

## ORDINANCE 1498

### **AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV, LAND USAGE; CHAPTER 155, ZONING REGULATIONS; SECTION 155.099 BUILDING PERMITS AND FEES, (A) BUILDING PERMITS AND (C) EXPIRATION OF A BUILDING PERMIT; TO REMOVE PORTIONS COVERED IN CHAPTER 150: BUILDING REGULATIONS**

**BE IT ORDAINED**, by the Governing Body of the City of Vermillion, South Dakota that the City of Vermillion Code of Ordinances Title XV, Section 155.099 Building Permits and Fees, (A) Building Permits and (C) Expiration of a Building Permit be amended to remove portions covered in Chapter 150: Building Regulations. All other portions of Section 155.099 Building Permits and Fees will remain as they are. Following are the amendments:

(A) Building permits. No new development, change of use, moving in/moving out of structures, demolition, or other action which may be regulated by the provisions of this chapter including use, height, and number of occupants, lot area, off-street parking or yard requirements, shall occur without a building permit issued by the Building Official as required in Chapter 150: Building Regulations.

(1) Any additional information, as requested by the Zoning Administrator, as lawfully may be required to determine conformance with and provide for the enforcement of this chapter.

(2) A temporary building permit may be issued by the Zoning Administrator for a period not exceeding 180 days during alterations or partial occupancy of a building pending its completion. The Zoning Administrator may attach conditions and safeguards to the temporary permit to protect the safety of the occupants and the public.

(3)(a) If the Zoning Administrator determines the proposed action would not be in compliance with the provisions of the zoning regulations, a building permit may not be issued, except upon completion of one of the following processes established in the zoning regulations, as may be applicable to the proposed action. The Zoning Administrator shall inform the applicant when one of the following processes may be applicable:


1. Variance.
2. Conditional use.
3. Amendment.
4. Appeal.

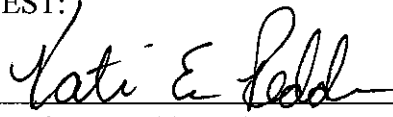
(b) Issuance of a building permit shall indicate that, in the opinion of the Zoning Administrator, the proposed use and/or alterations of existing use are in compliance with the requirements of these zoning regulations. Issuance of a building permit shall not be construed as waiving any provisions of these regulations. Proposed uses and/or alterations of existing uses that are not in compliance with the requirements of these zoning regulations shall not be issued a building permit.

(B) Fees. A schedule of fees, charges, and expenses for permits, change of zone, appeals, and other matters pertaining to this chapter shall be established by resolution of the City Council. The current fee schedule shall be available from the Zoning Administrator. All fees shall be the property of the city and shall be paid over to the Zoning Administrator for credit to the general fund of the city, which under no condition shall be refunded. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Dated at Vermillion, South Dakota this 2<sup>nd</sup> day of January, 2024

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY   
Jonathan D. Cole, Mayor

ATTEST:  
BY   
Katie E. Redden, Finance Officer

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