ORDINANCE AMENDING AN ORDINANCE ESTABLISHING EMERGENCY SNOW ROUTE AND ESTABLISHING PENALTY

BE IT ORDAINED, by the City Council of the City of Alcester, that an ordinance entitled "Ordinance Establishing Emergency Snow Route and Establishing Penalty" dated December 5, 1994, as amended on December 23, 1996 and January 4, 1999 be amended as follows:

Section 2- NOPARKING: It shall be a violation of this Ordinance for any vehicle to be Parked upon any emergency snow route or upon any other street within the Corporate limits of the City of Alcester after an emergency snow declaration has been issued by the Mayor of the City of Alcester or in his absence, the President of the City Council. In addition, it shall be a violation of this Ordinance for any vehicle to be parked upon any emergency snow route or upon any street within the corporate limits of the City of Alcester after a snowfall of two inches or more until snow is windrowed to the center of the street in the downtown emergency snow route areas. In the event a snow fall occurs of two inches or more between 6:00 a.m. and 6:00 p.m., no parking shall be allowed under this ordinance from 6:00 p.m. until the street is cleared as set forth herein.

All other Section and Provision of the above ordinance shall remain in full force and effect and modified only as set forth herein.

Dated at Alcester, Union County, South Dakota, this 5th day of February, 2001.

CITY OF ALCESTER
Roger A. Walz, Mayor

ATTEST:
Michael Kezar, Finance Officer

First Reading: January 2, 2001
Second Reading: February 5, 2001
Approved: February 5, 2001
Published: February 15, 2001
Effective: March 7, 2001

ORDINANCE AMENDING ORDINANCE No. 6.0406
OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City Alcester, Union County, South Dakota, that Ordinance No. 6.0406 be amended to read as follows:

> B. As an alternative to impounding the dog in the animal shelter, if said, dog cannot be captured and the owner is known to the animal warden or police officer, then in that case, a citation may be issued to the owner that his dog is in violation of this Section, which said citation shall state the violation date, time, location, breed, and color of dog, license number if known, and the name and address of the owner of said dog. Said citation shall direct the owner of said dog to appear before the magistrate court to answer the charge of permitting the dog to run at large or such other violation as appears on the ticket. The minimum fine for a first violation shall be $25.00. The minimum fine for second violation shall be $100.00 with all subsequent offenses to carry a minimum fine of $200.00 and shall not exceed the maximum fine authorized for violation of City Ordinance. For the purpose of determining offenses, the 12 consecutive months immediately preceding the date of violation shall be considered.

Dated at Alcester, Union County, South Dakota, this 1st day of July, 2002.

CITY OF ALCESTER

By:_____
Roger Walz, Mayor

ATTEST:

_____
Michael Kezar, Finance Officer

First Reading:	June 3, 2002
Second Reading:	July 1, 2002
Approved:	July 1, 2002
Published:	July 11, 2002
Effective Date:	August 1, 2002

no vicious propensities so far as known to said applicant, which application shall be made on a printed blank furnished by the City Treasurer and shall be filed with said City Treasurer.

6.0404 License Fees. The applicant shall at the time of making such application, pay to the City Treasurer as a license fee the sum of $2.00 for each male dog or spayed female dog, and the sum of $7.50 for each unspayed female dog, for which such license is sought, and it shall be the duty of the City Treasurer at the time of the issuance of the license herein provided for, to furnish and deliver to said applicant a metallic tag for each dog for which such license is issued, upon which tag shall be stamped or engraved the registered number of the dog and the year when registered, and it shall then be the duty of the owner of the dog to place a collar around the neck of such dog so owned or kept by him, on which collar shall be securely fastened a metallic tag so furnished by the City Treasurer; provided, that in case of the loss of any tag so issued, the said City Treasurer is authorized to issue a duplicate thereof upon payment to him of the actual cost of same upon application being made therefor, and upon satisfactory proof that such tag has been lost.

all due date on license

6.0405 Rabies Vaccination. No dog tag shall be issued to any owner of any dog who does not present to the City Treasurer at the time of making application for such license a certificate of vaccination for "rabies" by a Veterinarian, duly licensed to practice veterinary medicine in the State of South Dakota, which certificate must show the date of such vaccination and must state the period of time for which the dog is effectively immunized, which period of immunization must be for at least one year from date of issuance of license.

6.0406 Dogs at Large, Barking.

A. It shall be unlawful for any person or persons to permit or suffer ~~to run at large within~~ the limits of the City of Alcester, any dog or animal of the dog kind, whether licensed or unlicensed, and the Animal Warden or any Police Officer or person

of proper authority is hereby authorized and empowered to impound any such dog found running at large in violation of the provisions of this section.

