

# Information for Citation Appeals

**Citation Appeals Overview:** City citations can be appealed under the administrative appeals process set out in sections 30.040 to 30.046 of the Code of Ordinances of Sioux Falls.

1. Appeals are heard by an independent hearing examiner.
2. Appeals require a written notice either in person or postmarked within 15 days of citation issuance.
3. The City has a form available for use, but the form is not required. The following is required if not using the City form:
  - Reason for objection.
  - Amount and type of dispute and the time during which it occurred.
  - Name, mailing address, and phone number for the appellant.
  - The citation number.
  - A statement indicating whether the appellant desires an open or closed hearing. Hearings are presumed open to the public and closed hearings require good cause which must be presented to the hearing examiner.
  - If represented by a legal representative; name, address, and phone number of the representative is required.
  - A signature (appellant, legal representative, or corporate agent).
4. A processing fee of \$50 is required for each citation appealed. The processing fee is refunded if the appellant is successful.
5. A hardship waiver is available in lieu of the processing fee. The hardship waiver (a separate form) is filed simultaneously with the notice of appeal and approved by the hearing officer.
6. Appeal hearings are held within 30 days of filing.
7. Notice of hearing date, time, and location is provided within 15 days before the hearing from the City Attorney's Office.
8. Failure to appear at a hearing is deemed as waiving one's right to a hearing.
9. A written decision is provided within 15 working days of the hearing.
10. Hearing examiner decisions may be appealed to Circuit Court.

CITY OF SIOUX FALLS

**CITATION**

In the name of the City of Sioux Falls, The undersigned certifies that he/she has reasonable grounds to believe, and does believe that:

Location \_\_\_\_\_

Violation Details \_\_\_\_\_

Code Section(s) \_\_\_\_\_

**Violations**

1st: \$100<sup>00</sup>     2nd: \$200<sup>00</sup>     3rd or Subsequent: \$300<sup>00</sup>  
Additional citations may be issued each day for continuing violations.

Date Issued \_\_\_\_\_ Time \_\_\_\_\_ AM/PM

Officer (Print Name) \_\_\_\_\_

Officer Signature \_\_\_\_\_

**VIOLATOR INFORMATION**

Name \_\_\_\_\_ DOB \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

**WARNING**

Payment of the above civil penalty must be received by the Code Enforcement Division within ten (10) days of the issuance of this citation. Failure to request a hearing within ten days shall constitute a waiver of your right to an administrative hearing and an irrefutable presumption that a violation has occurred. It may result in the filing of legal proceedings in magistrate or circuit court or other available legal remedies to collect the civil penalty or correct the violation.

Signature only acknowledges receipt of citation and does not constitute an admission of guilt.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Payment of the civil penalty may be made in person at the Accounting window, third floor, Monday through Friday between 8:00 a.m. and 5:00 p.m., or by mailing a personal check, cashier's check, or money order in this envelope. **DO NOT SEND CASH.** Make checks payable to the City of Sioux Falls. A finance charge of 1.25 percent per month will begin accruing 30 days after the invoice date.

Posted

WHITE—Original    PINK—Officer    YELLOW—Accounting  
GREEN—Attorney    CARD—Violator

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City of Sioux Falls