AGENDA
Mobridge City Council - Regular Meeting
Monday May 9, 2018 5:30 P.M. - Mobridge City Hall

1) **Call to Order & Roll Call**

2) **Pledge of Allegiance**

3) **Approve Minutes**
   - April 11, 2018 Regular Meeting [1]

4) **Unfinished Business**
   - Approve 2nd reading Ordinance No. 965, meeting day change [2]
   - Drinking Water Awards
   - Strategic Priorities Checklist

5) **Adjournment**

6) **Swearing In of New Council**
   - Signing of the Council Code of Conduct [3]

7) **Call to Order & Roll Call**

8) **Adopt Agenda**

9) **Elect President & Vice President**

10) **Public Forum and Visitors*****

11) **Dept. Head Reports**
   - **Code Enforcement, Officer Cindy Rische**
     - April Building Permit report [4]
   - **Police Department, Chief Shawn Madison**
     - Approve step increase for dispatcher Liz Ford increasing her wage from $14.28 to $14.60/hour eff 5/14/18
     - Approve step increase for dispatcher Carrie Getz increasing her wage from $19.27 to $19.52/hour eff 4/30/18
     - Approve step increase for Officer Nate Pepin increasing his wage from $20.30 to $20.64/hour eff 2/5/18
   - **Water/Wastewater, Superintendent Kurt Schmaltz**
     - Approve 1st reading Ordinance No. 967, water [5]
   - **Library, Director Karla Bieber**
     - Approve hiring Mark Walther as student librarian at $8.85 per hour
     - Approve Atrium Agreement [6]

12) **New Business**
   - Approve Mayor's appointment to Ward 3 council seat Jade Mound
   - Approve Mayor appointments [7]
   - Public hearing and approval of revoking pawnbroker's license – Mobridge Pawn [8]
   - Approve 1st reading Ordinance No. 966, nuisance [9]
   - Approve Resolution 18-03, Banking Authorization [10]
   - Approve Street Superintendent hire Ryan Enderson at $22.07 per hour
   - Approve Pay Request No. 1 for the Scherr Howe bathroom project [11]
   - Approve malt beverage license renewals [12]
   - Approve temporary liquor/malt beverage licenses [13]
   - Approve seasonal hires [14]

13) **Discussion and Information Item**

14) **Approval of Travel Requests**

15) **Payment of Bills**

16) **Adjournment**

**** The Public Forum and Visitors section offers the opportunity for anyone not listed on the Agenda to speak to the Councilpersons concerning important topics. The time will be limited to 5 minutes in length.*

****No action will be taken on items not on the Agenda.*

MOBRIDGE CITY COUNCIL
REGULAR MEETING
April 11, 2018

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Wednesday, April 11, 2018 at 5:30 PM. Mayor Jamie Dietterle, City Administrator Christine Goldsmith, City Attorney Austin Hoffman, and the following council persons were present: Cox, Laundreaux, Quaschnick, O'Connell, Yellow Boy, and Carlson. Finance Officer Heather Beck was absent.

AGENDA:
The agenda was approved on a motion by Yellow Boy, second by Quaschnick.

MINUTES:
Moved by Yellow Boy, second by O'Connell and carried, to approve the minutes from the March 14, 2018 regular meeting. Carlson abstained.

Moved by Cox, second by Carlson and carried, to approve the minutes from the March 19, 2018 equalization meeting. Yellow Boy abstained.

DEPT HEAD REPORTS:
Zoning – Cindy Rische: A quarterly nuisance report was given to the Council.
BUILDING PERMITS – The following building permits were approved and issued by the Zoning Officer for the month of March: Kyle Jensen – 1009 8th Avenue West – removal of interior walls and renovations; Kim Ulmer – 414 1st Avenue West – removal of existing foundation and backfill; Adam Hohle – 701 2nd Street E – construct attached 30' X 60' garage; Family Worship Center – 1708 West Grand Crossing – construct 32' X 40' garage.
CLEAN UP WEEK – Rische informed the Council that Clean Up Week will be May 21st – 26th, 2018. She proposed offering the Neighbors In Need program again to assist residents in moving heavy waste. Moved by Cox, second by Quaschnick and carried, to approve the Neighbors in Need program and waiving rubble site and yard waste dumpster fees for Clean Up week.

Police Dept – Chief Shawn Madison:
UPDATE – Madison updated the Council on the police activity statistics for 2017.
K9 VEHICLE PURCHASE - Moved by Yellow Boy, second by O'Connell and carried, to approve the purchase of a used K9 Vehicle with grant funds not to exceed $19,000 plus travel and graphics.

Water/Wastewater – Superintendent Kurt Schmaltz
WATER PLANT VALVES – Moved by O'Connell, second by Carlson and carried, to approve the purchase of actuator valves at a cost of $7,293 includes installation.
HYDRANTS – Moved by O'Connell, second by Quashnick and carried, to approve purchase of hydrants in the amount of $12,691.26.

UNFINISHED BUSINESS:
1ST READING ORDINANCE NO. 965, MEETING DAY CHANGE – Moved by Carlson, second by Yellow Boy and carried, modify the meeting times of the city council.

ORDINANCE NO. 965

AN ORDINANCE ENTITLED: AN ORDINANCE REVISING TITLE 1 OF CHAPTER 1 SECTION 2-2 MEETINGS, OF THE REVISED ORDINANCES OF THE CITY OF MOBRIDGE, SOUTH DAKOTA MODIFYING THE MEETINGS TIMES OF THE CITY COUNCIL.

BE IT ORDAINED by the City of Mobridge, SD:

That Title 1, Chapter 1, SECTION 2-2 Meetings of the Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

1-2-2 Meetings

Regular meetings of the governing body shall be held in the City Hall on the second Tuesday of each month at the hour of 5:30 P.M. This schedule may be subject to change in the case of a conflicting holiday. Special meetings may be called at any time by the Mayor to consider such matters as may be mentioned in the call for the meeting.

NEW BUSINESS:

CANVASS OFFICIAL ELECTION – Mayor Dietterle appointed Hoffman, Quashnick, and Cox to canvass the election. The Board of Canvassers confirmed that the poll book and tally sheets matched. Moved by O'Connell, second by Carlson and carried, to approve the canvass below:

Landreaux	Jackson
88	50

AGREEMENT WITH KLJ FOR SURVEY – Moved by O'Connell, second by Laundreaux and carried, to approve the agreement with KLJ for survey work on 9th Avenue.

STEP INCREASE – Moved by Carlson, second by Cox and carried, to approve a step increase for Properties Manager Ted Ford increasing his hourly wage from $16.38 per hour to $16.81 per hour.

STEP INCREASE – Moved by Carlson, second by Laundreaux and carried, to approve a step increase for Librarian Custodian Mark Fuhrer increasing his hourly wage from $12.19 per hour to $12.54 per hour.

SURPLUS EQUIPMENT – Moved by Yellow Boy, second by Laundreaux and carried, to approve surplusing the tree space and pull-behind broom.

BID FOR CHIP SEAL PROJECT – Moved by Carlson, second by O'Connell and carried, to approve the bid from Jensen Rock & Sand for chip sealing 50 city blocks at $1.43 per sq yd, approximately $117,260 including excise tax.

ARBOR DAY PROCLAMATION – Moved by O'Connell, second by Cox and carried, to approve April 27, 2018 as Arbor Day in Mobridge. Properties Manager Ted Ford accepted the Tree City USA Growth Award for outstanding contributions by the City Parks Department.

DISCUSSION AND INFORMATION ITEMS:

LEAF AND GRASS DUMPSTER – Dumpster will be available behind city hall again for yard waste cleanup, cost is $5 sm load and $10 lg load.

UPDATE ON SCHERR HOWE PROJECT – Goldsmith reported that the asbestos contractor has completed their removal work and the general contractor has begun the demo phase of the project.

COMMUNITY GARDEN – O'Connell spoke about starting a community garden program for residents to use public land for vegetable gardens. He requested interested residents to contact him or City Hall; if sufficient interest is generated, a proposed program will be presented at a future meeting.

TRAVEL:

Moved by Quaschnick, second by O'Connell and carried, to approve Ryan Enderson to Aberdeen Apr 25, 2018 for West Nile workshop.

Moved by Yellow Boy, second by Laundreax and carried, to approve Tonya Ducheaneaux to Rapid City Apr 16-17 for NIBRS training.