B. As an alternative to impounding the dog in the animal shelter, if said dog cannot be captured and the owner is known to the Animal Warden, then in that case, the said Animal Warden may issue a notice to the owner that his dog is in violation of this section, which said notice shall state the violation date, time, location, breed and color of dog, license number if known, and the name and address of the owner of said dog and which said notice shall direct the owner of said dog to appear before the Municipal Court to answer to the charge of permitting the dog to run at large or such violation as appears on the ticket, within 48 hours from the time of the service of such notice upon the owner to answer to said charge, or in lieu thereof to pay to the Clerk of said Court the sum of $5.00, the penalty for such violation, said payment may be made by mail and failure to make such payment or to appear and answer to said charge shall render such owner subject to the penalties provided for violations of this Ordinance.

C. No person owning any dog, licensed or unlicensed, confined on the premises or otherwise, shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by continuous barking or making other loud or unusual noises.

Upon signed complaint to the Police Department or Animal Warden that any person is keeping or harboring any dog which disturbs the peace as herein set forth, it shall be the duty of said Police Department or Animal Warden to notify the owner of said dog in writing of said complaint, and after such owner has been given 48 hours notice of such habit, the Animal Warden or any Police Officer or person of proper authority is hereby authorized and empowered to go upon the premises and impound any such dog or animal so disturbing the peace.

In addition to the impounding of such animal or other penalties prescribed, the owner thereof shall be subject to a fine not to exceed $25.00.

ORDINANCE AMENDING ORDINANCE No. 6.0406
OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City Alcester, Union County, South Dakota, that Ordinance No. 6.0406 be amended to read as follows:

> B. As an alternative to impounding the dog in the animal shelter, if said, dog cannot be captured and the owner is known to the animal warden or police officer, then in that case, a citation may be issued to the owner that his dog is in violation of this Section, which said citation shall state the violation date, time, location, breed, and color of dog, license number if known, and the name and address of the owner of said dog. Said citation shall direct the owner of said dog to appear before the magistrate court to answer the charge of permitting the dog to run at large or such other violation as appears on the ticket. The minimum fine for a first violation shall be $25.00. The minimum fine for second violation shall be $100.00 with all subsequent offenses to carry a minimum fine of $200.00 and shall not exceed the maximum fine authorized for violation of City Ordinance. For the purpose of determining offenses, the 12 consecutive months immediately preceding the date of violation shall be considered.

Dated at Alcester, Union County, South Dakota, this 1st day of July, 2002.

CITY OF ALCESTER

By:_____
Roger Walz, Mayor

ATTEST:

_____
Michael Kezar, Finance Officer

First Reading:	June 3, 2002
Second Reading:	July 1, 2002
Approved:	July 1, 2002
Published:	July 11, 2002
Effective Date:	August 1, 2002

ORDINANCE AMENDING ORDINANCE
No. 6.0404
OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City Alcester, Union County, South Dakota, that City Ordinance No. 6.0404 be amended to read as follows:

6.0404. LICENSE FEE: The applicant shall at the time of making application for a license, pay to the City Finance Officer of the City of Alcester, an annual license fee in the sum of $10.00 per dog for such license. It shall be the duty of the City Finance Officer, at the time of the issuance of the license herein provided for, to furnish and deliver to said applicant a metallic tag for each dog for which such license is issued. Upon the tag, shall be stamped or engraved the registered number of the dog and the year registered. It shall be the duty of the owner to place a collar around the neck of the dog and the metallic tag shall be securely fastened to the collar. In the event of the loss of any tag so issued, the City Finance Officer is authorized to issue a duplicate tag at no additional cost to the owner upon satisfactory proof by the owner that said metallic tag has been lost. It is the duty of the owner of any licensed dog to assure proper tagging of said animal as set forth herein. The failure to do shall be a violation of this ordinance.

This amendment to Section 6.0404 shall be effective on December 1, 2010, for licenses to be issued for the calendar year 2011.

Dated at Alcester, Union County, South Dakota, this _____day of September, 2010.

CITY OF ALCESTER

By: _____
William Koenig, Mayor

ATTEST:

_____
Michael Kezar, Finance Officer

First Reading:	September 8, 2010
Second Reading:	September 20, 2010
Approved/Adopted:	September 20,2010
Published:	September 23, 2010
Effective Date:	December 1, 2010

no vicious propensities so far as known to said applicant, which application shall be made on a printed blank furnished by the City Treasurer and shall be filed with said City Treasurer.

