main and Lazelle during the 2011 Sturgis Motorcycle Rally to provide continued support for the Sturgis Rally Charities Foundation, and

**WHEREAS**, the request of the Sturgis Area Chamber of Commerce is for the use of a 12 by 90 foot portion to the public Right of Way of Third Street for the Chamber display of the Dirico Motorcycle that will be raffled, the display of up to 6 additional Dirico Motorcycles and to park a trailer for the storage of those Dirico motorcycles and related display material, and

**WHEREAS**, the area requested for this raffle activity by the Sturgis Area Chamber of Commerce will be subject to an agreement between the Chamber of Commerce Charitable Foundation and the Dirico Motorcycle company, approved by and filed with the City Finance Officer prior to the set up and commencement of any raffle activities, confirming that sales will not take place in this special area designated for the benefit of the Sturgis Rally Charities Foundation.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Sturgis City Council that a 12 by 90 foot portion of the Public Right of Way of Third Street between Main and Lazelle shall be closed to the public from August 5th through August 14th, 2011 to allow the Sturgis Area Chamber of Commerce, under its agreement with the Dirico Motorcycle company, to conduct these raffle activities for the exclusive benefit of the Sturgis Rally Charities Foundation.

RESOLVED, this 7<sup>th</sup> of March, 2011.

CITY OF STURGIS

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Maury LaRue, Mayor

ATTEST:

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Fay Bueno, Finance Officer

Published: March 30, 2011  
Effective: April 20, 2011