PAYMENT OF BILLS:

Moved by Yellow Boy, second by Cox and carried, to approve the following bills for payment: AB Supplies, supplies-357.78; AED Superstore, equipment-177.00; AFLAC, insurance-917.66; Alex Air Apparatus-426.58; Bestway Traffic Supplies, supplies-100.00; Carla Lang Estate, prof services-15,309.18; Carol Godkin, travel-84.00; Center Point, books-46.74; Central Diesel, repairs/tires-7,147.53; Century Link, utilities-1,239.70; Chamber of Commerce, prof services-10,473.82; Clerk of Courts, garnishment-600.00; Country Inn, travel-307.14; Deputy Finance Officer, postage-11.90; Dish TV, utilities-28.02; Eisemann Building Products, supplies-146.40; Environmental Resources Assoc, chemicals-349.51; Ethanol Products, chemicals-1,907.34; Fair Manufacturing, repairs-1,050.00; Fisher Scientific, chemicals-994.46; Fleet Services, gasoline-1,342.49; GTC Auto Parts, vehicle maint-364.91; Giengers Supply, supplies-495.00; Great Western Bank, payroll taxes-26,498.32; Hawkins, chemicals-576.00; Heartland Waste, prof services-20,272.50; Highpoint Networks, software-2,417.96; Hoffman Law Office, prof services-1,237.50; Homestead Building Supplies, supplies-144.79; Ingram, books-306.73; Kiesler's Police Supply, glocks grant purchase-1,257.00; Larry's Lock & Key, prof services-10.00; MDU, utilities-18,607.54; Marco, Inc, copier-235.12; Merkels' Foods, supplies- 32.51; Metering & Technology, meters-132.98; Mickey Schultz, refund-16.26; Midco, utilities-105.00; Minnesota Valley Testing, water samples-120.00; Mobr Mfg, repairs-(374.62); Mobr Tribune, supplies/publishing-727.25; Napa Auto Parts, supplies/repairs-478.44; Office Depot, supplies 98.65; Office of Child Support,garnishment-553.84; Payless Foods, supplies-32.19; Plunkett's, repairs-59.66; Powerphone, prof services-1,645.00; Premier Equipment, supplies/repairs-2,097.54; RDO Communications, supplies-28,850.00; Redwood Toxicology, prof services-427.50; Rees Communications, supplies-31.96; Ron's Repair, tires-80.00; Runnings, supplies-727.15; SD Dept of Revenue, water samples-424.00; SD Police Chief's Assoc, travel-85.00; SD Retirement, retirement-14,750.74; SD Treasurer, sales tax-1,640.02; SDML Work Comp, insurance-2,511.00; SDRS Supplemental Retirement, retirement-150.00; Sanitation Products, repairs-220.08; Schools In, supplies- 495.54; Servall, supplies-28.74; Sioux Corp, repairs-1,050.79; Slater Oil, diesel/propane-4884.05; Staci Wilson, travel-95.00; State Chemical, supplies-244.28; Ted Ford, travel-10.86; Tyler Hearnen, prof services-3,950.00; US Bank, loan pymts-45,349.40; US Post Office, postage-883.10; USDA-Rural Dev, loan pymt-2,925.00; Verizon Wireless, cell phone-435.05; Vesco, repairs-150.00; Vicki Berg, travel-9.62; Walker Process Equip, repairs-4,907.76; Walworth County Treasurer, other-21.20; Western Communications, supplies-523.05; Western Equipment, mower lease-1,004.09.

Salaries: Administration-8,921.90; City Administrator-4458.70; Police Dept-58,915.52; Fire Dept-550.00; Street Dept-10,712.45; Regulation & Inspection-2,289.60; Park Dept-3,535.58; Library-6,234.94; Auditorium-326.16; 24/7-582.39; Water Dept-13,567.49; Sewer Dept-9,858.00.

EXECUTIVE SESSION – Moved by O'Connell, second by Cox and carried, to adjourn into executive session for legal reasons at 6:14 pm.

Moved by Laundreaux, second by Yellow Boy and carried, to reconvene at 6:38 PM. No action was taken.

There being no further business to come before the council, the meeting adjourned at 6:38 PM on a motion by Laundreaux, second by Yellow Boy and carried.

Heather Beck, Finance Officer
Published once at the total approximate cost of $

Jamie Dietterle, Mayor

ORDINANCE NO. 965

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APPROVED:

ATTEST: _____
Mayor

_____
Finance Officer
Passed First Reading: _____
Passed Second Reading: _____
Approved: _____
Published: _____
Effective: _____

Organization Code of Conduct
City of Mobridge, SD

Purpose: The Mobridge City Council adopts this Code of Ethics and Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of City government:

Act in the Public Interest – members will work for the common good of the people of Mobridge and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them. Members shall support a positive and constructive work place environment for employees and for citizens and businesses dealing with the City.

Conduct of Members - Members shall refrain from abusive conduct or verbal attacks upon other members of Council, Boards and Committees, the staff, or public, both in person and in writing, including use of email and social media. Members shall work within the chain of command in the City's organizational structure by focusing on setting the policies and ordinances of the City. Members shall not interfere with the administrative functions or professional duties of City staff or impair staff in implementing council decisions. Members shall not use their position to unduly influence the deliberations or outcomes of Board and Committee proceedings.

Decisions Based on Merit - Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts peculiar to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts.

Conflicts of Interest - Members shall not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) a personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias. A member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the Mayor and/or City Attorney to analyze the potential conflict, which may include recusal from the decision.

Gifts Entertainment and Favors - Members shall not take advantage of services or opportunities for personal gain that is not available to the public in general (i.e., staff time, equipment use, supplies, or facilities). They shall refrain from accepting any gifts, entertainment, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

Confidential Information - Members must maintain the confidentiality of all written and electronic materials and verbal information provided to members which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information for their personal, financial or other private interests.

For ease of reference the term "member" refers to any member of the City Council, Appointed positions, City Boards and Committees established by City ordinance or Council policy.

CONDUCT GUIDELINES

The Conduct Guidelines are designed to describe the manner in which elected and appointed officials should treat one another, City staff, constituents, and others they come into contact with while representing the City of Mobridge.

Elected and Appointed Officials' Conduct with Each Other in Public Meetings

Elected and appointed officials are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. All have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue.

(a) *Honor the role of the chair in maintaining order*
It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should respect efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason.

(b) *Practice civility and decorum in discussions and debate*
Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a democracy in action. Free debate does not require nor justify, however, belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.

(c) *Demonstrate effective problem-solving approaches*
Members have a responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Elected and Appointed Officials' Conduct with the Public in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

(a) *Be welcoming to speakers and treat them with care and respect.*
While questions of clarification may be asked, the official's primary role during public testimony is to listen.

(b) *Be fair and equitable in allocating public hearing time to individual speakers.*
The chair will determine limits on speakers at the start of the public hearing process.

(c) *Maintain an open mind*
Members of the public must be given the opportunity to influence the thinking of elected and appointed officials.

Elected and Appointed Officials' Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials who set policy, appointed officials who advise the elected, and City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

(a) *Treat all staff as professionals*
Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected.

(b) *Do not disrupt City staff from performance of their duties*
Elected and appointed officials acting in their individual capacity should not attempt to influence City staff on the making of decisions, prioritizing work, inquiries into job applications, or granting of City licenses and permits. Elected and appointed officials should not disrupt City staff while they are performing their job functions in order to have their individual needs met.

(c) *Providing input about an individual employee*
Elected and appointed officials should not express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Mayor or City Administrator through private conversation or email and will be addressed through the chain of command.

(d) *Do not solicit political support from staff*
Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, etc.) from City staff.

Council Conduct with Boards and Committees

The City has established several Boards and Committees as a means of gathering more community input. Citizens who serve on Boards and Committees become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

(a) *If attending a Board or Committee meeting, be careful to only express personal opinions*
Councilmembers may attend any Board or Committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual or business – could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board or Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

(b) *Limit contact with Board and Committee members to questions of clarification*
It is inappropriate for a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

(c) *Be respectful of diverse opinions*
A primary role of Boards and Committees is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on Boards and Committees, but must be fair and respectful of all citizens serving on Boards and Committees.

SANCTIONS

(a) *Acknowledgement of Organization Code Conduct*
Councilmembers who do not sign an acknowledgement that they have read and understand the Organization Code of Conduct shall be ineligible for Council committee assignments. Board and Committee members who do not sign an acknowledgement that they have read and understand the Organization Code Conduct are not eligible to continue their appointment.

(b) *Behavior and Conduct*
The Organization Code of Ethics and Conduct expresses standards of conduct expected for members of the Mobridge City Council, Boards and Committees. Members themselves have the primary responsibility to assure that the standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of Boards and Commissions, the Mayor, and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Organization Code of Conduct are brought to their attention.

Councilmembers:
Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments or other privileges afforded by the Council. Serious infractions of the Organization Code of Conduct could lead to other sanctions as deemed appropriate by the Council.

Individual Councilmembers should point out to the offending Councilmember perceived infractions of the Organization Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being questioned, then the matter should be referred to the Council President. It is the responsibility of the Mayor (or Council President) to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor (or Council President), then the alleged violation(s) can be brought up with the full Council.

Board and Committee Members:
Counseling, verbal reprimands and written warnings may be administered by the Mayor to Board and Committee members failing to comply with Organization Code of Conduct. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective Board or Commission and the City Council.

The City Council may impose sanctions on Board and Commission members whose conduct does not comply with the Organization Code of Conduct, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of a quorum of the Council at a public meeting.