6.0404 License Fees. The applicant shall at the time of making such application, pay to the City Treasurer as a license fee the sum of $2.00 for each male dog or spayed female dog, and the sum of $7.50 for each unspayed female dog, for which such license is sought, and it shall be the duty of the City Treasurer at the time of the issuance of the license herein provided for, to furnish and deliver to said applicant a metallic tag for each dog for which such license is issued, upon which tag shall be stamped or engraved the registered number of the dog and the year when registered, and it shall then be the duty of the owner of the dog to place a collar around the neck of such dog so owned or kept by him, on which collar shall be securely fastened a metallic tag so furnished by the City Treasurer; provided, that in case of the loss of any tag so issued, the said City Treasurer is authorized to issue a duplicate thereof upon payment to him of the actual cost of same upon application being made therefor, and upon satisfactory proof that such tag has been lost.

will due date on license

6.0405 Rabies Vaccination. No dog tag shall be issued to any owner of any dog who does not present to the City Treasurer at the time of making application for such license a certificate of vaccination for "rabies" by a Veterinarian, duly licensed to practice veterinary medicine in the State of South Dakota, which certificate must show the date of such vaccination and must state the period of time for which the dog is effectively immunized, which period of immunization must be for at least one year from date of issuance of license.

6.0406 Dogs at Large, Barking.

A. It shall be unlawful for any person or persons to permit or suffer ~~to run at large within~~ the limits of the City of Alcester, any dog or animal of the dog kind, whether licensed or unlicensed, and the Animal Warden or any Police Officer or person

of proper authority is hereby authorized and empowered to impound any such dog found running at large in violation of the provisions of this section.

B. As an alternative to impounding the dog in the animal shelter, if said dog cannot be captured and the owner is known to the Animal Warden, then in that case, the said Animal Warden may issue a notice to the owner that his dog is in violation of this section, which said notice shall state the violation date, time, location, breed and color of dog, license number if known, and the name and address of the owner of said dog and which said notice shall direct the owner of said dog to appear before the Municipal Court to answer to the charge of permitting the dog to run at large or such violation as appears on the ticket, within 48 hours from the time of the service of such notice upon the owner to answer to said charge, or in lieu thereof to pay to the Clerk of said Court the sum of $5.00, the penalty for such violation, said payment may be made by mail and failure to make such payment or to appear and answer to said charge shall render such owner subject to the penalties provided for violations of this Ordinance.

C. No person owning any dog, licensed or unlicensed, confined on the premises or otherwise, shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by continuous barking or making other loud or unusual noises.

Upon signed complaint to the Police Department or Animal Warden that any person is keeping or harboring any dog which disturbs the peace as herein set forth, it shall be the duty of said Police Department or Animal Warden to notify the owner of said dog in writing of said complaint, and after such owner has been given 48 hours notice of such habit, the Animal Warden or any Police Officer or person of proper authority is hereby authorized and empowered to go upon the premises and impound any such dog or animal so disturbing the peace.

In addition to the impounding of such animal or other penalties prescribed, the owner thereof shall be subject to a fine not to exceed $25.00.

ORDINANCE AMENDING AN ORDINANCE ESTABLISHING EMERGENCY SNOW ROUTE AND ESTABLISHING PENALTY

BE IT ORDAINED, by the City Council of the City of Alcester, that an Ordinance entitled "Ordinance Establishing Emergency Snow Route and Establishing Penalty" dated December 5, 1994, as amended on December 23, 1996 and January 4, 1999 be amended as follows:

Section 2 - NO PARKING: It shall be a violation of this Ordinance for any vehicle to be parked upon any emergency snow route or upon any other street within the corporate limits of the City of Alcester after an emergency snow declaration has been issued by the Mayor of the City of Alcester or in his absence, the President of the City Council. In addition, it shall be a violation of this Ordinance for any vehicle to be parked upon any emergency snow route or upon any street within the corporate limits of the City of Alcester after a snowfall of two inches or more until such time as the street is cleared of snow from curb to curb, or until snow is windrowed to the center of the street in the downtown emergency snow route areas. In the event a snow fall occurs of two inches or more between 6:00 a.m and 6:00 p.m , no parking shall be allowed under this ordinance from 6:00 p.m. until the street is cleared as set forth herein.

All other Section and Provision of the above ordinance shall remain in full force and effect and modified only as set forth herein.

Dated at Alcester, Union County, South Dakota, this 5th day of February, 2001.

