

|AGENDA Tuesday, May 31, 2011

|Land Use Committee

*** 4:30 PM

Carnegie Town

|Hall

235 West 10th

|Street

|*** Committee Meeting will start immediately following the adjournment of 4:00 pm Informational Meeting. This meeting will take place in the Carnegie Chambers.

1. Call To Order

2. Approval of Minutes

A. Monday, March 28, 2011

3. Discussion

A. Rental Housing Registration Process Update by Kevin Smith, Assistant Director of Planning and Building Services

B. Transit Routes Update by Mike Cooper, Director of Planning and Building Services

C. Chapter 24, Licensed Manufactured Home Parks Ordinance Amendment Proposal by Shawna Goldammer, Zoning Enforcement Manager; Kevin Smith, Assistant Director of Planning and Building Services; and Jeff Schmitt, Chief Planning and Zoning Official

4. Open Discussion

5. Adjournment

Date: 2011-05-31
SIRE Meeting ID: 1503
Meeting Type: Committee Meeting
Subtype: Land Use Committee
YouTube:<https://youtu.be/EvDuaAptVGo>
Agenda Item: Not Assigned
Item ID: 58655

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REPEALING THE THREE YEAR EXPIRATION OF RESIDENTIAL RENTAL UNIT REGISTRATIONS .

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 11-112 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-112. Permit requirements. No residential rental property owner shall allow to be occupied, advertise for occupancy, solicit occupants of, or let to another person for occupancy any residential rental unit within the city that has not been permitted as residential rental unit by the city. All owners of a residential rental unit shall have filed a permit application with the city. Failure to make truthful disclosures of the information required under paragraph (5) below, or if the information disclosed reveals three (3) or more health, nuisance, or other code violations resulting in citations and fines payable to the city within the previous three (3) calendar years, shall be cause for the city to elect to deny such permit. Application for permit for a residential rental unit shall be made on forms furnished by the city. A residential rental property owner and/or the designated agent shall notify the city in writing within 15 calendar days after any change to the information provided on the application. The application and supporting forms shall require the following information:

- (1) Name, mailing address, and phone number of the property owner, and, if the owner is not a natural person, the name, address, and phone number of a designated agent for the owner.
- (2) The name, phone number, and mailing address of any person authorized to make or order repairs or services for the property, if in violation of city ordinances or state law, if the person is not the owner.
- (3) The street address of the residential rental unit.
- (4) The number and type of units; i.e., dwelling units or sleeping rooms.
- (5) Whether the owner or responsible party as defined by Section 2-111 of the Revised Ordinances of Sioux Falls, SD, have, within the previous three (3) calendar

years, been in violation and failed to make timely corrections of health, nuisance, or other code violations, excluding any notices or violations issued pursuant to Section 38-76 or Sections 42-50 through 42-52, to any property or properties in any municipality, including the City of Sioux Falls.

Section 2. That Section 11-113 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-113.

Permit revocation. Each permit may be revoked upon the city's issuance of any notice of a fourth health, nuisance, or other violation when said permit holder has been subject to three (3) health, nuisance or other code violations resulting in citations and fines payable to the city within the previous three (3) calendar years, excluding any notices or violations issued pursuant to Section 38-76 or Section 42-50 through 42-52, as to any property in the city

No action revoking a permit pursuant to this article for a residential rental unit shall be undertaken by the city without notice and a reasonable opportunity for the owner to bring the unit into compliance with applicable city ordinances. The chief building services official or any other person appointed by the mayor shall have the authority to revoke any permit for a particular residential rental unit if it is determined that the property is in serious and continued substantial noncompliance with any applicable city ordinance.

Appeals from a decision revoking a permit for a residential rental unit shall be pursuant to the appeals process of the *International Property Maintenance Code* and Section 2-60 et seq. of the Revised Ordinances of Sioux Falls, South Dakota. No action revoking a permit for a residential rental unit shall be deemed effective until all appeals have been exhausted, including any appeal to circuit court, or the time for filing any appeal shall have passed without an appeal being filed.

Once revoked an owner of a residential rental unit in the city shall make an application for a renewal permit. A permit or renewal permit shall not be issued until completion of the following:

1. Abatement of any health, nuisance or other code violation at said property.
2. Satisfactory city inspection and approval of the dwelling unit's habitability; and
3. Payment of all outstanding code enforcement citations issued by the city to the owner or responsible party for the subject property.

