

AN ORDINANCE DEFINING PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION OF THE SAME

ORDINANCE NO. 187

Be it ordained by the City Council of the City of Alexandria:

- Sec. 1. All buildings within the City of Alexandria, South Dakota, which shall be damaged by fire, decay or otherwise to an extent of Fifty percent or more their value, are hereby declared to be a public nuisance and shall be torn down or removed.
- Sec. 2. All wells, cisterns, vaults or open pits, unless the same shall be covered by a good, safe and substantial cover made of iron or lumber, and securely fastened in such a manner that it cannot be easily removed by children or unless the same are enclosed by a high board fence or other substantial enclosure at least five feet high, is hereby declared to be a nuisance and shall be filled in or closed so as to be safe for the public.
- Sec. 3. Determination of the amount of damage or decay, etc., to any building in said City shall be determined by the City Council, the Council shall file its findings in writing with the City Auditor and when such findings have been filed with the City Auditor, and it shall appear therefrom that any building has been damaged or decayed to the extent set forth, it shall be the duty of the Chief of Police to serve notice in writing on the owner or person in possession of said building requiring him to tear down or remove the same within thirty days after the serving of such notice.
- Sec. 4. If the owner or person in possession of the building shall fail to remove or abate the same within the time set forth in the notice, it shall be the duty of the Chief of Police to remove the said building and the cost of removal or abating shall be collectable from the owner or the person in possession and shall be a first lien on the real estate, building or material from said building.
- Sec. 5. It shall be the duty of the Chief of Police to serve a notice on a person who shall have an unprotected well, cistern or other open pit to abate said nuisance within ten days after serving of said notice. If the person shall fail to abate said nuisance within the time herein fixed, it shall be the duty of the Chief of Police to close said well, pit or cistern.
- Sec. 6. No person shall maintain or allow upon his property any nuisance hereinbefore defined and described and any person violating the same shall be punished by a fine of not less than \$25.00 nor more than \$100.00 and be imprisoned in the County Jail for not more than thirty days or by both such fine and imprisonment.
- Sec. 7. All Ordinances in conflict herewith are hereby repealed.

First reading: May 21, 1958

Second reading: June 2, 1958

Passes and approved June 2, 1958.

George A. Smith, Jr.
Mayor