

It was moved by Bell and seconded by Lehr that the following Ordinance be adopted:

ORDINANCE # 21

AN ORDINANCE ESTABLISHING DAYS AND HOURS OF OPERATION FOR "RECREATION PARK #1" AND PUBLIC ACCESS FACILITIES AT LAKE HANSON IN HANSON COUNTY, SOUTH DAKOTA

BE IT ORDAINED by the Board of Commissioners of Hanson County, SD, that:

1. Limitation of Hours of Use. That there shall be established days and hours of operation during which certain public facilities shall be open to the public, and times when these facilities are closed.

[a] That "Recreation Park #1" shall be open from May 1 to September 30 of each year, both dates inclusive, during the hours of 9:00 o'clock A.M. to 10:00 o'clock P.M. for swimming and other activities;

[b] That the public access boat ramp in "Recreation Park #1" shall be open for public use from May 1 to September 30 of each year, both dates inclusive, from 5:00 o'clock A.M. to 10:00 o'clock P.M.;

[c] That the camp ground located in "Recreation Park #1" shall accept new arrivals only from 9:00 o'clock A.M. to 10:00 o'clock P.M. of each day from May 1 through September 30, both dates inclusive.

2. Area Covered By Ordinance. The provisions and restrictions of this ordinance shall apply to the "Recreation Park #1" and to all public access areas on the shore of Lake Hanson, all located in "The North Half (N ½), Section Twenty-One (21), Township One Hundred Two North (102N), Range Fifty-Eight West (58W) of the 5th P.M.", in Hanson County, South Dakota

3. Penalty. A violation of this ordinance is a class 2 misdemeanor. Any person violating the provisions of this ordinance may be punished by being fined in an amount not to exceed Two Hundred (\$200.00) Dollars or incarcerated in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

4. Severability Provision. If any provision of this ordinance is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and applicability thereof to others persons and circumstances shall not be affected thereby.

First reading: June 5, 2002

Second reading: June 18, 2002

Votes for: 3 ; votes against: 0 .

Motion carried.