

ORDINANCE NO. 5154**AN ORDINANCE TO AMEND THE PROCEDURE TO APPEAL AN ORDER TO REMOVE A JUNKED OR ABANDONED VEHICLE BY AMENDING SECTION 10.56.060 OF THE RAPID CITY MUNICIPAL CODE AND ADDING SECTION 10.56.065 TO THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has previously adopted an ordinance which sets forth the appeal requirements to the owner of a junked or abandoned vehicle; and

WHEREAS, the City of Rapid City deems it in the best interest of the City to amend the previously adopted ordinance in order to change those requirements;

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 10.56.060 of Chapter 10.56 of the Rapid City Municipal Code be and hereby is amended to read as follows:

10.56.060 Presence on private property--Notice to remove.

Whenever it comes to the attention of the police department or ordinance enforcement that any person has an abandoned or junk motor vehicle on his property, a notice in writing shall be served by first class mail upon such person ordering the removal of such motor vehicle in the time specified in this chapter. The notice shall be deemed complete upon mailing to the last known address of the addressee. The notice shall contain the request for removal within fifteen days after the mailing of such notice, and the notice shall notify that failure to comply with the notice to remove shall be a violation of this chapter. The recipient of such notice shall have ten days from the date of mailing to file a notice of appeal of the determination contained therein. The notice of appeal must be in writing and filed with the Building Official. ~~finance officer. All appeals will be determined by the mayor or his designee.~~ All appeals shall be heard and decided by the International Property Maintenance Board of Appeals or its successor.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City of Rapid City that Section 10.56.065 be added to Chapter 10.56 of the Rapid City Municipal Code be and hereby is adopted as follows:

10.56.065 Appeals.

Any order issued by the police department or code enforcement pursuant to Sections 10.56.050 through 10.56.080, may be appealed to the building official, in writing, and within fifteen days of the issuance of the order. Such written notice of appeal shall be submitted to the Building Inspection Division, 300 6th Street, Rapid City, South Dakota, 57701. Appeals shall be reviewed by the building official and the determination of the building official shall be provided in writing to the person making the appeal. Any person aggrieved by the building official's determination may appeal to the International Property Maintenance Board of Appeals or its

successor. Any request for appeal to the International Property Maintenance Board of Appeals must be made in writing within ten days after notification of the building official's determination.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: