



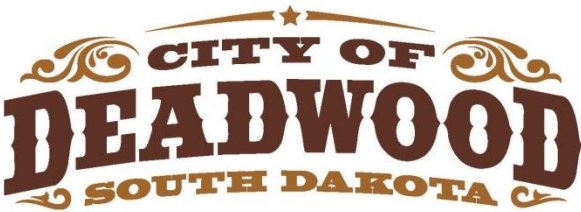
Property Maintenance Board of Appeals Agenda

Wednesday, January 29, 2025 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. **Call to Order**
2. **Roll Call**
3. **Items from Staff**
 - a. Swear in Property Maintenance Board of Appeals Members.
 - b. Overview of the Board of Appeals for Property Maintenance to include:
 1. Notice of Non-Compliance
 2. Appeal Form
 3. Appeal Process
 - c. Review and adopt By-Laws for Board of Appeals Property Maintenance.
4. **Adjournment**

DEADWOOD CITY HALL
102 Sherman Street
Deadwood, SD 57732



Telephone (605) 578-2600
Fax (605) 578-2084

MEMORANDUM

Date: January 29, 2025
To: Board of Appeals, Property Maintenance
From: David R. Ruth, Jr., Mayor
Re: Board of Appeals, Property Maintenance Appointments and Terms

The Deadwood City Commission has adopted the International Property Maintenance Code, 2021, and amendments or additions thereto, as published by the International Code Council.

As part of these code requirements, the City of Deadwood shall establish a Board of Appeals, Property Maintenance. The Board of Appeals shall consist of five (5) members appointed by the Mayor and approved by the City Commission. The appointments shall be staggered and made up of the City Commissioner of Parking and Transportation, two (2) Planning and Zoning Commissioners, and two (2) Historic Preservation Commissioners.

As Mayor, I am recommending the following individuals with their respective terms to the City of Deadwood’s Board of Appeals.

- Mr. Michael Johnson**, Deadwood, South Dakota
City Commissioner, Parking and Transportation Expires June 1, 2026
- Mr. David Bruce**, Deadwood, South Dakota
Commissioner, Planning and Zoning Expires June 1, 2026
- Mr. Josh Keehn**, Deadwood, South Dakota
Commissioner, Planning and Zoning Expires June 1, 2027
- Ms. Anita Knipper**, Deadwood, South Dakota
Commissioner, Historic Preservation Expires June 1, 2027
- Mr. Trevor Santochi**, Deadwood, South Dakota
Commissioner, Historic Preservation Expires June 1, 2026

As Mayor of the City of Deadwood, I am hereby requesting concurrence with the above appointments and respective terms for the City of Deadwood’s Board of Appeals, Property Maintenance.

OATH OF OFFICE

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE
CITY OF DEADWOOD

I, _____, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of South Dakota, and the Charter and Ordinances of the City of Deadwood; that I will faithfully, honestly, and impartially discharge my duties as a member of the Board of Appeals, Property Maintenance.

City Official

Subscribed and sworn to me before this _____ day of _____, 20_____.

City Attorney

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



Trent Mohr
Building Inspector
Telephone (605) 578-2082
Trent@cityofdeadwood.com

NOTICE OF NON-COMPLIANCE

Click or tap to enter a date.

Name
Address
Address

Re: Property Address

Dear Name,

This notice is regarding a violation of the 2021 International Property Maintenance Code as adopted by the City of Deadwood. This violation pertains to the property legally described as:

legal description.

Further information regarding the applicable Code Violation is below:

| | |
|----------------------|-------------------------------|
| PROPERTY ADDRESS: | address |
| REASON FOR NOTICE: | Choose an item. |
| IPMC CODE VIOLATION: | Choose an item. |
| REQUIRED RESOLUTION: | Choose an item. |
| RESOLUTION DEADLINE: | Click or tap to enter a date. |

FURTHER COMMENTS: *type comments here or delete if not applicable*

Failure to comply with this order shall cause the City to abate the nuisance under the authority of Chapter 8.16 of the City of Deadwood Ordinances and South Dakota Codified Law 21-10 and is subject to misdemeanors and penalties pursuant to South Dakota Codified Law 22-6-2. Any action taken shall be charged against the property referred to in this notice in the form of a lien upon such real estate.

If you feel that the items identified in this letter are not out of compliance with the IPMC, you may complete and return the enclosed Notice of Non-Compliance Appeal form. The form must be received by our office within twenty (20) days of receipt of this notice.

Thank you for your cooperation in addressing the situation in a timely manner and I look forward to working with you on the repair and improvements to your property.