Section 3. That Section 11-114 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-114.

Correction of defects and enforcement. Whenever the city determines that a residential rental unit, whether permitted or not, has failed to meet the requirements of any applicable city ordinance, the city shall proceed with enforcement as provided within the applicable ordinance. The city may also proceed to revoke or suspend any permit issued for a residential rental unit for serious and continuing substantial noncompliance with any applicable city ordinance. In addition

to all other remedies, the city may seek to enjoin any unit from being operated as a residential rental unit that is not properly permitted by the city.

Section 4. That Section 11-115 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-115.

Property transfers . To transfer a permit for a residential rental unit from one owner or management company to another, the applicant shall give written notice, including the name and address of the transferee, to the city of the transfer within 60 days after such transfer.

Section 5. That Section 11-116 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-116.

No waiver of code compliance. No permit issued for a residential rental unit shall be deemed to cure, waive, or grant a right of continued operation for property that is determined to be in violation of any applicable ordinances of the city.

Section 6. That Section 11-117 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-117.

Revocation of residential rental permit. No action revoking or suspending a permit pursuant to this article for a residential rental unit shall be undertaken by the city without notice and a reasonable opportunity for the owner to bring the unit into compliance with applicable city ordinances. The chief building services official or any other person appointed by the mayor shall have the authority to revoke or suspend any permit for a particular residential rental unit if it is determined that the property is in serious and continued substantial noncompliance with any applicable city ordinance. Appeals from a decision revoking or suspending a permit for a residential rental unit shall be pursuant to the appeals process of the *International Property Maintenance Code* and Section 2-60 et seq. of the Revised Ordinances of Sioux Falls, South Dakota. No action revoking or suspending a permit for a residential rental unit shall be deemed effective until all appeals have been exhausted, including any appeal to circuit court, or the time for filing any appeal shall have passed without an appeal being filed.

Section 7. That Section 11-118 of the Revised Ordinances of Sioux Falls, SD, is hereby repealed:

Section 8. That Section 11-119 of the Revised Ordinances of Sioux Falls, SD, is hereby repealed:

Date adopted: _____.

Mayor

ATTEST:

City Clerk

Date: 2011-05-31
SIRE Meeting ID: 1503
Meeting Type: Committee Meeting
Subtype: Land Use Committee
YouTube:<https://youtu.be/EvDuaAptVGo>
Agenda Item: Not Assigned
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REPEALING THE THREE YEAR EXPIRATION OF RESIDENTIAL RENTAL UNIT REGISTRATIONS .

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 11-112 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-112. Permit requirements. No residential rental property owner person shall occupy, allow to be occupied, advertise for occupancy, solicit occupants of, or let to another person for occupancy any residential rental unit within the city that has not been permitted as residential rental unit by the city. All owners of a residential rental unit shall have filed a permit application with the city. Failure to make truthful disclosures ~~of under~~ the information required under paragraph (5) below, or if the information disclosed reveals three (3) or more health, nuisance, or other code violations resulting in citations and fines payable to the city within the previous three (3) calendar years, shall be cause for the city to elect to deny such permit. Application for permit for a residential rental unit shall be made on forms furnished by the city. A residential rental property owner and/ or the designated agent shall notify the city in writing within 15 calendar days after any change to the information provided on the application. The application and supporting forms shall require the following information:

- (1) Name, mailing address, and phone number of the property owner, and, if the owner is not a natural person, the name, address, and phone number of a designated agent for the owner.
- (2) The name, phone number, and mailing address of any person authorized to make or order repairs or services for the property, if in violation of city ordinances or state law, if the person is not the owner.
- (3) The street address of the residential rental unit.
- (4) The number and type of units; i.e., dwelling units or sleeping rooms.
- (5) Whether the owner or responsible party as defined by Section 2-111 of the Revised Ordinances of Sioux Falls, SD, have, within the previous three (3) calendar

years, been in violation and failed to make timely corrections of health, nuisance, or other code violations, excluding any notices or violations issued pursuant to Section 38-76 or Sections 42-50 through 42-52, to any property or properties in any municipality, including the City of Sioux Falls.