CITY OF ALCESTER

Roger A. Walz

Roger A. Walz, Mayor

ATTEST:

Michael Kezar

Michael Kezar, City Finance Officer

First Reading: January 2, 2001
Second Reading: February 5, 2001
Approved: February 5, 2001
Published: February 8, 2001
Affective: February 28, 2001

2.0201

ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF ALCESTER, ALCESTER, SOUTH DAKOTA, ESTABLISHING VOTING WARD FOR THE CITY

BE IT ORDAINED, by the City Council of the City of Alcester, Union County, South Dakota, that the ordinance "Establishing Voting Wards in and for the City of Alcester" be amended to read as follows:

There shall be three (3) voting wards in the City of Alcester and wherever possible these wards should be substantially of equal population. Said wards to be as follows:

> WARD 1: That portion of the City of Alcester from the Western boundary thereof to the North-South alleyway located in the blocks between Broad Street and Iowa Street within the city limits of the City of Alcester, extending from the North boundaries of the City of Alcester as presently established to the Southern most boundary and West of the described alleyway.
>
> WARD 2: Ward 2 shall consist of the area within the corporate limits of the City of Alcester from the North boundary line of the City to the South boundary of the City of Alcester, immediately east of Ward 1 and continuing to a point along the east edge of Morningside Addition extending in a Southerly direction to include lots 1A, 1 and 2 of Hyden Heights Addition and Lots 1, 2, 3 and 4 of original Hyden's Addition continuing from the center line of Hyden Drive in a Westerly direction to the center line of Church Street and then continuing South to the Southern boundary of the City of Alcester.
>
> WARD 3: Ward 3 shall contain that portion of the City lying East of Ward 2 from the Northerly boundaries of the city limits of City of Alcester on the North and extending to the Southern boundary line of the City of Alcester on the South and containing all property located within the city limits of the City of Alcester from East edge of Ward 2 to the Eastern boundary line of the City limits of the City of Alcester.

BE IT FURTHER ORDAINED, that this ordinance shall become effective twenty (20) days after publication unless referred to the electorate.

CITY OF ALCESTER

Peter A. Larsen

Peter A. Larsen, Mayor

ATTEST:

Michael Kezar

Michael Kezar, City Finance Officer

First Reading: November 18, 1996
Second Reading: December 2, 1996
Published: December 26, 1996
Effective: January 15, 1997

ORDINANCE AMENDING CHAPTER 11.0117 and 11.0118

BE IT ORDAINED, by the City Council of the City of Alcester that Ordinance Numbers 11.0117 and 11.0118 of the Alcester Ordinances, as revised, be amended by adding the following sections:

11.0117 Must Repair Connections. Personal taking water from the distributing pipe must keep their service pipe and fixtures connected therewith in good repair and protected from frost at their own expense, and must prevent all unnecessary waste, or water will be shut off. No abatement shall be allowed from the price charged or agreed upon by reason of the breaking, nor will the City of Alcester, its Mayor or City Council, in any case be liable or responsible for any damage growing out of the stoppage of such water or any insufficient supply of the same as to quality or quantity. All persons using water from the waterworks for any purpose whatever will do so at their own risk.

11.0118 Right of Access to Premises for Inspection. The water department or such other person as may be authorized may enter and have free access at all reasonable hours to the premises of the water users of the City of Alcester to ascertain the location or condition of all hydrants, pipes or other fixtures attached to the waterworks.

Section A.
In the event a waste on account of negligence or want of repair is found in the respective water user's service pipe from the curb stop as provided by Chapter 11.0112 of this ordinance to the residence, it shall be the responsibility of the water user to the City of Alcester to repair or replace said service line with new copper or plastic pipes in order to minimize or eliminate the unnecessary waste of water to the system.

Section B.
It shall be the duty of said officers, in case they discover any defect in the private service pipe or in the street, to give notice in writing to be left on the premises.

Section C.
The water shall be turned off if necessary repairs have not been commenced within five (5) days thereafter. In the event a water user objects to the determination by the water department, said water user shall, within five days of notice of the water department's determination, petition the City Council of the City of Alcester for hearing on the issue of the necessity for repairs and replacement. Said petition shall be in writing signed by the water user and shall specifically set forth

objections of the water user to the water department's determination.

Said petition shall be filed with the office of the City Finance Officer of the City of Alcester as above set forth. Upon receipt of said petition, the City Finance Officer shall place the matter of the hearing on said petition upon the agenda of the next scheduled city council meeting and shall provide written notification of said agenda assignment to the affected water user. This notice shall provide for a minimum of five days' notice to the water user prior to the hearing, unless said time limitation is waived by the water user.

At the hearing, the water user shall be entitled to be present in person and/or by counsel to have a full hearing on the matter. Such other parties as the city may request may also be present at this hearing.

After hearing, in the event the City Council agrees with finding of the water department, written notice shall be served upon water user by first class mail, postage prepaid, or by personal service upon said water user, directing commencement of corrective action within five (5) days or in lieu thereof, said water user's water shall be shut off.

CITY OF ALCESTER

By: _____
Roger A. Walz, Mayor

ATTEST:

_____
Michael Kezar, Finance Officer

First Reading: October 3, 1988
Second Reading: October 17, 1988
Approved: October 17, 1988
Published: October 20, 1988

ORDINANCE AMENDING
ORDINANCE #6.0804 and #6.0805
OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City of Alcester, that Ordinance #6.0804 and #6.0805 shall read as follows:

6.0804 Licensing Authority. The City Finance Officer of the City of Alcester or a police officer employed by the City of Alcester, shall license any license issued under the provisions of this chapter, and shall have discretion whether or not to grant the license after considering the showing on applicant's behalf and after making the investigation they deem necessary.

