

Minutes
Property Maintenance Board of Appeals
Council Chambers
Wednesday, June 6, 2012, 8 a.m.

Members Present

Dawn Clausen, Ron Rensberger and Dennis Tilden

Members Absent

Paul Flogstad and Wayne Kerslake

Guests Present

Jeff Stensaas, Kelly Boysen and Dan Hein

Approval of Minutes of Last Meeting

A motion was made by Mr. Rensberger and a second was made by Ms. Clausen to approve the minutes of the March 7th hearing. Yeses, 3. Noes, 0.

New Business

1. The file was opened for **Appeal No 2-2012**. Jeff Stensaas was present to request the review of the terms of a Notice of Demolition issued for the property located at 430 W. 7th Street. The secretary specified that on March 18, 2008 a Notice and Order was issued to Bert Hauk requiring repairs to a vacated single family rental located at 430 W. 7th Street. The Property Maintenance Board allowed more time to complete the code violations on May 7, 2008 to the Hauk family but required the property to be secured, the exterior trash removed and the lawn to be maintained. On August 8, 2008, the property was transferred to Jeffrey Stensaas who obtained a building permit to abate the code violations on August 28, 2008. Because no inspections were requested due to the lack of any activity on the property, the building permit was cancelled. As the time limits of the original Notice and Order are long past, a Notice of Demolition dated May 1, 2012 was issued which requires the property to be demolished by June 20, 2012. Mr. Stensaas specified that his intentions are to work on the outside of the structure during the summer and work on the inside during the winter. The dwelling is secured from entry but to date has been registered as a vacant building required per ordinance. He said that he intends to remove the porch, install new shingles on the roof and either paint or reside depending on the existing siding.

A motion was made by Mr. Tilden and a second was made by Mr. Rensberger to delay the terms of the Notice of Demolition subject to the completion of the installation of a new roof covering which will be required to be completed by September 1, 2012 with the remaining exterior work which consists of either painting and/or siding and windows to be completed by November 30th, 2012. The motion carried. Yeses, 3. Noes, 0.

2. **Review the pending grass and weed ordinance.** The Board was presented with a pending ordinance which inserts a new Section 113, Assessments and revises Section 302.4 Weeds of the Property Maintenance Code. The ordinance transitions the authority of the nuisance grass and weed ordinance from the Parks and Recreation Department to the Property Maintenance division of Building Services who has administered the program since the spring of 2011. This ordinance removes the language regarding nuisance vegetation from Chapter 42 of the Revised Ordinances of the City of Sioux Falls and places language in Section 11-76 which are the local modifications to the Property Maintenance Code. The remaining portion of the ordinance, Chapter 42, pertains to the Parks and Recreation Department. The following is a summary of revisions to the Property Maintenance Code:

Chapter 11-76 Section 113 Special Assessments (*International Property Maintenance Code*). This takes the current language found in Chapter 42 regarding special assessments and places it into the Property Maintenance Code. This section defines the process for assessing a property owner that fails to comply and does not pay for the costs incurred by the City to abate the nuisance.

Chapter 11-76, Section 302.4 Weeds (*International Property Maintenance Code*). Section 302.4 Weeds of the Property Maintenance Code, previously referenced Chapter 42 and the Parks Department as it relates to abatement of nuisance weeds and grass. Sections 302.4 through 302.4.2 incorporates the language in the *International Property Maintenance Code* and what was in Chapter 42 regarding weeds and grass. These criteria establish the maximum heights for grass and declare noxious weeds as a nuisance and provide a mechanism for the abatements of such nuisances. This section also defines that the ordinance does not apply to gardens, livestock pastures, wild flower displays and additionally has been modified to clarify that right-of-way of rural section roads is exempt from the ordinance, as well as clarifying the requirements of maintenance of undeveloped areas.

A motion was made by Ms. Clausen and a second by Mr. Rensberger to recommend that the ordinance be presented to the City Council. Motion passed unanimously.

Adjournment

A motion was made to adjourn.

Ron Bell
Secretary