

ORDINANCE NO. 2000-2

An Ordinance authorizing aerial applicators' use of county and township roads.

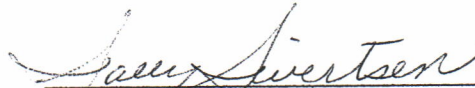
Pursuant to SDCL 50-2-2.1 and ARSD 70:02:02:08, be it ordained:

The Hand County Commissioners hereby authorize the Hand County Superintendent of Highways or his authorized designee to issue permits for the use of county and township roads to aerial applicators under the following terms and conditions:

1. Permits shall be issued for one calendar year commencing January 1 and ending December 31.
2. Aerial applicator's permits shall be issued only after receipt of the sum of FIFTY DOLLARS (\$50.00).
3. The issued permit shall be in the possession of the permittee or his or her authorized agent at all times when utilizing county and township roads in connection with permittee's aerial application operations.
4. All permittees shall provide the office of the Hand County Superintendent of Highways with proof of in-force liability Insurance coverage in an amount of not less than \$500,000.00 and such proof of coverage shall remain at said office throughout the life of the issued permit. Hand County shall be named as an additional insured in said policy or policies.
5. No permit shall be issued to any aerial applicator who does not certify to the office of the Hand County Superintendent of Highways that he or she is in full compliance with all applicable federal, state and local laws.
6. The permittee shall acknowledge in writing that he or she is fully aware of the fact that the County of Hand does not warrant the suitability of any of its roadways for any aircraft operations.
7. The permittee shall acknowledge in writing that he or she shall hold harmless the County of Hand in connection with all of their aircraft operations, which involve the utilization of any rights or benefits under the permit.
8. The permittee shall acknowledge in writing that he or she is fully aware of restrictions regarding the use of particular roadways as designated by the office of the Hand County Superintendent of Highways.
9. The permittee shall acknowledge in writing that he or she assumes any and all risk, contemplated or not contemplated, in exercising their use of said permit.
10. The violation of this ordinance or any portion hereof shall be punishable by a fine in the amount of TWO HUNDRED DOLLARS (\$200.00), plus court costs.
11. Each violation of the ordinance or any portion thereof shall constitute a separate and distinct offense.

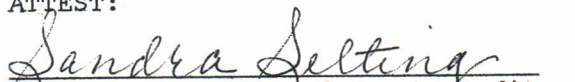
12. That the office of the Hand County Highway Superintendent shall, upon issuance of a permit, provide a copy of the same to the office of the Hand County Sheriff forthwith.

First Reading:	April 4, 2000
Second Reading:	May 2, 2000
First Publication:	May 10, 2000
Second Publication:	May 17, 2000
Effective Date:	June 6, 2000



Sally Sivertsen, Chairwoman
HAND COUNTY COMMISSION

ATTEST:



Sandra Selting, Hand County Auditor