Section 2. That Section 11-113 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-113. Manner of registration. Within 90 days after the effective date of this article, all owners of residential rental unit shall have filed an application for permit of the unit with the city. After the initial 90-day period, all residential rental units shall be permitted in accordance with the provisions of section 11-112 of this article.

Permit revocation. Each permit may be revoked upon the city's issuance of any notice of a fourth health, nuisance, or other violation when said permit holder has been subject to three (3) health, nuisance or other code violations resulting in citations and fines payable to the city within the previous three (3) calendar years, excluding any notices or violations issued pursuant to Section 38-76 or Section 42-50 through 42-52, as to any property in the city

No action revoking a permit pursuant to this article for a residential rental unit shall be undertaken by the city without notice and a reasonable opportunity for the owner to bring the unit into compliance with applicable city ordinances. The chief building services official or any other person appointed by the mayor shall have the authority to revoke any permit for a particular residential rental unit if it is determined that the property is in serious and continued substantial noncompliance with any applicable city ordinance.

Appeals from a decision revoking a permit for a residential rental unit shall be pursuant to the appeals process of the *International Property Maintenance Code* and Section 2-60 et seq. of the Revised Ordinances of Sioux Falls, South Dakota. No action revoking a permit for a residential rental unit shall be deemed effective until all appeals have been exhausted, including any appeal to circuit court, or the time for filing any appeal shall have passed without an appeal being filed.

Once revoked an owner of a residential rental unit in the city shall make an application for a renewal permit. A permit or renewal permit shall not be issued until completion of the following:

1. Abatement of any health, nuisance or other code violation at said property.
2. Satisfactory city inspection and approval of the dwelling unit's habitability; and
3. Payment of all outstanding code enforcement citations issued by the city to the owner or responsible party for the subject property.

Section 3. That Section 11-114 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-114. Permit expiration. Each permit and renewal permit shall expire either on the 31st day of December in the third year following the year of issuance or earlier when such permit

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shall immediately expire and be considered revoked, with no additional due process consideration required, upon the city's issuance of any notice of a fourth health, nuisance, or other code violation when said permit holder has been subject to three (3) health, nuisance, or other code violations resulting in citations and fines payable to the city within the previous three (3) calendar years, excluding any notices or violations issued pursuant to Section 38-76 or Sections 42-50 through 42-52, as to any property in the city. No owner of a residential rental unit in the city shall otherwise allow a permit once issued to expire without making application for a renewal permit. However, a permit or renewal permit shall not be issued before completion of a satisfactory city inspection and approval of that dwelling unit's condition of habitability if: (A) the owner or responsible party has been subject to three (3) or more citations, excluding any notices or violations issued pursuant to Section 38-76 or Sections 42-50 through 42-52, resulting in fines payable to the city within the previous three (3) calendar years, or (B) if at the time of expiration of said permit there remain unpaid fines for any health, nuisance, or other code violations to the city by the owner or responsible party for the subject property.

Correction of defects and enforcement. Whenever the city determines that a residential rental unit, whether permitted or not, has failed to meet the requirements of any applicable city ordinance, the city shall proceed with enforcement as provided within the applicable ordinance. The city may also proceed to revoke or suspend any permit issued for a residential rental unit for serious and continuing substantial noncompliance with any applicable city ordinance. In addition to all other remedies, the city may seek to enjoin any unit from being operated as a residential rental unit that is not properly permitted by the city.

Section 4. That Section 11-115 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-115. Correction of defects and enforcement. Whenever the city determines that a residential rental unit, whether permitted or not, has failed to meet the requirements of any applicable city ordinance, the city shall proceed with enforcement as provided within the applicable ordinance. The city may also proceed to revoke or suspend any permit issued for a residential rental unit for serious and continuing substantial noncompliance with any applicable city ordinance. In addition to all other remedies, the city may seek to enjoin any unit from being operated as a residential rental unit that is not properly permitted by the city.

Property transfers . To transfer a permit for a residential rental unit from one owner or management company to another, the applicant shall give written notice, including the name and address of the transferee, to the city of the transfer within 60 days after such transfer.