When deemed warranted, the Mayor or majority of Council may call for an investigation of Board or Commission member conduct. Also, should the City Administrator or City Attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor

or Council shall ask the City Administrator or the City Attorney to investigate the allegation and report the findings.

These sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law.

IMPLEMENTATION

The Organization Code Conduct is intended to be self-enforcing and is an expression of the standards of conduct for members expected by the City. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations for candidates for City Council, applicants to Board and Committees, and newly elected and appointed officials. Members entering office shall sign a statement (example below) acknowledging they have read and understand the Organization Code of Conduct. In addition, the Organization Code of Conduct shall be periodically reviewed by the City Council, Boards, and Committees, and updated it as necessary.

I affirm that I have read and understand the City of Mobridge Organization Code of Conduct for Elected and Appointed Officials.

_____ _____

Signature Date

4.

MOBRIDGE
BRIDGE CITY

MONTHLY BUILDING REPORT

April 2018

NAME	ADDRESS	PROJECT	ESTIMATE	FEE
Kim Bender	114 2nd Ave East	30' x 90' garage	$20,000	$29
Marilyn Reimer	804 1st Ave West	Fence	$500	$10
Yvonne Haefner	708 4th Ave West	New windows	$1,000	$10
Merle Lutz	203 11th Ave East	Fence	$300	$10
Mike Zimoski	10 6th Ave East	Demolition of house	$11,000	$20
Harley Robbins	1411 Sunset Avenue	New door in garage	$600	$10
Trinity Lutheran Church	918 1st Ave East	New pitch on north wing	$42,000	$51
Lisa Morrison-Briggs	617 2nd Ave East	Fence	$350	$10
James Cerney	112 7th Ave West	Fence	$1,500	$11
Llewelyn Kuehl	921 3rd Ave East	Roof on deck	$500	$10
TOTAL 10			**$77,750**	**$171**

ZONING MEETING

DATE	TOPIC	RESULT
April 25	Kristi Rahlf-Conditional Use for Daycare	Tabled till May 15th
April 25	Alan Nelson – Conditional Use for Garage	Tabled till May 15th
April 25	Kyle Jensen- Conditional Use for New Car Wash	Approved
April 25	Gordy Hoisington – Conditional Use for business in garage	Approved
April 25	Don Hylton – Variance for set back off of property lines	Approved

ORDINANCE NO. 967

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING ORDINANCE 11-1-12 PERTAINING CURB-STOP AND SHUT-OFF VALVE

BE IT ORDAINED by the City of Mobridge, South Dakota:

That Section 11-1-12 of Chapter 11 of Title of the Revised Ordinances of the City of Mobridge, South Dakota IS hereby amended to read as follows:

11-1-12 Curb-Stop and Shut-Off Valve

There shall be a brass curb-stop in each service pipe under the exclusive control of the City. Said curb-stop shall be placed in the pipe under the boulevard at the outer side of the sidewalk area, just inside the curb or at the alley line, and only persons authorized by the Water Superintendent shall open or close or otherwise interfere with said curb-stop. Such curb-stop shall be provided with a box or tube of approved pattern, and the top of each box or tube shall be placed on the level with the grade of the sidewalk or alley, and no premises shall be supplied water services without said box being in good order.

Each service pipe must be furnished with a shut-off valve, approved by the Water Department, situated below the action of the frost so that the water can be conveniently shut off. There shall also be a shut-off valve in every attachment located at the first suitable point beyond the street or alley limits to enable consumers to turn the water off in case of accident to the pipes on the premises.

It shall be the obligation of the owner of the property which will receive the water services to install, repair and replace the curb-stop and shut-off valve(s). In case of neglect or refusal of the owner to provide or repair the curb-stop within a reasonable time after being notified, the Water Department shall cause it to be done and charge the expense as a special assessment against the premises to be served by the water line.

In case of neglect or refusal of the owner to provide or repair the shut-off valve(s) within a reasonable time after being notified, the Water Department shall cause water service to the premises to be terminated until such time as the replacement or repair has been completed and the shut off and turn on fees have been paid.

APPROVED: _____
Mayor, Jamie Dietterle

ATTEST:_____
Finance Officer, Heather Beck

Passed First Reading:
Passed Second Reading:
Adopted:
Published:
Effective:
(SEAL)

a current CSA.

Unless CUSTOMER has purchased a BSI vendor hosted solution, it is the responsibility of the CUSTOMER to make and maintain adequate back-ups. In no event will BSI be responsible for lost data.

Support is provided for ongoing use of the Licensed Software; it is not intended to be a substitute for training or professional services necessary for the implementation or system redesign of the Licensed Software, which are outside the scope of this AGREEMENT.

Unless otherwise stated, Support does not include any of the following: (i) resolving network, workstation or environmental errors not directly related to the Licensed Software; (ii) supporting any Licensed Software being used in a manner for which it was not designed.

4) Updates

BSI system architecture allows for rapid feature-enhancement prototyping and delivery of updates. Software (under maintenance protection) will be kept current with Book Systems' latest applicable updates, maintaining the latest product features and benefits long into the future.

CUSTOMER will receive product updates as they are made available by BSI. If CUSTOMER self-hosts Licensed Software, upgrades are scheduled with main library contacts. If BSI hosts the Licensed Software for CUSTOMER, upgrades are automatically applied.

All software releases are subject to quality assurance, automated and manual testing for each hardware platform we support our software for use on. BSI supports the latest major and minor releases thereafter, as stated under the Support section of this AGREEMENT. New features or changes with third-party interfaces available in Licensed Software may require upgrades to be implemented.

5) Term/Termination

CSA is included with the initial purchase of Licensed Software, expiring twelve (12) months from the date the system is deemed live by BSI. CSA renewals are offered on an annual basis (each, a "Term"), and will automatically expire at the end of each Term. BSI shall invoice CUSTOMER for term renewal sixty (60) days prior to the end of the term of the Agreement.

If CUSTOMER elects not to renew, a written notice of their intent not to renew shall be provided to BSI at least thirty (30) days before the end of the then-applicable Term. CSA may later be reinstated through payment of the fees described under "Fees."

This AGREEMENT will automatically terminate as to each Licensed Software upon termination of the EULA corresponding to such Licensed Software. CUSTOMER may also terminate this AGREEMENT for convenience at any time, but CUSTOMER will not be entitled to a refund of any paid Fees in such event.

If a BSI breach remains uncured more than one month after BSI receives written notice from CUSTOMER of such breach, CUSTOMER may terminate this AGREEMENT for breach and receive a pro-rata refund of the CSA fees paid to CUSTOMER. Any such refund shall be CUSTOMER exclusive remedy, and BSI's sole liability, for BSI's breach of this AGREEMENT.

6) Fees

CUSTOMER will automatically be invoiced prior to any renewal Term and CUSTOMER agrees to make payments to BSI, no later than thirty (30) days from invoice date. BSI's obligations hereunder are subject to CUSTOMER's timely payment, and if BSI does not receive timely payment for products or services provided by BSI to CUSTOMER, BSI may immediately terminate or suspend this AGREEMENT. CUSTOMER will directly pay BSI for CSA renewals. If CSA terminates, and CUSTOMER later reinstates, CUSTOMER will be charged a reinstatement fee. You are responsible for any and all federal, state, dominion, provincial or local sales, use, personal property, excise, or other taxes, fees or duties related to this AGREEMENT.

7) Limitation of Liability

IN NO EVENT, UNDER ANY THEORY OF LAW SHALL EITHER PARTY BE LIABLE TO THE OTHER FOR ANY INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR LOST PROFITS ARISING OUT OF OR RELATED TO THIS AGREEMENT, EVEN IF A PARTY IS ADVISED OF THE POSSIBILITY THEREOF. TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW BSI'S LIABILITY UNDER THIS AGREEMENT SHALL NOT EXCEED THE PREPAID AND UNUSED PORTION OF CUSTOMER CSA FEES PAID TO BSI. BSI SPECIFICALLY DISCLAIMS ALL RESPONSIBILITY FOR ANY SERVICES PROVIDED BY ANY PARTNER OR ANY OTHER THIRD PARTY.

8) Severability

If any provision of this AGREEMENT is held to be unenforceable; This AGREEMENT will remain in effect with the provision omitted, unless omission would frustrate the intent of the parties, in which case this AGREEMENT will immediately terminate.

9) Miscellaneous

This AGREEMENT constitutes an agreement between CUSTOMER and BSI relating to the CSA (and any subsequent orders of the CSA for additional License Limits or new BSI products and/or licenses which will increase the CSA fees), and any additions to, or modifications of, this AGREEMENT will be binding upon the parties only if in a writing duly executed by CUSTOMER and an authorized officer of BSI. THE TERMS AND CONDITIONS OF ANY CUSTOMER PURCHASE ORDER ARE ONLY BINDING ON BSI IF THEY ARE AGREED TO IN WRITING BY AN AUTHORIZED BSI OFFICER AND IN A DOCUMENT OTHER THAN THE PURCHASE ORDER FORM. All other terms and conditions of the purchase, not related to the licensed programs, shall include RFP 14K-0820, any best and final offer and CUSTOMER purchase order.