6.0805 License Fees. The license fee shall consist of a basic fee of $3.00 to defray the cost to the City of processing the application and investigatory expenses; and in addition thereto, a license fee of $10.00 per day for the first five (5) day term shall be paid by the applicant. In the event that the license term shall be for a period in excess of five (5) days, a special fee may be set by the City Council of the City of Alcester for each additional day in excess of five (5) days. In addition thereto, the sum of $5.00 for each additional solicitor or canvasser employed or under the direction of said applicant shall be paid. All license fees shall be paid prior to the issuance of the license.

CITY OF ALCESTER

BY: Roger A. Walz
Roger A. Walz, Mayor

ATTEST:
Michael Kezar
Michael Kezar, City Finance Officer

First Reading: July 5, 1983
Second Reading: August 1, 1983
Approved and Adopted: August 1, 1983
Published: August 11, 1983
Effective: August 31, 1983

ORDINANCE AMENDING ORDINANCE 11.0110
OF THE CITY OF ALCESTER

BE IT ORDAINED by the City Council of the City of Alcester that Alcester City Ordinance 11.0110 be amended as follows as to paragraph three of said ordinance:

The fees for tapping city water mains shall be as follows:

Under 1 inch tap	Minimum charge of $200.00 per tap or actual cost, whichever is greater
1 inch tap and over	Minimum charge of $300.00 per tap or actual cost, whichever is greater

The application shall be accompanied by the fee for the desired tap size.

BE IT FURTHER ORDAINED that the remaining sections of City Ordinance 11.0110 remain in full force and effect except as modified by this Ordinance.

CITY OF ALCESTER

By: Roger A. Walz
Roger A. Walz, Mayor

ATTEST:

Michael Kezar
Michael Kezar, Finance Officer

1st reading: February 5, 1990
2nd reading: May 7, 1990
Approved: May 7, 1990
Published: May 9, 1990
Effective: May 29, 1990

ORDINANCE AMENDING AN ORDINANCE ESTABLISHING THE PROCEDURE FOR DETERMINING EQUITABLE SERVICES CHARGES TO BE LEVIED ON ALL USES WHICH DISCHARGE WATER TO THE WASTE WATER SYSTEM OPERATED BY THE CITY OF ALCESTER, SOUTH DAKOTA AND PROVIDING CERTAIN PROHIBITION

BE IT ORDAINED, by the city council of the City Alcester, Union County, South Dakota, that a certain ordinance entitled "An Ordinance establishing the procedure for determining equitable service charges to be levied on all users which discharge waste water to the waste water system operated by the City of Alcester, South Dakota, and providing certain prohibition", as approved and adopted on May 5, 1998 and as subsequently amended, be amended as follows:

SECTION 8: USER WASTE WATER RATES AND CHARGES

The City hereby establishes rates and charges for all residential users as follows:

(1) Residential users shall be billed monthly, the charge shall be based on the average monthly water usage during the January and February monthly billing period and shall be effective on May 1 and remain the same for the May thru the April monthly billing period for the following year except as hereinafter provided. The charge shall be adjusted annually to reflect any changes in the water usage during the January and February monthly billing period.

(2) The charge for each monthly billing shall be $3.50 for each 1000 gallons or major fraction thereof, of the average monthly water meter to the user during the January and February monthly billing period except as hereinafter provided, or a total minimum charge of $7.00 per month whichever is greater.

(3) The charge for residential users not receiving water service from the city water system, or where there is no prior water usage, shall be based upon estimates prepared by the City.

(4) The charge for residential users having substantially higher or lower volumes of any of the monthly billing periods then that of the average monthly water usage during the January and February monthly billing periods shall be based on the water meter to the user during such monthly billing period as determined by the City of Alcester.

BE IT FURTHER ORDAINED, that the remaining section of this ordinance shall remain in full force and effect except as modified by this ordinance.

Dated at Alcester, Union County, South Dakota, the 15th day of November, 1999.

CITY OF ALCESTER

By: Kim Shefte
Kim Shefte, Mayor

ATTEST:

Michael Kezar
Michael Kezar, Finance Officer

First Reading: November 1, 1999
Second Reading: November 15, 1999
Approved/Adopted: November 15, 1999
Published: November 18, 1999
Effective Date: December 8, 1999

ORDINANCE AMENDING ORDINANCE 13.0201
OF THE CITY OF ALCESTER, ALCESTER, SOUTH DAKOTA

BE IT ORDAINED by the City Council of the City of Alcester, Union County, South Dakota, that Alcester City Ordinance 13.0201 be amended as follows:

> 13.0201 General Penalty. Except as in this ordinance otherwise specifically provided, any person or persons, firm or corporation violating any of the provision of this Ordinance or failing to comply with any of the provisions thereof shall, upon conviction thereof, be punished by a fine not to exceed $200.00.

