CITY OF HARRISBURG ORDINANCE #2022-06,
TO AMEND NUISANCE REGULATIONS

BE IT ORDAINED by the City Council of the City of Harrisburg as follows:

ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance #2022-06 is an ordinance to amend the Nuisance Regulations of the City of Harrisburg. The City Council of the City of Harrisburg has deemed these regulations and controls to be reasonable and reasonably related to the purpose of promoting the health, safety, and general welfare of the City of Harrisburg.

SECTION 2 – JURISDICTION.

This Ordinance shall govern all territory within the statutory jurisdiction of the City of Harrisburg, South Dakota.

SECTION 3 – SEVERABILITY AND SEPARABILITY.

Should any Article, Section, Subsection, or Provision of this Ordinance be found to be or declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the Ordinance as a whole or any part thereof, other than the portion so declared to be invalid or unconstitutional.

ARTICLE II – AMENDMENTS TO CHAPTER 3.01: NUISANCE REGULATIONS

A. That Section 3.0101.D be amended to read:

Code Official – The Building Official is hereby designated as the City's Code Official to implement, administer, and enforce the provisions of this Chapter. The Code Official shall have the authority to appoint Code Officers, who shall have powers as delegated by the Code Official.

B. That Section 3.0102 be amended to read:

<u>Examples of Public Nuisances:</u> The following specific acts, conditions, or things are listed as examples of public nuisances. This list of examples is not intended to be exclusive or limit what may be considered to be a public nuisance.

(at end) The above examples shall not in any way be construed as a limitation on the definition of a public nuisance.

C. That Section 3.0102.F be amended to read:

In residential zoning districts, parking of motor vehicles, boats, snowmobiles, motorcycles, recreational vehicles, campers, or trailers in rear yards, except when the rear yard adjoins an alley, is not allowed. Parking in front yards is allowed only

on a paved driveway. Parking in side yards is allowed only on a paved parking pad.

D. That Section 3.0102.G be amended to read:

Off-street parking in the Central Business Zoning District of motor vehicles, snowmobiles, motorcycles, recreational vehicles, campers, boats, trailers, and other mechanical devices used for transportation on any space other than a paved parking pad or driveway is not allowed;

E. That Section 3.0110 be amended to read:

Remedies Against Nuisances. The remedies against any public nuisance may be: a civil action; abatement; citation and fine; or indictment as prescribed in this Chapter or by the South Dakota Codified Laws and the rules relating thereto.

F. That a new Section 3.0115 be added to read:

Public Nuisance Citation and Fine. A Code Officer may issue a citation and impose a fine against any property owner or resident of a property where a public nuisance is declared. The amount of the fine from the schedule of fines shall be at the discretion of the Code Officer issuing the citation. The citation may be attached to an entry door of the home or business on said property. The property owner or resident shall pay the amount of the fine shown on the citation at the City Finance Office. A separate citation may be issued for each day a violation occurs.

BE IT FURTHER ORDAINED by the City Council of the City of Harrisburg that this Ordinance shall become effective in accordance to law.

CITY OF HARRISBURG

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ATTEST:

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(SEAL)

First Reading:	April 5, 2022
Second Reading:	April 19, 2022
Published:	April 28, 2022
Effective:	May 18, 2022