Unless otherwise agreed to by BSI, CUSTOMER will not be able to purchase additional licenses of the Licensed Software if CUSTOMER does not have a current CSA. CUSTOMER may renew CSA on one group of dependent BSI product(s) without renewing CSA on another group of BSI products(s) that are determined to be distinct and separate from the first group, provided that the determination whether products(s) are distinct and separate is at BSI's sole discretion. CUSTOMER may assign this AGREEMENT only in connection with a proper and valid assignment of the corresponding EULA to the extent permitted thereunder, provided that CUSTOMER give written notice of such assignment to BSI.

10) Acceptance

Facsimile dated signatures of CUSTOMER and/or agents shall be considered a binding Agreement enforceable in accordance with the terms and conditions of the Agreement.

By signing the acceptance, CUSTOMER acknowledges their review and acceptance of the terms and conditions contained in this document. Please sign (2) two copies of this Agreement. One will be sent back to you with an original signature for your files.

Acceptance by Customer

Customer Signature | **Date**

Customer Name (Please Print) | **Title**

(Organization) Name

(Organization) Address

Acceptance for and by Company

Book Systems, Inc.
4901 University Square, Suite 3
Huntsville, AL 35816
(256) 533-9746

Authorized Signature | Date

Barton K. Eby | National Sales Manager

Name (Please Print) | Title

MOBRIDGE

City of Mobridge

2018 Council Appointments

Mayor Cox
- Police
- Finance
- Rail Authority

Ward I	*Ward II*	*Ward III*
Quaschnick	Laundreaux	Carlson
- Police	- Airport	- Fire
- Finance	- Auditorium	- Parks
- Water & Sewer	- Housing	- Streets
	- Streets	
O'Connell	Yellow Boy	Mound
- NECOG	- Fire	- Airport
- Parks	- Library	- Housing
- School Board Rep	- Police	- Auditorium
- Water & Sewer	- Zoning	- Zoning

Library Board:
- Amy Cerney (2018)
- LeeAnn Mack (2019)
- Lynn Mertz (2018)
- Michele Yellow Boy (2020)
- Tom Zerr (2019)

Zoning Board
- Tom Singer (2020)
- Liz Ford (2019)
- Duane Martin (2020)
- Curtis Reichert (2021)
- Brandon Rookie (2021)

Parks Board
- DJ Taylor (2021)
- Chris Fried (2020)
- Dan Richards (2019)
- Derek Stewart (2020)
- Jordan Zahn (2021)

Housing Board
- Pat Fuhrman (2021)
- Alan Landis (2022)
- Heidi Roshau (2020)
- Todd Wagner (2023)
- Duane Wegner (2019)

Appointed Employees and Officers:

City Administrator:
Christine Goldsmith

Finance Officer:
Heather Beck

Chief of Police:
Shawn Madison

Fire Chief:
Zach Milliken

Assistant Fire Chief:
Doug DeLaRoi

Fire Department Secretary:
Scott Bieber

Zoning Officer:
Cindy Rische

Health Officer:
Dr. Robert Marciano

City Historian:
Twyla Fritz

8.

NOTICE OF PUBLIC HEARING
FOR REVOKE OF PAWN BROKER'S LICENSE

NOTICE IS HEREBY GIVEN THAT: The City Council in and for the City of Mobridge, South Dakota on the 9th day of May 2018 will consider revoking a pawnbroker's license for Mobridge Pawn pursuant to Ordinance No. 6-6. This public hearing will take place during the regularly scheduled City Council meeting beginning at 5:30 PM.

NOTICE IS FURTHER GIVEN: That any person, persons or their attorney may appear and be heard at said scheduled Public Hearing.

Heather Beck
Finance Officer

CHAPTER 6-6 – PAWN BROKERS

6-6-1. Definition.

(a) The following term, when used in this article, shall have the meaning ascribed to it in this section, except where the context clearly indicates a different meaning:
Pawnbroker means any person who:

(1) Engages in the business of lending money on the deposit or pledge of personal property, or other valuable thing on the condition of selling the same back again at a stipulated price; or

(2) Purchases personal property with the expressed or implied agreement or understanding to sell it back at a stipulated price.

(b) This definition shall exempt the following transactions:

(1) Any person whose primary business is selling new, unused articles, and receiving used articles in trade from the purchaser.

(2) Casual or occasional sales of used household goods by the owner thereof to the public, this category includes those sales commonly referred to as "garage sales."

(3) Any person dealing exclusively in the resale of used automobiles.

(4) Any person that operates as a salvage yard for wrecked automobiles.

(5) Transactions in secondhand goods at stores or events sponsored by nonprofit corporations, fraternal organizations, or religious organizations. (2005ORD809)

6-6-2. License Required.

It shall be unlawful for any person to engage in the business of pawnbroker without first obtaining a license from the city finance office. (2005ORD809) (1998 § 6-6-1)

6-6-3. Prohibited for person with felony conviction.

No pawnbroker's license shall be issued to any person who has been convicted of a felony. (2005ORD809)

6-6-4. Fixed premises.

(a) No person shall engage in business as a pawnbroker unless such person has a fixed premise where such business is conducted, either on a continuing basis or from time to time, and unless such person has first obtained a license to engage in that business at that premises.
(b) For the purposes of this section, the term "fixed premises" shall include any nonmobile premises where such business is conducted and such pawned articles are held. (2005ORD809)

6-6-5. License fee.

The annual pawnbroker's license fee shall be as provided by resolution of the city council, payable in advance. (2005ORD809) (1998 § 6-6-2)

6-6-6. Bond.

Before any license shall be issued to any person for doing business as a pawnbroker, as defined in this article, having an established place of business, he/she shall first file with the city finance officer a surety bond in the sum of $1,000.00. All such bonds shall be conditioned that the principal named therein shall observe the ordinances of the city in relation to pawnbrokers and conduct business in conformity thereto, and will account for and deliver to any person legally entitled thereto any goods, wares or merchandise, article or thing which may come into his/her hands, through his/her business as such pawnbroker or in lieu thereof will pay in money to such person the reasonable value thereof. (2005ORD809)

6-6-7. Records required.

(a) At the time of each transaction, each licensee must immediately record in English the following information using ink or other indelible medium on forms or in a computerized record approved by the city police department:

(1) A complete and accurate description of each item including, but not limited to, trademark, identification number, serial number, model number, brand name, description, color, size, or other identifying mark.
(2) Purchase price or amount of money loaned.
(3) The maturity date of the transaction and the amount due.
(4) Whether the item was pawned, sold, or consigned.
(5) Date, time and place the item of property was received by the licensee.
(6) The unique alpha and/or numeric transaction identifier that distinguished it from all other transactions.
(7) Full name, address, date of birth, sex, of the person pawning the merchandise.
(8) Identification number and state of issuance of photo ID from the person pawning the merchandise.
(9) The signature of the person pawning the merchandise.

(b) Records shall be open to inspection by the city police department at all reasonable times.

(c) All items sold, pawned, or offered for sale on the licensed premises are included in the records requirement. Private sales to employees require the same reporting as transactions completed with the licensed premises.
(d) Any licensee who fails to keep such records, or fails to make the required entries therein, or who intentionally or knowingly makes any false or unintelligible entry, or any entry which he has reason to believe is untrue, or who fails to produce his records when requested by a city police officer during reasonable business hours, or who destroys such records, shall be guilty of a misdemeanor.
(e) The licensee is exempt from reporting bulk purchases of new merchandise from a merchant, manufacturer, or wholesaler having an established permanent place of business. The licensee is required to maintain a record of such a purchase, which describes each item. (2005ORD809) (1998 § 6-6-3)

6-6-8. Inspection of items.

At all times during the terms of the license, the licensee must allow police officers to enter the premises during normal business hours to inspect items held by the licensee or records required by these ordinances. (2005ORD809)

6-6-9. Label required.

The licensee must attach a label to every item at the time it is pawned, purchased, or received in inventory from any reportable transaction. The label shall contain the unique alpha and/or numeric transaction identifier that distinguished it from all other transactions. The label must be attached to the item at all times while the item is on the licensed premises. (2005ORD809)

6-6-10. Receipts.

Every pawnbroker or dealer in secondhand goods, purchasing or receiving on deposit for a loan any article or personal property, shall give to the person selling or depositing such article or personal property a plain written or printed ticket or receipt for the article or property so sold or deposited, showing the terms and amount of such sale or loan and a description of the property purchased or deposited as security for the loan. (2005ORD809)

6-6-11. Purchase from minors, etc.

