

## ORDINANCE 2015

An Ordinance titled: "Building Permit Ordinance"

Be it ordained by Charles Mix County as follows:

### Article I

#### **Authority and Application**

##### **Section 1 – Authority**

Pursuant to the authority granted by SDCL Chapter 7-8 the following regulations are hereby adopted by the County Commissioners of Charles Mix County, South Dakota.

##### **Section 2 – Statement of Purpose**

This ordinance is created for the purpose of:

- 1) To obtain vital information so that the County's 911 data may be properly maintained and updated so that emergency and first responder personnel may appropriately and timely respond to emergencies within Charles Mix County;
- 2) To provide the County with adequate information pertaining to new construction, and other information in order to maintain adequate and appropriate equalization information within the County.

##### **Section 3 – Application**

The provisions of this Ordinance shall apply to the entire County, except any city or organized township within Charles Mix County, which has an established building permit program in effect.

### Article II

#### **Director of Equalization Authority, Building Permit Regulations, Applications and Penalties**

##### **Section 1 – Director of Equalization Authority**

The Charles Mix County Director of Equalization Office shall have authority to formulate appropriate forms and procedures to implement this Ordinance and shall have, upon approval of the Charles Mix County Commissioners, the authority to amend such forms or procedures, from time to time, in order to carry out the purpose of this Ordinance. Procedures shall be implemented so that applications may be sent by mail to the Director of Equalization Office and building permits may be issued by mail upon receipt of properly prepared application and the required fee.

##### **Section 2 – Permit Requirements**

A building permit from the Director of Equalization Office shall be required for any residential, agricultural, commercial or industrial structure built or moved into Charles Mix County. A building permit is required for any remodeling, additions and other improvements made to an existing residential, agricultural, commercial or industrial structures in Charles Mix County. A building permit is also required for any new development of campgrounds and improvements added to the campground.

(Definition of **structure** for the purpose of this ordinance is: Anything constructed or erected from an assembly of materials, which requires a permanent location on or in the ground. Except providing water to livestock.)

A removal permit is also required to remove a structure by any of the following methods: moving, burning, and tearing down. There will be **NO FEE** for the removal permit. It is to the taxpayers benefit to acquire this permit in order for the Director of Equalization Office to properly remove such building from the tax rolls.

### **Section 3 – Fees and Costs**

The fees for building permits will be as follows :

\$5 for Centrally Assessed and Tax Exempt entities

\$10 – Any remodeling, additions, or other improvements to existing building sites

\$25- Establishment of a new building site

A removal permit is Free of Charge.

### **Section 4 – Application Procedures**

The applicant shall obtain the building permit application from the Director of Equalization Office or the Charles Mix County website. Upon completion of the application and payment of the established fee, the Director of Equalization Authority may issue a permit. Upon issuance of the building permit, the permit holder shall post the permit in a conspicuous place until the project is complete. The permit shall be valid for a period of one hundred and eighty (180) days from the date of issuance and construction shall start within this time period in order for the permit to remain valid until construction is complete. If construction is not started within the one hundred and eighty (180) day period from the date of issuance, the applicant shall receive an extension of the building permit upon request to the Director of Equalization Office and upon payment of an additional fee.

The building permit, upon issuance, shall be readily available for inspection at the construction site.

### **Section 5 – Penalties**

The individual or entity, that is required to obtain a building permit, who fails to obtain a building permit, will be in violation of the Ordinance. If construction has commenced prior to obtaining a building permit, there will be a penalty of \$100.

**Construction:** The starting of any physical improvements to land or structures.

## **Article III**

### **Severability**

The provisions of this Ordinance shall be severable, and if any provision hereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

Dated this 18<sup>th</sup> day of December, 2014

BY ITS CHAIRMAN

*Neil Wondolay*

ATTEST:

*Sherri Fuchs*

Sherri Fuchs

Charles Mix County Auditor

Those voting for:

*Neil Wondolay, Joel R. Soule, Keith Muehl*

Those voting against:

none

Those absent:

none

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