

→ **OVERVIEW of
NUISANCE PROCESS**

- ◆ Signed formal complaint received
- ◆ An on-site is done to determine validity
- ◆ Initial contact made with homeowner by phone, email or in person
- ◆ 1st notice issued, if necessary (homeowner has 20 days to appeal)
- ◆ Onsite after 30 days to determine progress
- ◆ 2nd notice issued, if necessary
- ◆ Onsite after 30 days to determine progress
- ◆ 3rd/Final Notice Issued (date to appear before County Commission set), if necessary
- ◆ County Commission Public Meeting held with Homeowner to affirm nuisance status
- ◆ Criminal prosecution referral made to the State's Attorneys Office.

TO FILE A COMPLAINT:

Request a complaint form from our office by emailing

planning.zoning@lawrence.sd.us

or

Go online - fill it out—submit

[http://www.lawrence.sd.us/
FormCenter/Planning-Zoning-
4/Complaint-Form-44](http://www.lawrence.sd.us/FormCenter/Planning-Zoning-4/Complaint-Form-44)



LAWRENCE COUNTY
SOUTH DAKOTA

"Where Beauty and Adventure Meet"

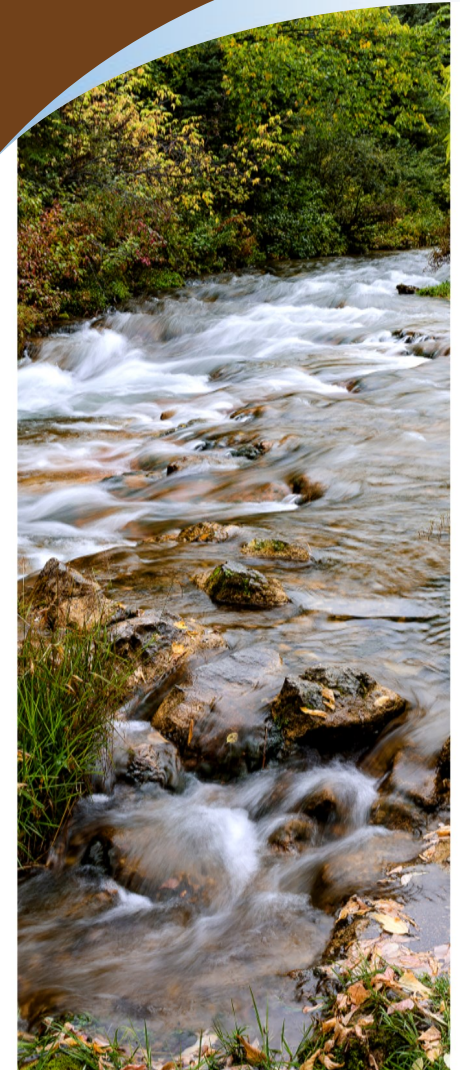
Lawrence County

90 Sherman Street
Deadwood, SD 57732

Phone: 605-578-3871
Fax: 605-722-6221
E-mail: planning.zoning@lawrence.sd.us

→ **Lawrence County
Planning & Zoning**

Quick Guide to Property Maintenance



→ **PROPERTY MAINTENANCE CODE (2012 IPMC)**

Date of Adoption: May 15, 2013

The code applies to all existing residential and non residential structures and constitute a minimum requirement and is the responsibility of owners, operators and occupants to uphold.

The express intent of the code is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises.

QUESTION & ANSWER:

For more information on Frequently Asked Questions go to:

<https://sd-lawrencecounty.civicplus.com/183/Code-Enforcement>

→ **JUNK & DEBRIS**

Rubbish, building materials, lumber, vehicle parts, appliances, furniture, yard waste, noxious matter, and any other debris not contained in a storage shed or otherwise hidden from view, are considered nuisances and must be removed from the property.

→ **TRASH & GARBAGE**

All kitchen refuse, cans, bottles, paper, cardboard, plastics, and other waste materials ordinarily originating on household or commercial premises shall be properly disposed of in an approved container. No trash or garbage may be deposited on any property, public or private.

→ **INOPERATIVE/ JUNK VEHICLES**

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at anytime be in state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

→ **SOUTH DAKOTA CODIFIED LAW**

As defined and governed by South Dakota state statutes:

SDCL 21-10-3 defines a public nuisance as one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal.

SDCL 21-10-5 Remedies against any nuisance are:

1. A civil action
2. Abatement; and
3. In cases of public nuisance only, the additional remedy of indictment or information as prescribed by statute and rules relating thereto.

SDCL 21-10-6 provides that a public nuisance may be abated without civil action by any public body or officer as authorized by law. Any municipality, county or township may defray the cost of abating a public nuisance by taxing the cost thereof by special assessment against the real property on which the nuisance occurred. If the nuisance abated is an unsafe or dilapidated building, junk, trash, debris or similar nuisance arising from the condition of the property, the municipality, county, or township may commence a civil action against the owner of the real property for its costs of abatement in lieu of taxing the cost by special assessment.