Thank you,

Trent Mohr, Building Inspector

Cc: Name



NOTICE OF NON-COMPLIANCE APPEAL FORM

Property Owner Name:

Property Address Subject to Appeal:

Property Owner's Permanent/Mailing Address (if different from above):

Phone: _____ Home Work Mobile

Email:

Property Status: Occupied Vacant

Property is occupied by: Owner Residential Tenant Commercial Entity Vacant

Do you intend to make repairs to this property? Yes No

If yes, please describe the intended repairs:

Date you expect repairs to be completed:

Please explain the reason for your appeal:

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-
2082
Fax (605) 578-2084



TRENT MOHR Section 3 Item b.
Building Inspector
Dept. of Planning & Zoning
Telephone: (605) 578-
2082
Fax: (605) 578-2084

Property Owner Signature

Date

DRAFT

**CITY OF DEADWOOD BOARD OF APPEALS
FOR PROPERTY MAINTENANCE
BY-LAWS**

Article 1: Membership of the Board

The Board of Appeals for Property Maintenance shall consist of five (5) persons appointed by the Mayor and approved by the City Commission. Membership of the board shall consist of the City Commission liaison for the Parking and Transportation Department, two (2) members of the Planning & Zoning Commission, and two (2) members of the Historic Preservation Commission. Under no circumstances shall an employee of the City of Deadwood be a voting member of the Board. The initial terms shall be staggered. If a vacancy occurs during a term of appointment, the vacancy shall be filled for the length of the unexpired terms. Members of the Board may be reappointed at the conclusion of the term.

Article 2: Chairperson of the Board

In the month of June of each year, the Board shall select one of its members as Chairperson and one as vice Chairperson, who shall serve one year or until their successors have been selected. In the absence of the Chairperson, the Vice Chairperson shall act as Chairperson on the Board. Appointments shall initially be at staggered terms for three (3), two (2), and one (1) year terms.

Article 3: Clerk of the Board/Records

The Building Official or his or her representative shall act as a Clerk of the Board. The Clerk shall keep all the records of the Board as required by South Dakota Law. The Clerk shall keep a minute book which shall be maintained to date. The Clerk shall enter the number of the appeal, the name of the applicant, a description of the street number or legal description of the premises, the nature of the application, and the final disposition of the case.

The Clerk shall, under the direction of the Board and Chairperson, conduct all correspondence of the Board; send out all notices required by these rules and at the order of the Board; attend all meetings of the Board and all hearings; review all appeals and applications for variations for compliance with the Board's rules; keep the minutes of the Board's proceedings; comply with all the required records; shall maintain the necessary files and indexes and generally supervises all of the clerical work of the Board; and retain in the records the original papers acted upon by the Board.

The Clerk shall see that all maps, plans, and specifications are properly prepared, make a personal inspection of any premises involved, research codes standards, seek legal or professional opinions, and be prepared to advise the Board.

The Clerk shall obtain from the application such additional information and data as may be required to fully advise the Board with reference to any appeal, product, or method. Failure or

refusal on the part of the applicant to provide such additional information shall be grounds for denial by the Board.

Article 4: Meetings of the Board

Upon the Clerk receiving an application for appeal and filed with the Clerk within twenty (20) days of the notice of the violation, a meeting shall be scheduled to occur within twenty-one (21) days of receipt of the application for appeal. Three (3) members of the Board shall constitute a quorum for the transaction of business. All meetings will be conducted according to an informal interpretation of Robert's Rules of Order.

Article 5: Notice of the Meeting

The scheduled meetings shall be posted at least twenty-four (24) hours prior to the scheduled meeting.

Article 6: Open Meetings

All hearings before the Board shall be open to the public. The Appellant, the Appellant's representative, the Building Official, and any person whose interest are effected shall be given an opportunity to be heard.

Article 7: Postponement of Hearing

When the five (5) voting members are not present to hear an appeal, either the Appellant or Appellant's representative shall have the right to request a postponement of the hearing.

Article 8: Action by Resolution

The final disposition of any appeal shall be in the form of a resolution affirming, modifying, or reversing any decision by the Building Official by a concurring vote of two-thirds ($\frac{2}{3}$) of the Board's members.

The final disposition of any appeal shall contain written findings of fact.

Article 9: Compensation

Members present at a scheduled meeting shall receive thirty-five (\$35.00) dollars as compensation for their time.

Article 10: Amendment

These rules may be amended by resolution at any meeting of the Board.

Adopted this ____ day of _____, 2025.

Chairperson