Dated at Alcester, Union County, South Dakota, this 1st day of June, 1998.

CITY OF ALCESTER

Peter A. Larsen, Mayor

ATTEST:

Michael Kezar, City Finance Officer

First Reading: May 18, 1998
Second Reading: June 1, 1998
Approved and Adopted: June 1, 1998
Published: June 4, 1998
Effective: June 24, 1998

CITY OF ALCESTER
ALCESTER, SOUTH DAKOTA
ORDINANCE REGULATING THE COLLECTION AND HANDLING OF GARBAGE AND RECYCLABLE WITHIN THE CORPORATE LIMITS OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City of Alcester, the Chapter 5.03 of the Revised Ordinances of the City of Alcester, South Dakota, as from time to time amended, be further amended as follows:

It shall be unlawful for any person, firm or corporation to use the street of the City of Alcester for the collection, removal, or disposal of any garbage or rubbage for a fee or a charge, without first having procured from the City Council of the City of Alcester, a license so to do in the manner as provided herein, in paying to the City Finance Officer the license fee hereinafter specified which application for the such license shall be made to the City Council of the City of Alcester.

TERMS: Said license shall be for a three year period commencing on January 1 and terminating on the 31st day of December three years subsequent, unless revoked as hereinafter provided or as provided by the ordinances of the City of Alcester. Such license shall be an exclusive license to operate during the licensing term.

FEES: The fees provided for said license shall be One Hundred and Fifty Dollars ($150.00) per year payable on the first working day after January 1 of each year during the licensing term.

ISSUANCE OF LICENSE: Any person or firm desiring to obtain a license under the provisions of this chapter shall make and file application with the City Finance Officer of the City of Alcester, a sworn application in writing on a form furnished by the City Finance Officer which form shall include the following information:

1. Name of person, persons, partnership or corporation, making application.

2. Post Office address of applicant.

3. Type of license being requested.

4. Licenses held elsewhere.

5. Name of Local Agent, if any.

6. Location of Business Headquarters, if not local, including business telephone number.

7. A statement as to whether or not any licenses have ever been denied or revoked and the circumstances behind such denial or revocation.

8. Proof of liability insurance coverage and terms of coverage.

9. Number of employees.

10. Copy of valid driver's license or operator's license.

11. Listing of equipment to be used in conduction of business activity.

12. Copy of Social Security card of applicant and primary licensee and all personal providing collection services within the corporate limits of the City of Alcester.

13. Date of Application for the license.

14. Statement as to any driving offenses and convictions within the last five years of all operating personal.

15. South Dakota sales tax license number, if available.

16. Proposed garbage collection schedule.

17. Proposed recyclable collection plan.

18. Proposed rate schedule.

19. List of references.

Attached also to the application shall be the appropriate one year licensing fee which fee shall be returned to the applicant in the event that the license is not issued.

Criterion for Issuance of License: The City Council of the City of Alcester shall consider all license applications submitted. In making a selection for the licensee regarding the collection and handling of garbage within the corporate limits of the City of Alcester, the City Council shall among other things consider the following criterion, to-wit:

1. Past dealing of applicant with the City of Alcester and/or other municipalities.

2. Dependability of service and personnel.

3. Quality of equipment and personnel.

4. Ability to safely and efficiently collect city garbage including driving record of owners and operating personnel and passed criminal record.

5. Reputation of licensee in collection personnel regarding safety, dependability, and efficiency.

6. Financial responsibility of licensee including ability to post a performance bond and general liability insurance coverage as may be required by the city.

7. Ability to deliver garbage to the solid waste disposal site as directed by the City Council of the City of Alcester as may from time to time be established by the City of Alcester.

8. Purposed voluntary recycling plan to be initiated in conjunction with the collection and handling of garbage, which plan shall be subject to prior City Council approval.

9. Rate schedule, with prior city approval.

10. Collection schedule regarding garbage and recyclable.

11. Other valid licenses held by applicant and service to other municipalities.

12. Valid operator's license for all personnel.

13. Such references as may be requested or required by the City Council of the City of Alcester.

14. The best interest of the City of Alcester and its residence.

15. Any other factors deemed relevant to the City Council.

In evaluating applicants for the license, weight given to each of the above criteria will be determined by the City Council of the City of Alcester.

RENEWAL OR CONTINUATION: In the event any licensee desires to

continue the business authorized under the license after the expiration of such license, a new application shall be filed with the City Finance Officer of the City of Alcester and the same procedure shall be followed as for the issuant of the initial license.