No pawnbroker or dealer in secondhand goods shall purchase or receive on deposit any personal property, goods, wares, merchandise, articles or thing, from minors, persons of unsound mind or intoxicated persons, except that the parents or guardians of minors may give their written consent for such transactions. (2005ORD809) (1998 § 6-6-4)
State law references: Power of city to forbid the purchase from minors of articles without the consent of their parents, SDCL § 9-34-9.

6-6-12. Reports to police.

The licensee is required weekly to provide the city police department with copies of all pawn, buy, or consignment transactions. Such copies may be carbon copies of the original pawn ticket

or a computerized record. The copies or computerized record shall contain all the information required by section 6-6-7. (2005ORD809)

6-6-13. Holding period.

Any person licensed as a pawnbroker, who purchases any new or secondhand goods from any individual not engaged in trade, shall keep the goods for 30 days from the time of transfer. The property shall be held on the licensed premises and shall not be disposed of or altered from the form in which it was received. (2005ORD809)

6-6-14. Law enforcement hold order.

Any officer of the city police department may, by written order, order a pawnbroker to hold any article or articles for the purpose of further investigation. The written law enforcement hold order shall be valid for a period of 30 days. The licensee shall not dispose of or alter the article during the hold period. (2005ORD809)

6-6-15. Suspension, revocation of license.

(a) After written notice and a public hearing, the city council may suspend the pawnbroker's license of any licensee who violates any provision of this article, for a prescribed period not to exceed 60 days.
(b) After written notice and a public hearing, the city council may revoke the license of any licensee who violates the provisions of this article. (2005ORD809)

ORDINANCE NO. 966

AN ORDINANCE ENTITLED: AN ORDINANCE REVISING APPENDIXES, TITLE 4 SECTION 4.01 DEFINITIONS, TITLE 12 SECTION 12.02 GENERAL COMMERCIAL DISTRICT, TITLE 13 SECTION 13.02 HIGHWAY COMMERCIAL DISTRICT, TITLE 14 SECTION 14.02 LIGHT INDUSTRIAL DISTRICT, TITLE 15 SECTION 15.02 HEAVY INDUSTRIAL DISTRICT, AND ADOPTING APPENDIX J VEHICLE STORAGE YARD REQUIREMENTS AND APPENDIX K VEHICLE REPAIR BUSINESS REQUIREMENTS OF THE REVISED ZONING ORDINANCES OF THE CITY OF MOBRIDGE, SOUTH DAKOTA MODIFYING AND/OR CREATING THE GUIDELINES FOR TOW BUSINESSES, VEHICLE REPAIR BUSINESSES, AND VEHICLE STORAGE YARDS.

BE IT ORDAINED, by the City of Mobridge, SD:

That APPENDIXES of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

APPENDIXES

APPENDIX A ..... Modular, Manufactured, and Mobile Home Standards
APPENDIX B .....Industrial Performance Standards
APPENDIX C .....Concentrated Animal Feeding Operation (CAFO)
APPENDIX D ..... Subdivision Regulations
APPENDIX E .....Procedure Re-Platting Land
APPENDIX F .....Procedure for Municipal Annexation
APPENDIX G ..... Procedure for Rezoning
APPENDIX H .....Lot Terms and Descriptions
APPENDIX I .....Official Zoning Map(s)
APPENDIX J.....Vehicle Storage Yard Requirements
APPENDIX K.....Vehicle Repair Business Requirements

That Title 4, DEFINITIONS, Section 4.01 of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

4.01 Definitions. For the purposes of this Ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tenses; words in the singular number include the plural and words in the plural number include the singular; the word "person" includes a firm, partnership or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel", the word "building" includes the word "structure", the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied." The following words, terms and phrases are hereby defined and shall be interpreted as such throughout this Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

Accessory Building. A subordinate building, the use of which is incidental to that of a main building located on the same lot therewith.

Accessory Agricultural Structure. A structure customarily incidental and necessary to farming and the raising of animals including barns and other animal shelters, corrals and fences, silos, and storage sheds for machinery and crops.

Accessory Use. A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

Actual Construction. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially commenced, preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

Advertising. Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising whether placed on the ground, rocks, trees, tree-stumps, or other natural structures or on a building, structure, milestone, signboard, billboard, wallboard, roof-board, frame, support, fence, or other manmade structure, and any such advertising is a structure within the meaning of the word "structure" as used in this Ordinance.

Advertising Sign or Structure. See Sign

Agriculture. The use of land for agricultural purposes, including the production of field crops, dairying, pasturage, farm woodlots, horticulture, apiculture, animal and poultry husbandry and the normal processing and sale of agricultural products, but not including specialized animal raising except as an accessory to other agriculture activities.

Agriculture Product Processing Facility. A business activity customarily designed to process raw agricultural products into value added products. Agricultural processing facilities include, but are not limited to; feed mills, ethanol plants, and soy bean processing facilities.

Alley. A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

Alterations, Structural. See structural alterations.

Amendment. A change in the wording or substance of this ordinance or a change in the boundaries or classifications upon the official zoning map.

Amusement and Recreation Establishments. Businesses whose primary function is entertainment, such as theaters, billiard halls, etc.

Animal Feeding Operation. An animal feeding operation is a facility where more than one thousand (1,000) animal units are confined, stabled, fed, or maintained in either an open or housed lot for a total of 45 days of more in any 12-month period. The open lot does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. Two or more facilities under common ownership are a single animal operation if they adjoin each other (within one mile), or if they use a common area or system for the disposal of manure.

Animal Raising, Specialized. The use of land and buildings for the commercial raising, care and sale of fur-bearing animals such as foxes, mink, rabbits, dogs and domestic pets; also the stabling or care of horses and other animals and birds as an enterprise other than an accessory to agricultural use, as herein defined.

Animal Units – A unit of measure for livestock equated as follows; one animal unit is equivalent to:
1 Cow, feeder, or slaughter beef animal, excluding calves under 300 pounds;
0.5 Horse;
0.7 Mature dairy cattle, excluding dairy calves under 300 pounds;
0.27 Farrow-to-finish sows;
1 Swine in a production unit;
9 Nursery swine less than 55 pounds;
2.5 Finisher swine over 55 pounds;
10 Sheep or lambs;
30 Laying hens or broilers;
5 Ducks and/or geese; and 55 Turkeys.

Animal Unit Conversion Table. A conversion table designed to integrate the definition of an animal feeding operation with the animal unit definition.

Animal Species Animal
Units
Cow, feeder or slaughter beef animal, excluding calves under 300 pounds 1,000
Horses 500
Mature dairy cattle, excluding calves under 300 pounds 700
Farrow to finish sows 270
Swine in a production unit 1,000
Nursery swine less than 55 pounds 10,000
Finisher swine over 55 pounds 2,500
Sheep 10,000
Laying hens or broilers 30,000
Ducks and/or geese 5,000
Turkeys 55,000

Animal Waste Facility. A structure designed and constructed to store and/or process animal waste. Animal waste facilities include but are not limited to holding basins, lagoons, pits and slurry stores.

Apartment. A dwelling unit located in an apartment building.

Apartment Building. See Dwellings, Multiple

Apartment Hotel/House.
A. A dwelling unit located in an apartment building. A building or portion hereof containing three (3) or more dwelling units or individual guest rooms or suites or guest rooms not for the use of transients, or See structural alterations.

B. An apartment building in which all or most of the dwelling units are provided with maid service.

Aquaculture. Land devoted to the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal use.

Area, Building. The total area taken on a horizontal plane at the main grade level of the principal building exclusive of uncovered porches, terraces, and steps.

Assisted Living Center. Any institution, rest home, boarding home, place, building, or agency which is maintained and operated to provide personal care and services which meet some need beyond basic provision of food, shelter, and laundry in a free-standing, physically separate facility which is not otherwise required to be licensed. May also be considered a Group Care Facility.

Automobile-Machinery Service Station. Building and premises where motor fuel, oil, grease, batteries, tires, and vehicle accessories may be supplied and dispensed at retail, and where, in addition, customary repair services may be rendered.

Automobile Salvage Yard. See junkyard.

Automobile or Trailer Sales Area. An open area used for display, sale or rental of a new or used motor vehicles or trailers in operable condition, and where only incidental repair work is done.

Basement. A story, the floor of which is more than one half (½) of its story height below the average level of the adjoining ground. Any story which is not a basement story shall be counted as a story for purposes of height, yard or other open space measurement.

Bed and Breakfast. An establishment that operates like an Inn or Motel that offers breakfast.

Billboard. See Sign.

Board. The Board of Zoning Adjustment, City of Mobridge, South Dakota.

Boarding or Lodging House. A building or part thereof, other than a hotel or motel, where both meals and lodging are provided, for compensation, for three or more persons, not transient, where no cooking or dining facilities are provided in individual rooms. (See also "Rooming House)

Body Shop. See Vehicle Repair Business.

Buildable Area. The portions of a lot remaining after required yards have been provided.

Building. Any structure having a roof supported by columns or walls used for shelter or enclosure of persons, animals, or property.