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Section 5. That Section 11-116 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 11-116. Property transfers. To transfer a permit for a residential rental unit from one owner to another, the applicant shall give written notice, including the name and address of the transferee, to the city of the transfer within 30 days after such transfer. Any permit for a residential rental unit being transferred shall expire upon its original expiration date.

No waiver of code compliance. No permit issued for a residential rental unit shall be deemed to cure, waive, or grant a right of continued operation for property that is determined to be in violation of any applicable ordinances of the city.

Section 6. That Section 11-117 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

~~Sec. 11-117. No waiver of code compliance. No permit issued for a residential rental unit shall be deemed to cure, waive, or grant a right of continued operation for property that is determined to be in violation of any applicable ordinances of the city.~~

Revocation of residential rental permit. No action revoking or suspending a permit pursuant to this article for a residential rental unit shall be undertaken by the city without notice and a reasonable opportunity for the owner to bring the unit into compliance with applicable city ordinances. The chief building services official or any other person appointed by the mayor shall have the authority to revoke or suspend any permit for a particular residential rental unit if it is determined that the property is in serious and continued substantial noncompliance with any applicable city ordinance. Appeals from a decision revoking or suspending a permit for a residential rental unit shall be pursuant to the appeals process of the *International Property Maintenance Code* and Section 2-60 et seq. of the Revised Ordinances of Sioux Falls, South Dakota. No action revoking or suspending a permit for a residential rental unit shall be deemed effective until all appeals have been exhausted, including any appeal to circuit court, or the time for filing any appeal shall have passed without an appeal being filed.

Section 7. That Section 11-118 of the Revised Ordinances of Sioux Falls, SD, is hereby repealed:

~~Sec. 11-118. Revocation of residential rental permit. No action revoking or suspending a permit pursuant to this article for a residential rental unit shall be undertaken by the city without notice and a reasonable opportunity for the owner to bring the unit into compliance with applicable city ordinances. The chief building services official or any other person appointed by the mayor shall have the authority to revoke or suspend any permit for a particular residential rental unit if it is determined that the property is in serious and continued substantial noncompliance with any applicable city ordinance. Appeals from a decision revoking or suspending a permit for a residential rental unit shall be pursuant to the appeals process of the *International Property Maintenance Code* and Section 2-60 et seq. of the Revised Ordinances of Sioux Falls, South Dakota. No action revoking or suspending a permit for a residential rental unit shall be deemed effective until all appeals have been exhausted, including any appeal to circuit court, or the time for filing any appeal shall have passed without an appeal being filed.~~

Section 8. That Section 11-119 of the Revised Ordinances of Sioux Falls, SD, is hereby repealed:

~~Sec. 11-119. Readoption of rental registrations. The rental registrations and all amendments are hereby reenacted so when this ordinance becomes effective the Article on Rental Housing and all amendments thereto are readopted.~~

Date adopted: _____

Mayor

ATTEST:

City Clerk

Date: 2011-05-31
SIRE Meeting ID: 1503
Meeting Type: Committee Meeting
Subtype: Land Use Committee
YouTube:<https://youtu.be/EvDuaAptVGo>
Agenda Item: Not Assigned
Item ID: 58657

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1st Reading: _____
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY FOR LICENSED MANUFACTURED HOME PARKS.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Article I of Chapter 24, Section 24-3 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means the planning and building services department, ~~health, fire, and traffic engineering~~ including the zoning division.

Board means the board of appeals.

Cabana means a factory-built room enclosure erected or constructed attached to a manufactured home for residential use by the occupants of a manufactured home.

Codes means any codes or other regulations that the city council or its departments have adopted which include, but are not limited to, zoning code, property maintenance code, ~~the~~ fire code, health code, building code, plumbing code, heating code, and electrical code. Such codes will be controlling when work is to be done in a given area where such code is applicable.

Detached accessory building means an incidental freestanding building located on the same lot which it serves and used solely for storage of personal equipment and possessions of the manufactured home occupants.

License means a licensed manufactured home park operator's license.

Licensee means the person to whom a manufactured home park license has been granted.

Licensing entity means the city council.

