
ORDINANCE NO. 742**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 22
OF THE CITY OF BOX ELDER MUNICIPAL CODE**

WHEREAS, the City of Box Elder seeks to enhance the clarity and consistency of its ordinances through periodic review; and

WHEREAS, the City of Box Elder has reviewed the entirety of its municipal code so that amendments might be made to improve the clarity and consistency of various sections.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Box Elder, that the following Sections of Chapter 22 of the City of Box Elder Municipal Code be amended to read as follows:

Chapter 22. NUISANCES**ARTICLE III. NUISANCE VEGETATION****Sec. 22-78. Notice Of Violation And Order To Abate.**

In the case of any overgrown vegetation, upon service of the notice, the landowner shall have five (5) days in which to remove the violation. Such notice shall provide that each owner, occupant, or person in charge of any lot within the city shall cut and remove all noxious weeds and keep grass and other weeds cut as to prevent aforementioned problems from occurring.

Sec. 22-79. Removal of Vegetation By The City.

If the owner of the property fails to remove or cut vegetation within the time allowed, the city may cause vegetation to be removed at the owner's expense. The city's staff or a designated contractor may enter upon the property for the purpose of removing the violation. One such notice may be sufficient for each growing season.

ARTICLE IV. OBSCENITY.**Sec. 22-106. Abatement of Nuisances Authorized.**

In addition to the specific penalties provided in this article, it is declared that any building, portion of a building, or enclosed place regularly used for the prohibited display of public nudity is a public nuisance, subjecting the owner, proprietor or other operator thereof to any and all actions authorized by the Laws of South Dakota for the abatement of public nuisances.

PASSED AND APPROVED ON FIRST READING this 2nd day of January, 2024.

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 16th day of January, 2024.

Larry Larson

Larry Larson, Mayor

ATTEST:

Nicole Schneider

Nicole Schneider, Chief Financial Officer, City Administrator

(SEAL)



ATTESTATION

I, Chaz Kokesh, the City Clerk of the City of Box Elder, South Dakota, do hereby attest and state the above ordinance was published on: January 25 2024 in the manner required by law and that all procedures required by the State of South Dakota law were complied with. This ordinance shall become effective on the twentieth day after its publication, that date being: February 14 2024.

Chaz Kokesh

Chaz Kokesh, City Clerk