Building, Height of. The vertical distance from the average contact ground level at the front wall of the building to the highest point of the building.

Building, Length of. For the purpose of computing required yard dimension or distance between buildings, the length of a building shall be the total length of the exterior wall or walls which are most nearly parallel to the lot line or other building to which the dimension or distance is measured.

Building Wall. For the purpose of computing required yard dimension or distance between buildings, the building wall includes such wall, roof overhang, or parts thereof which is most nearly parallel with the lot line or other building wall to which to dimension or distance is measured.

Building, Main or Principal. A building in which is conducted the principal use of lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building Set-Back Line. A line delineating the minimum allowable distance between the street right-of-way and the front of a structure, within which no building or other structure shall be placed except as provided in Article 19, Section 19 .01. The building set-back line is parallel to or concentric with the street right-of-way.

Building Site. A lot parcel, or portion thereof, whether a lot of record or described by metes and bounds, used or intended to be used as the location of a building for housing one or two families.

Business Services. Any activities conducted for gain which render service primarily to other commercial and industrial enterprises) or which service and repair appliances and machines used in a home or business.

Campground. Any premises where two (2) or more camping units are parked or placed for camping purposes, or any premises used or set apart for supplying to the public camping space for two (2) or more camping units for camping purposes, which include any buildings, structures, vehicle or enclosures, used or intended for use or intended wholly, or in part, for the accommodation of transient campers.

Camping Unit. Any vehicle, tent, trailer or portable shelter used for camping purposes.

Commercial Trucking Terminal. A building, structure or place where twelve (12) or more commercially licensed trucks or trailers are rented, leased, kept for hire, or stored or parked for compensation, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include warehouse space.

Commission, Planning. The Mobridge City Planning and Zoning Commission.

Comprehensive Plan. The Comprehensive Plan for the City of Mobridge or parts thereof, as and when adopted or amended by the Mobridge City Council.

Conditional Use; Special Exception. A principal use which is subject to conditional approval by the Board of Zoning Adjustment. A conditional use (or special exception) may be granted by the Board only under one of the following conditions:
A. Where there is a specific provision in this ordinance for such use within the District involved, or
B. In case the use in question is not listed as either permitted or prohibited in the District involved, and the Board is specifically authorized to determine whether an unlisted use is similar to others listed as permitted such favorable determination may not be made in the case of a use which is first listed as permitted or as prohibited in a less restricted District.

Congregate Housing. A residential facility for elderly persons (age 60 or older) within which are provided living and sleeping facilities, meal preparation, laundry services and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments and counseling.

Convenience Store. A retail store in which articles for sale are restricted to gasoline sales and a limited range of food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy. Retail sales may also include the limited sale of magazines, books, housewares, toiletries, bait, alcoholic beverages and tobacco. Recreational sales would include video lottery machines.

Day Care Center. Any type of group day care programs including nurseries for children of working parents, nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for pre-school children, programs covering after-school care for school children provided such establishment is licensed by the State and conducted in accordance with State requirements. Design Capacity. The maximum number of persons which can be accommodated in a building or structure at anyone time with a reasonable degree of comfort, safety, convenience.

District, Zoning. A designated portion of land within which certain uniform regulations and requirements apply under the provisions of this Ordinance.

Domesticated Large Animals. Any animal that through long association with man, has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation or other attributes of the species to an extent that makes it unique and different from wild individuals of its kind. For the purposes of this ordinance the definition shall include, but is not limited to, animals commonly raised on farms and ranches, such as cattle, horses, hogs, sheep, and mules.

Dump. A lot or parcel of land or part thereof used primarily for the disposal of solid waste such as garbage, sewage, trash, refuse, Junk, discarded machinery, vehicles or parts thereof, or waste material of any kind, by' dumping, burial, burning or any other means.

Dwelling. Any building or portion thereof designed or used as the home of one or more persons or families, but not including a tent, cabin, hotel, motel, trailer or mobile home. This definition shall include a modular dwelling, as defined herein.

Dwelling, Fixed. A dwelling permanently fixed to the ground, which shall not include mobile homes.

Dwelling, Mobile. (see Appendix A) A movable or portable unit, designed and constructed to be towed on its own chassis (comprised of frame and wheels), and designed to be connected to utilities for human occupancy and habitation as a permanent residence for one (1) or more persons whether resting on wheels, jacks or other supports.
The term shall include:
A. Units containing parts that may be folded, collapsed or telescoped when being towed and that maybe expanded to provide additional cubic capacity; and
B. Units composed of two (2) or more separately towable components designed to be joined into one integral unit capable of being separated again into the components for repeated towing. This definition shall not include a travel or vacation vehicle, either self-propelled or nonself- propelled, as separately defined.

Dwelling, Modular. (see Appendix A) A fixed dwelling comprising one or more pre-assembled or partially pre-assembled modules or units, built using the same type of materials used in conventional on-site construction, without integral chassis, brought to the building site by temporary means of transport, assembled and permanently anchored to the ground. A mobile home, as defined herein, shall not be deemed to be a modular unit or a modular dwelling.

Dwelling, Multi-Family. A building or portion thereof designed for or used for residence purposes by three or more families, including an apartment building, townhouse or condominium.

Dwelling, Single Family. A building designed for and used exclusively for residence purposes by one family or housekeeping unit.

Dwelling, Seasonal. A summer cottage, winter lodge or similar lodging occupied less than six (6) months during a year.

Dwelling, Town House. A building consisting of a series of three (3) or more attached or semi-detached dwelling units, each with a ground floor and a separate entrance, whether maintained in a single ownership, separate ownership, or condominium.

Dwelling, Two Family. A building designed for and used exclusively by two independent families or housekeeping units.

Dwelling Unit. One or more rooms designed for, intended for, or used as a residence by one family with facilities for cooking, sleeping, and sanitation therein.

Exploration. Any process by which the presence or absence location, quantity, or quality of a mineral deposit is determined, whether it be by means of drilling, or excavation.

Family. A group of one (1) or more persons occupying a-premises and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house or hotel as defined herein.

Farm, Ranch, Orchard. An area of forty (40) acres or more which is used for growing usual farm products, vegetables, fruits, trees, and grain, and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, hogs and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises; but excluding an Animal Feeding Operation.

The processing and storage of raw agricultural products, such as grain elevators, and ethanol plants, shall not be considered a farm, ranch or orchard if such constitutes the main or principal use on the lot or parcel.

Farm Building. All buildings and structures needed in agricultural operation, including dwellings for owners, operators, farm laborers employed on the farm, and other family members.

Farm Occupation. A business activity customarily carried out on a farm by a member of the occupant's family without structural alterations in the building or any of its rooms, without the installation or outside storage of any machinery, equipment or material other than that customary to normal farm operations, without the employment of persons not residing in the home, which does not cause the generation of additional traffic in the area. Farm occupations include, but are not limited to, seed sales and custom combining support facilities.

Farm Unit. All buildings and structures needed in an agricultural operation, including dwellings for owners, operators, and other family members.

Feed Lot. A lot or facility where animals have been, are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

Feed Lot, Commercial. A place where the principal business is the feeding of livestock and such feeding is not done as a subordinate activity to the production of crops on the premises of which the feed lot is a part.

Flammable or Combustible Liquids, or Hazardous Material. Flammable material is any material that will readily ignite from common sources of heat, or that will ignite at a temperature of 600mF or less. Flammable liquid is nay liquid having a flash point below 100mF and having vapor pressure not exceeding forty (40) pounds per square inch (absolute) at 100mF. Combustible liquid is any liquid having a flash point at or above 100mF. Hazardous material includes any flammable solids, corrosive liquids, radioactive materials, oxidizing materials, highly toxic materials, poisonous gases, reactive materials, unstable materials, hyperbolic

materials, pyrophoric materials, and any substance or mixture substance which is an irritant, a strong sensitizer or which generates pressure through exposure to heat decomposition or other means.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source and, mudslides or flows which are proximately caused or precipitated by accumulations of water on or under the ground.

The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined above.
A. Flood Hazard Boundary Map. An official map or plat of a community or City, issued or approved by the Federal Flood Administrator (Department of Housing and Urban Development), on which the boundaries of the flood plain, mudslide, and/or flood related erosion areas having special hazards have been drawn.
B. Flood Plain or Flood-Prone Area. Any normally dry land area that is susceptible to being inundated by water from any source. "Flood plain area having special flood hazards" means that maximum area of the flood plain that, on the average, is likely to be flooded once every 100 years (i.e., that has a 1-percent chance of flood occurrence in any given year).
C. Flood Proofing. Any combination of structural and non-structural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.
D. Floodway. The channel of a river or other water-course and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water-surfacing elevation more than one foot at any point.
E. Flood-way Encroachment Obstruction. Any dam, wall, wharf, embankment, levee, dyke, pile, abutment, projection, excavation, channel rectification, bridge conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.
F. Habitable Floor. Any floor used for living, which includes working, sleeping, eating, cooking or recreation, or combination thereof. A floor used only for storage purposes is not a habitable floor.
G. Special Flood Hazard Area. The land within a community or City in the flood plain, which is subject to a one percent chance of flooding annually. Floor Area. The measurement of floor area for purposes required by this Ordinance shall be the sum of the area of the first floor, as measured to the inside of exterior walls, plus that area, similarly measured, of all other stories having eight-four (84) or more inches of headroom, which are accessible by a fixed stairway, elevator or escalator, and which may be made usable for the intended occupancy. For residential uses, the floor area of uninhabitable basements, cellars, garages, accessory building, attics, breezeways and unenclosed porches shall be excluded.

