RESOLUTION NO. 0704-10

A RESOLUTION PROHIBITING THE OPERATION OF OFF-ROAD VEHICLES IN CERTAIN PORTIONS OF HIGHWAY DITCH UNDER THE JURISDICTION OF LINCOLN COUNTY

WHEREAS, pursuant to SDCL § 32-20-12.1, Lincoln County has enacted Ordinance No. 0812-14, thereby providing for the regulation of off-road vehicles in Lincoln County, South Dakota; and

WHEREAS, the Lincoln County Commission, pursuant to sub-Section 2(B) of said Ordinance, has conducted a noticed public hearing concerning the prohibition of off-road vehicles in certain portions of highway ditch under its jurisdiction;

NOW, THEREFORE, AFTER DUE CONSIDERATION AND DELIBERATION, BE IT HEREBY RESOLVED BY LINCOLN COUNTY, SOUTH DAKOTA, that the operation of off-road vehicles shall be prohibited in the area described as follows: (1) Lincoln County Highway 117, from 273rd Street to 272nd Street; (2) Lincoln County Highway 110, from 471st Avenue to 478th Avenue, except the west 359.93 feet of the Northwest Quarter of Section Five (5), Township Ninety-nine (99) North, Range Forty-Nine (49) West of the 5th P.M., such prohibition to be consistent with the provisions of SDCL § 32-20-12.1 and Lincoln County Ordinance No. 0812-14.

BE IT FURTHER RESOLVED, that such prohibition is necessary for the immediate preservation of public peace, health or safety, and as such, this Resolution shall become effective upon its passage, publication and the posting of regulatory signs. The County Highway Superintendent or his designee is hereby directed to post and maintain regulatory signs giving notice to the public of the restriction authorized by this Resolution.

Date Adopted: 04/14/09

/S/

Chairman, Lincoln County Commissioners

ATTEST:

Auditor, Lincoln County