VEHICLE: The Garbage Licensee shall provide themselves with suitable vehicles which shall be water tight and permanently covered on top so as to prevent the escape of odors and contents, and so as to hide the contents from the public view. Such vehicle shall be kept in a clean and sanitary condition and shall be thoroughly washed at such times and intervals as may be directed by the City Council of the City of Alcester or its designee or as may be directed in order to keep said vehicles in proper sanitary conditions. Such vehicles, when conveying garbage shall be so loaded and unloaded that the contents shall not fall or spill upon the ground. No article or item shall be carried in such vehicle so as to drag upon the city street.

EQUIPMENT: The licensee hereunder is to provide all of its own equipment and personal necessary to satisfactorily collect and dispose of garbage and refuse of the City of Alcester and its residents and businesses, and the City of Alcester is not obligated to provide any equipment or personnel for the collection and disposal of garbage and refuge. The licensee hereunder shall furthermore be required to dispose of said garbage at the designated disposal site of the City of Alcester, and shall comply with all applicable state and federal regulations concerning said disposal.

GARBAGE RATE: No garbage rate shall be charged shall be charged by the licensee hereunder without first obtaining rate approval from the City Council of the City of Alcester.

COLLECTION: A collections schedule shall be approved by the City Council of the City of Alcester for garbage as well as yard waste and other recyclable matters and may be modified from time to time only with prior approval of the City Council of the City of Alcester.

RECYCLABLE COLLECTION PLAN: The licensee shall provide a plan of recyclable collection to the City Council of the City of Alcester. The purpose of the plan shall be to minimize the amount of garbage collected and disposed of at the solid waste disposal site as designated by the City Council of the City of Alcester. This plan could include curb side recycling or such other provisions as may be approved by the City Council of the City of Alcester. Responsibility for formulating a collection plan for recyclables shall be upon the licensee and failure to provide an acceptable plan and acceptable recyclable collection shall be grounds for revocations of this licensee.

REVOCATION OF LICENSE: This license may be revoked by the City Council of the City of Alcester prior to the expiration of its term for the following reasons:

1. Failure to safely and efficiently collect garbage and to operate an acceptable voluntary recyclable plan for the City of Alcester.

2. Failure to comply with all city, state, and federal regulations concerning the collection and handling of garbage and other solid waste as they may from time to time be established.

3. Conviction of a felony or serious motor vehicle violation which in the opinion of the City Council unduly jeopardizes the health, safety and welfare of the residents of the City of Alcester.

4. Suspension of driver's privileges of operating personal for motor vehicle operating violation.

5. Failure to provide proof of financial responsibility as may be required by the City of Alcester from time to time.

6. Failure to post a performance bond securing proper performance of the obligations under the license, if requested by the city.

7. Failure to maintain a valid South Dakota sales tax license and failure to remit South Dakota sales tax to the South Dakota Department of Revenue in a timely manner.

8. Failure to maintain Worker's Compensation coverage on employees or failure to provide proofs of said Workman's Compensation coverage to the City of Alcester as may be required.

9. Failure to deliver solid waste generated within the corporate limits of the City of Alcester to the solid waste facility as may be determined and designated by the City from time to time.

10. Failure to account for and keep accurate weight records for the purposes of payments of tipping charges for the city garbage at the solid waste disposal site and to provide such records as requested by the city.

11. Failure to pay any tipping charges to the city designated solid waste disposal facility for any garbage over and above city tonnage as established by weight tickets and other records.

12. Failure to provide acceptable recycling plan and its implementation.

13. Any other substantial reason as may be deemed relevant by the City Council of the City of Alcester, given due consideration for the health, safety and welfare of the residents of the City of Alcester.

PENALTIES: Penalties for violation of this ordinance shall be a fine of $100.00 per violation. Violation shall be determined on a daily basis.

Dated at Alcester, Union County, South Dakota, this 4th day of November, 1996.

CITY OF ALCESTER

BY:_____
Peter Larsen, Mayor

ATTEST:

_____
Michael Kezar
City Finance Officer

First Reading: November 4, 1996
Second Reading: November 18, 1996

Published:

ORDINANCE AMENDING ORDINANCE 11.0301
OF THE CITY OF ALCESTER, ALCESTER, SOUTH DAKOTA

BE IT ORDAINED by the City Council of the City of Alcester, Union County, South Dakota, that Alcester City Ordinance 11.0301 be amended as follows:

> Connections, Permit. No person, firm or corporation shall connect its property with any opening or tap into any of the public sewers of the City of Alcester without first having obtained a permit to do so from the City Finance Officer of the City of Alcester upon the payment of the sum of $150.00 as a fee for said permit and for designating the opening or connection tap. In addition to the tapping fee, the person desiring to connect to the public sewers of the City of Alcester shall be responsible for all costs including materials involved and labor and other incidental expenses that may be incurred. The City of Alcester will have curb stop saddles, pipe and other materials available for purchase at city cost or in lieu thereof, said materials may be obtained from the city supplier. All materials and connections shall be approved by appropriate personnel of the City of Alcester prior to installation. No permit shall be granted to connect any property with any public sewer in the City of Alcester or any opening or connection therewith until the applicant for the same shall have complied with such terms and conditions as the City Council of the City of Alcester may, from time to time, direct and subject to all regulations of the City of Alcester concerning connection of property to sewers and openings into the same.