Frontage. All sides of a lot or parcel of land adjacent to the right-of-way of a street or road.

Game Farm. An area of five (5) acres or more, which is used for producing hatchery, raising game and non-domestic animals for sale to private shooting preserves.

Game Lodge. A building or group of detached, or semi-detached, or attached buildings occupied or used as temporary abiding place of sportsmen, hunters and fishermen, who are lodged, with or without meals, and in which there are more than two (2) sleeping rooms.

Garage, Private. A detached accessory building or a portion of a principal building used only for the storage of self-propelled vehicles and incidental residential storage.

Garage, Public. A building or portion thereof, designed or used for equipping, servicing, repairing, hiring, renting, selling, or storing self-propelled vehicles.

Grain Elevator. Grain storage facilities, which are the principal and primary use of the lot. Said facilities are generally equipped with devices for housing and discharging significant quantities of grain. This definition does not include normal farm product storage and warehousing facilities such as grain bins where such storage is an accessory use to the parcel.

Hobby Farm. An activity carried out in rural residential areas which includes the planting, cultivating, harvesting and storage of grains, hay or plants, fruits, or vineyards.

The raising and feeding of livestock and poultry shall be considered as part of a hobby farm if the area which the livestock or poultry is kept, is two (2) acres or more in area for every two (2) domestic large animals, and if such livestock does not exceed ten (10) animals: or the raising of livestock or poultry is incidental or supplemental to the residential use and is not primarily for the growing of crops or raising of livestock.

Holding Pens. A holding pen is a building, pen yard or fenced in area where livestock are kept or held for more than 48 hours with the intent or purpose of subsequently transporting said livestock to another location.

Home Occupation. A subordinate gainful occupation which is carried on in the home in a Residential District, provided it is incidental to the residential use and meets the requirements of Titles 9, 10, and 11 of this Ordinance.

Horticulture. The science or art of cultivating fruits, vegetables, flowers, and plants.

Hotel, Motel. A building or buildings containing guest rooms to be occupied primarily by transients who are lodged with or without meal service.

House. A building that serves as living quarters for one or a few families.

House Trailer. See dwelling, mobile.

Junk Yard. The use of more than 750 cubic feet of open storage on any lot, or portion of a lot, or portion of a lot or tract of land where discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of house wrecking and structural steel materials and equipment, scrap metals, or for the abandonment, dismantling, or wrecking of automobiles or other vehicles, machines, or parts thereof.

Kennel. Any lot or premises on which four (4) or more dogs and/or cats, more than six (6) months of age, are kept.

Lagoon. Any pond, basin, or other impoundment made by excavation or earthfill for storage or treatment of human sewage or animal waste.

Loading Space. Adequate space, logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used such as trucks, tractors, trailers, etc., and accessible to such vehicles at all times.

Lot. A parcel of land which is or may be occupied by a single main building and its accessory buildings or used customarily incident thereto, together with such yards or open spaces within the lot lines as may be required by this Ordinance. Such lot may consist of:
A single lot of record;
A portion of a lot of record;
A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record;
A parcel of land described by metes and bounds;

A. Lot, Corner. A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street which form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the corner.
B. Lot, Double Frontage. An interior lot which runs through a block from street to street and which has two non-intersecting sides abutting on two or more streets.
C. Lot, Interior. A lot other than a corner lot.

Lot Area. The computed lot area within the lot lines.

Lot Depth. The mean horizontal distance between the front and rear lot lines.

Lot Frontage. That dimension of a lot or portion of a lot abutting on a street.

Lot Line. The property or street right-of-way lines bounding a lot.
A. Front Lot Line. In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot, or double frontage lot, "front lot line" shall mean that line separating said lot from that street which is designated as the front street in the plat and/or in the application for a zoning permit.
B. Rear Lot Line. The lot line opposite and most distant from the front lot line.

C. Side Lot Line. Any lot line other than a front or rear lot line. A side lot line of a corner lot, separating a lot from a street, is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line.

Lot of Record. A lot which is a part of a recorded plat or a lot described by metes and bounds, the map and/or description of which has been recorded in the office of the Register of Deeds.

Lot Reversed Frontage. A reversed frontage lot is defined as a lot on which the frontage is at right angles, interior angle less than one hundred thirty-five (135) degrees, to the general pattern in the area. A reversed frontage lot may also be a corner or a through lot.

Lot Width. The mean horizontal distance across the lot between side lot lines, measured at right angles to the lot depth, provided that the minimum lot widths required by this Ordinance shall be so measured at a distance from the front lot line equal to the required depth of the front yard.

Manufactured Home. A moveable or portable dwelling which is eight (8') feet or more in width and forty (40') feet or more in length, constructed on a chassis, and which is designed to be towed, designed for year-round occupancy, primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and designed to be connected to utilities. It may consist of one or more units, separately transportable, but designed to be joined together into one integral unit.

The following shall not be included in this definition:
A. Travel trailer, pickup coaches, motor homes, camping trailers, or other recreational vehicles.
B. Manufactured modular housing which is designed to be set on a permanent foundation, and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems.
Mineral. For purposes of this ordinance, any substance either inorganic, or organically derived, which occurs naturally in the earth, and has a consistent and distinctive set of physical properties, to include coal, clay, stone, sand, gravel, petroleum, natural gas, and all metals.

Modular Home Park. A parcel of land under single ownership, which has been planned and improved for the placement of, manufactured homes for non–transient use.

Mobile Home. See "Dwelling, Mobile".

Mobile Home Park. Any area, tract or site or plot of land whereupon a minimum of five (5) mobile homes as herein defined are placed, located or maintained, or intended to be placed, located or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

Modular Home. See "Dwelling, Modular"

Motel. A group of attached or detached buildings on the same lot containing sleeping quarters for rental to transients.

Navigable Waters. A body of water presently being used or is suitable for use for transportation and commerce, or if it has been so used or was suitable for such use in the past, or if it could be made suitable for such use in the future by reasonable improvements.

Net Assignable Square Feet. The sum of all areas on all floor of a building assigned to, or available for assignment to, an occupant or specific use.

Non-conforming Structure. A building or structure, lawfully existing at the time of the effective date of this Ordinance, that does not conform to the provisions of this Ordinance as to lot area, yard or building height requirement for the zoning district in which it is located.

Non-conforming Use. The use of a building or structure or of a tract of land, lawfully existing at the time of the effective date of this ordinance that does not conform to the use regulations for the zoning district in which it is located.

Noxious Matter. Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the social, economic, or psychological well-being of individuals.

Nursery. A facility confining a specific number of small and/or young swine averaging ten (10) to fifty-five (55) pounds in size.

Nursing Home, Rest Home, Convalescent Home. A place which undertakes through its ownership or management to provide maintenance, personal, or nursing care for three or more persons who by reason of illness, physical deformity, or old age are unable to care for themselves.

Obstruction. Any structure or vegetation that blocks the complete vision of people.

Open Space. This term, as used in this Ordinance is intended to refer to front, side or rear yards adjoining buildings, or to other land space not occupied by buildings, required or provided to afford light, recreational opportunities, ventilation, visibility and other requirements for a healthful environment.

Operation. Any person(s) conducting or directing mineral exploration, extraction, or processing operations for the purpose of determining the potential for, or receiving, commercial gain.

Ownership Line. A line defining ownership of property under one owner of record.

Parking Area or Lot. An open area, other than a street or other public way, used for the parking of motor vehicles.

Parking Garage. A structure designed and used primarily for the storage or parking of passenger automobiles, including such accessory servicing of such automobiles as may be permitted by this Ordinance.

Permit.
A. Permit, Conditional Use. A permit granted by the Board of Zoning Adjustment for uses which are listed as "Conditional Uses" (as opposed to "Principal Uses") within a particular zoning district. The conditional use permit shall authorize the construction or alteration of buildings or structures in accordance with this Ordinance and shall specify any additional requirements as outlined by the Board of Zoning Adjustment.
B. Permit, Occupancy. A document issued by the Zoning Enforcement Officer which certifies that the completed building, structure or use proposed is consistent with the requirements of this Ordinance and for the use applied for.
C. Permit, Zoning. Any permit which authorizes the construction or alteration of buildings or structures in accordance with this Zoning Ordinance Planned Unit Development. An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

Plat. A map, plan, or layout indicating the location and boundaries of individual properties.