Manufactured home means a dwelling unit which is fabricated in one or more sections at a location other than the home site by assembly line-type production techniques or by other construction methods unique to an off-site manufacturing process. A manufactured home/~~manufactured~~ mobile home is designed to be towed on its own chassis or be site delivered by alternative means. Every section shall bear a label certifying that it is built in compliance with

the Federal Manufactured Home Construction and Safety Standards. For manufactured homes built prior to June 15, 1976, a label certifying compliance to the Standard for Manufactured Homes, NFPA 501, ANSI 119.1, in effect at the time of manufacture is required.

Manufactured home park, licensed, means a contiguous parcel of land, ~~under the same ownership,~~ under the same ownership where lots are rented for the temporary placement of manufactured homes, with all necessary facilities and services, and is licensed by the city.

Manufactured home space means a parcel of land designated and approved for the placement of a single manufactured home.

Park occupant means a person living in a manufactured home located in a licensed manufactured home park.

Park operator means the person to whom a manufactured home park license has been issued or who is managing the licensed manufactured home park for someone who has been issued a license.

Property maintenance code means Article VI of Chapter 11 also known as the adopted International Property Maintenance Code as amended.

Required yard means a yard of a manufactured home as set out in a licensed manufactured home park layout plan.

Residential rental unit means any dwelling unit which is rented or offered for rent as living quarters within a licensed manufactured home park.

Service building means an accessory building to a licensed manufactured home park for related services.

Service equipment means the plumbing, mechanical, and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire protection, and facilities essential for the habitable occupancy of a manufactured home or accessory building or structure for its designated use and occupancy.

Utilities means water and sewer, gas, or electrical distribution system which is available for connection to manufactured homes in a licensed manufactured home park.

Yard means an open space, other than a court on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

Zoning ordinance means the revised zoning ordinance of the city.

Section 2. That Section 24-4 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-4. Duty of licensee and occupants.

- (a) *Responsibility of licensee.* The manufactured home park licensee will operate the park in strict compliance with the provisions of this chapter, ~~the and zoning ordinance,~~ and

provisions of the conditional use permit as provisions of the city council may be required by the planning commission or the city council.

The licensee ~~and~~ will provide adequate supervision to maintain the park, its related facilities, roadways, drainageways, walkways, open spaces, utilities, and equipment in good repair and in a clean and sanitary condition.

The licensee will be responsible for verifying and certifying that all manufactured homes placed in the park meet or exceed the property maintenance code.

The licensee will be responsible for verification of the data plate for all homes placed in a licensed manufactured home park after July 1, 2011. The data plate verifies the following: manufacturer's name, trade/model name, year of manufacturer, serial number, HUD Construction Code Label(s), and HUD construction zones. Per 1976 HUD regulation, this form is to be affixed inside the home on or near the main electrical breaker box and is printed on paper or foil stock 8 1/2" x 11" to 8 1/2" x 14" in size. If a label is missing or if modifications have been made without proper permit/inspections, the home cannot be placed, offered for sale, or occupied.

The licensee will be responsible to verify that all manufactured homes hereinafter located in a licensed manufactured home park shall be provided with a HUD-approved tie-down system.

The licensee will also be responsible to see that all plumbing, heating, and electrical connections, alterations, and additions comply with the requirements of this chapter; ~~that all street signs and address numbers are installed; and to secure permits~~ are secured for detached accessory buildings and park service buildings.

The licensee will be responsible for the proper placement of each manufactured home and notification to the agency when new manufactured homes are placed.

The licensee will notify the park occupants of all applicable provisions of this chapter and inform them of their responsibilities thereunder.

The licensee will provide the agency with the name, address, and phone number of the local park management.

The licensee will be responsible for enforcing park rules.

The licensee will be responsible for titling or disposal of abandoned manufactured homes.

- (b) *Responsibilities of park occupants or owners.* ~~The park occupant or owner of any manufactured home will~~ comply with all applicable requirements of this chapter and will maintain the manufactured home space, its facilities, and equipment in good repair and in a clean and sanitary condition.

The occupants of any manufactured home will be responsible to see that all plumbing, heating, cooling, and electrical connections, alterations, and additions comply with the requirements of this chapter and will secure the necessary permits for detached accessory buildings.

- (c) Responsibilities of owners of residential rental units. The title holder of a residential rental unit in a licensed manufactured home park will be responsible for obtaining a permit as required under Article X of Chapter 11 of the Sioux Falls Code of Ordinances.