Dated at Alcester, Union County, South Dakota, this 4th day of March, 1996.

CITY OF ALCESTER

_____

Peter A. Larsen, Mayor

ATTEST:

_____

Michael Kezar, City Finance Officer

First Reading: February 5, 1996
Second Reading: March 4, 1996
Approved: March 4, 1996
Published: March 7, 1996
Effective: March 27, 1996

ORDINANCE AMENDING ORDINANCE 11.0110 OF THE CITY OF ALCESTER, ALCESTER, SOUTH DAKOTA

BE IT ORDAINED by the City Council of the City of Alcester, Union County, South Dakota, that Alcester City Ordinance 11.0110 be amended as follows:

> Permit. No person shall make any extension to or alteration of any tap, pipe or other fixture attached to any pipes of the water department of the City of Alcester without first having obtained a written permit so to do, and full report of such work must be made within 24 hours after the completion of said work.
>
> The owners of the property desirous of using water from the distributing pipes shall make application in writing, either by themselves or their authorized agents, to the City Finance Officer of the City of Alcester. The applicant shall state the size of the tap, kind of service, pipes to be used, the description of the premises, and name of the owner.
>
> Fees for tapping the city water main shall be $300.00 and shall be paid to the City Finance Officer at the time of the issuance of the permit. In addition to the $300.00 tapping fee, the person desiring to connect to the city water system shall be responsible for any and all costs and labor for any pipes, fittings, shut off, etc. that may be required to effectuate the tap.
>
> Application for a permit must be made and approved by the City Finance Officer at least two days before the work is commenced. Notice of the actual time for the work to be done must be given prior to commencement of work in order to allow appropriate city personnel the opportunity to observe and supervise the work.

Dated at Alcester, Union County, South Dakota, this 4th day of March, 1996.

CITY OF ALCESTER

_____

Peter A. Larsen, Mayor

ATTEST:

_____

Michael Kezar, City Finance Officer

First Reading: February 5, 1996
Second Reading: March 4, 1996
Approved: March 4, 1996
Published: March 7, 1996
Effective: March 27, 1996

ORDINANCE AMENDING
ORDINANCE #6.0801, #6.0804, #6.0805 AND #6.0806
OF THE CITY OF ALCESTER

BE IT ORDAINED, by the City Council of the City of Alcester, that Ordinance #6.0801, #6.0804, #6.0805 and #6.0806 shall be amended to read as follows:

6.0801 License Required. It shall be unlawful for any person to engage in the business of peddler, solicitor or canvasser, as defined in Section 6.0802 of this Ordinance, within the incorporated limits of the City of Alcester without first obtaining a license therefore as provided herein. In addition, it shall be deemed a condition precedent to the issuance of a license under this chapter that the applicant possess a valid South Dakota sales tax license duly issued by the South Dakota Department of Revenue.

6.0804 Licensing Authority. The City Finance Officer of the City of Alcester or the Chief of Police of the City of Alcester shall have authority to issue any license issued under the provisions of this chapter, provided said chapter does not exceed five days in duration. Said City Finance Officer or the Chief of Police shall have discretion whether or not to grant the license after considering the showing on applicants behalf and after making any investigation they deem necessary.

6.0805 Licensing Fees. The license fee shall consist of a basic fee of $3.00 to defray the cost to the City of processing the application and investigatory expenses; and in addition thereto, a license fee of $10.00 per day for the first five (5) days shall be paid by the applicant. An annual license shall be available upon application to the City Counsel of the City of Alcester. Said license fee shall be $50.00 per calendar year or any portion thereof. In addition thereto, the sum of $5.00 for each additional solicitor or canvasser employed or under the direction of said applicant shall be paid. All license fees shall be paid prior to the issuance of the license.

The City Council of the City of Alcester may waive any licensing or fees hereunder for any charitable, educational, religious, benevolent or non-profit organization. In addition, any licensing fees may be waived by the City Council of the City of Alcester for entities engaged in community service activities.

6.0806 Bond. Before any such license shall be issued, the City Counsel of the City of Alcester, the Municipal Finance Officer or