Section 3. That Section 24-5 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-5. Required; term, renewal, and fee.

- (a) It will be unlawful for any person to operate any licensed manufactured home park within the city unless a valid annual license has been issued. Each license will expire on June 30. Application for a license and license renewal will be made in writing to the ~~assistant director of building services~~ zoning enforcement manager on a form furnished by them for such purpose and accompanied by a copy of park rules and regulations, if any, and a fee payable to the city in the amount set forth in chapter 23.
- (b) The deadline for filing applications will be 30 days prior to the expiration of such license. Licenses filed after the expiration date of such license will be charged, in addition to the license fee, a reinstatement fee equal to 50 percent of the license fee.

Section 4. That Section 24-7 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-7. Revocation or refusal.

The city council may, after a public hearing of which the licensee shall be notified, revoke a manufactured home park license may be revoked in whole or part as described in this article. The agency may or renewal refused to renew a license for failure to comply with any of the provisions of this chapter or any other conditions approved by the agency pursuant to this Code.

Section 5. That Section 24-8 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-8. Manufactured home placement permit.

- (a) It is unlawful to allow any manufactured home to be occupied in a licensed manufactured home park unless the manufactured home is situated on a manufactured home space and a placement permit issued as provided in this article.
- (b) Prior to the placement or delivery of the manufactured home in a licensed manufactured home park. Every manufactured home owner-licensee shall file an application for a manufactured home park placement permit with the agency within five days from the date of the placement of the manufactured home in a licensed manufactured home park. The agency will cause an inspection to be made only after the placement permit is received of for the manufactured home space to be made to verify compliance of the manufactured home placement with the provisions of this chapter dealing with proper placement, utility hookups, and skirting.
- (c) Every manufactured home park licensee shall give to every manufactured home owner desiring to place his manufactured home in the licensee's park an application for a

placement permit provided by the agency. The licensee will retain two completed copies of the application form and will send one to the agency ~~within five days from the date of placement~~ prior to any inspections for compliance with codes of the manufactured home and will retain the second copy; the manufactured home owner will have the responsibility of filing the original copy of the application with the agency and will pay a permit fee of \$50.00 at that time.

Section 6. That Division 5 of Chapter 24 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Division 5. ~~Reserved~~ Administration and Enforcement

Section 7. That Section 24-22 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-22. ~~Reserved~~ General.

The city department of planning and building services is designated as the agency to administer and enforce this code.

Section 8. That Section 24-23 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-23. ~~Reserved~~ Placement permit revocation.

When a placement permit has been issued for a manufactured home and upon inspection the agency has found that the manufactured home is unfit for human occupancy, the agency shall cause the revocation of the placement permit. A manufactured home found by the agency as unfit, because of lack of maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities, or other unsafe conditions as defined by the property maintenance code, shall be removed by the licensee within 30 days of notice. Manner of notice is prescribed in section 24-25.

Section 9. That Section 24-24 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-24. ~~Reserved~~ Abandoned manufactured homes.

The licensee may remove and dispose of abandoned manufactured homes as prescribed by SDCL 24-54. The licensee shall notify the agency of disposal. The agency shall cause an inspection to verify on-site disposal or the licensee shall provide a receipt from a regional sanitary landfill within 15 days of disposal. If the manufactured home has been abandoned and will not be disposed, the licensee shall notify the agency by providing a copy of the *Notice to County Treasurer of Abandoned Mobile/Manufactured home* (form MV-3013).

Section 10. That Section 24-25 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-25. ~~Reserved.~~ Notice of removal of manufactured homes.

(a) Form. Such notice prescribed in section 24-24 shall be in accordance with all the following:

1. Be in writing.
2. Include a description of the manufactured home, including the serial number or any other method sufficient for identification.
3. A statement of condition of the manufactured home and why the notice has been issued.
4. Inform of the right to appeal.

(b) Method of service.

1. Delivered personally.
2. Sent by first class or certified mail addressed to the licensee.
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place on or about the manufactured home affected by such notice.

Section 11. That Section 24-26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 24-26. ~~Reserved.~~ Appeals.

The decision of the agency may be subject to judicial review as provided by law.

Date adopted: _____

Mayor

ATTEST:

City Clerk