Private Shooting Preserves. An acreage of at least one hundred sixty (160) acres and not exceeding one thousand two hundred eighty (1,280) acres either privately owned or leased on which hatchery raised game is released for the purpose of hunting, for a fee, over an extended season.

Property Line. The division between two parcels of land, or between a parcel of land and the street and/or road.

Public Uses. All lands, other than streets and highway, owned by and officially designated for continuing public use by a municipality, City, school district, State of South Dakota, United States Government, or any other duly constituted agency of government, such as parks, schools and administrative, recreation, cultural and service buildings.

Ranch Building. See Farm Building

Ranch Occupation. See Farm Occupation

Ranch Unit. See Farm Unit

Recreation Facilities.
A. Recreation Facilities, Private. Privately owned recreation facilities which are not operated for the general public for profit, including private country clubs, golf courses, riding clubs, golf courses, riding clubs, fishing or hunting clubs, game preserves, ski slopes, swimming pools and other similar non-commercial recreation areas or facilities.
B. Recreation Facilities, limited Commercial. Recreation areas and facilities open to the public, established and operated for profit, limited to enterprises serving vacationing and/or one-day customers, including picnicking, camping, fishing and boating, with the sale of goods and

services limited to food, beverages, boating, fishing and camping supplies, boat docking and launching, tent and recreational vehicle parking.
C. Recreation Facilities, General Commercial. Recreation areas and facilities open to the public, established and operated for profit, including commercial golf courses, ski lodges and slopes, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar commercial enterprises.

Residential Care Facility. A family home, group care facility, or similar facility for 24 hour non-medical care of persons in need of personal services, supervision or assistance for sustaining the activities of daily living or for the protection of the individual.

Right of Way. Right of way shall be defined as the area that intersects a road that extends into a piece of property, whether residential, commercial, or industrial, either owned by a private resident, city, county, state, business, or corporation, that can be accessed by individuals, businesses, city, county, and state personnel to conduct road or utility work.

The setback on county roads shall be thirty three (33') feet, measured from center of the road extending out directly on one side of the road. The total setback is sixty six (66') feet, when measured on both sides of the road. A building or other structure shall not be placed or constructed within the setback area. A building or other structure may only be placed or constructed after fifty (50') feet, measured from the center of the road extending out directly on one side of the road. The total setback for buildings and other structures is one hundred (100') feet, when measured on both sides of the road.

In the case of farming, no farmer shall utilize the area within the right of way without written permission from the county. If farming takes place within the right of way, the county, or other person or group on official business, may, without permission from the farmer in violation, conduct business within the right of way, even if it disturbs the farming that is taking place.

Rooming House. A building or part thereof other than a hotel or motel, where lodging is provided for compensation for three (3) or more persons, not transients, where no cooking or dining facilities or services are provided (See also "Boarding House").

Row of Trees. Ten or more trees planted in a line, separated by a distance of forty (40') feet or less.

Running Gear. The parts which allow a manufactured home to be mobile including the tires, wheels, axles, running lights, and hitch. This definition shall include all mobility items exclusive of the parts of the chassis which make up the structural integrity of the manufactured home.

Salvage Yard. The use of more than seven hundred fifty (750) square feet of open storage on any lot, portion of lot, or tract of land for the sale, storage, keeping, or for the abandonment, dismantling, or wrecking of automobiles or other vehicles, machines, or parts thereof.

Sanitary Landfill. A disposal facility employing an engineered method of disposing of solid wastes on land in such a manner which minimizes environmental hazards by spreading the solid

wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying cover material at the end of each working day.

School, Denominational or Private. A school under the sponsorship of a private agency, corporation, or religious entity, having a curriculum generally equivalent to public elementary or secondary schools and accredited by the State of South Dakota; but excluding private trade or commercial schools. "Day Care Center" as herein defined, shall not be considered schools as applicable to this definition.

School, Public. A school under the sponsorship of a public agency providing elementary or secondary curriculum, and accredited by the State of South Dakota; but excluding private trade or commercial schools.

Self-Storage Facility. A structure containing three or more units which are available for lease or rent by persons other than residents of the premises for the storage of goods not related to the sale or manufacture of goods on the same lot.

Semi-Portable Agricultural Structures. Anything which requires placement on the ground for agriculture related purposes. Semi-portable agricultural structures include, but are not limited to, feed bunks, calving, lambing, or farrowing sheds, and temporary grain storage facilities.

Semi-Public Users. Land owned by a non-profit organization or agency which is open to general public use, including but not limited to a cemetery, church, Sunday school, parochial school, college, hospital, site occupied by an auditorium, museum, art gallery or other institutions of an educational, religious, charitable, or philanthropic nature but not including any private club, lodge, fraternity or other similar activity.

Service Station. Buildings or premises, or portions thereof arranged or designed to be used for the retail sale of oil, gasoline or other products for the propulsion or lubrication of motor vehicles, including facilities for changing and repairing of tires or batteries, polishing, greasing, washing, or minor servicing of such motor vehicles, but excluding high speed automotive washing, steam cleaning, body repairing, major motor, transmission or chassis repairing and body bumping and painting.

Shelterbelt. Five or more rows of trees and/or shrubs which reduces erosion and protects against the effects of wind and storms.

Shelterbelt Restoration. The removal and replacement of two or more rows of trees or of trees totaling one-half (1/2) acre or more, whichever is greater, in an existing shelterbelt.

Sign. Any writing, numerals, pictorial representation, illustration, decoration, emblem, symbol, trademark, flag, banner, pennant, streamers, or any other figures or objects of similar character which:
Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, column or other structure, or any portable device, and
Is used to announce, direct attention to, or advertise and

Is visible from any street, alley, park, or other public area.

A. Sign, Area of. The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. For a sign having more than one (1) display surface, all surfaces shall be included in computing the total of the exposed exterior display surface area. For a sphere or other curved display surface, the area shall be that of the largest plane passing through it at right angles to the principal line of vision.

B. Sign, Accessory. A sign, which relates solely to the building or premises on which it is located, in any manner indicated by the definitions here-under for functional types of accessory sign.

C. Signs, Accessory, Defined by Function.

(1) Bulletin Board. A sign of permanent construction, but with movable letters words or numerals indicating the name of a religious institution, school, library, auditorium, theater, stadium, athletic field or other similar use and the announcement of services or activities to be held therein.

(2) Directional Sign. A sign containing only words, numbers, arrows or pictorial matter directing pedestrians or motorists in the proper, and convenient use of the premises on which the sign is located.

(3) Identification Sign. A sign which displays only the name, address and/or use of the premises and/or the goods sold or produced or the services offered therein.

(4) Temporary Sign. A banner, pennant, streamer, poster, display or illustration which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land or a portable device, and which directs attention to an object, product, place, activity, person, institution, organization or business and is constructed of metal, cloth, canvas, plastic sheet, cardboard or other like materials and which is intended to be displayed for a limited period of time.

(5) Temporary Sign, Real Estate. A temporary sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land.

(6) Temporary Sign, Construction. A temporary sign indicating the names of architects, engineers, contractors and similar persons or firms involved in the design or construction of a structure or project.

(7) Warning Sign. Any sign indicating a situation, which is dangerous or potentially dangerous.

D. Signs, Accessory, Defined by Structural Type.

(1) Awning, Canopy or Marquee Sign. A sign that is mounted on, painted on, or attached to an awning, canopy or marquee.

(2) Free Standing Sign. A sign, not attached to any building, which is suspended or supported by one or more upright columns or structures attached to the ground.

(3) Projecting Sign. A sign, not a wall sign, suspending from or supported by building or similar structure and projecting therefrom.

E. Sign, Advertising. A sign which directs attention to a use, commodity or service not related to the premises on which it is located, including a billboard.

F. Sign Face. A single surface of a sign, upon against, or through which the message of the sign is exhibited.

G. Sign, Flashing. Any illuminated sign on which the artificial light or any part thereof has conspicuous has intermittent variation in intensity of color.
H. Sign, Height. The vertical distance from the upper most point used in measuring the area of the sign to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway) whichever measure permits the greatest elevation of the sign.
I. Sign, Illuminated. A sign which is illuminated by an artificial source of light.
J. Sign, Moving. Any sign or part thereof which rotates, revolves, or otherwise is in motion.
K. Sign, Structure. The supports, uprights, bracing, or framework for signs. Slaughter House. A building used for the slaughtering of animals and the scalding, dressing, butchering and storage of animal carcasses, but not including the rendering, smoking, curing, or other processing of meat, fat, bones, offal, blood, or other by-products.

Story. That portion of a building between the upper surface of any floor and the upper surface of the floor above, or any portion of a building between the topmost floor and the roof having a usable floor area equal to at least fifty (50%) percent of the usable floor area of the floor immediately below it.

Street. A public or private thoroughfare which affords the principal means of access to abutting property. The term "street" shall include avenue, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Street Line. The right-of-way line of a street or road.

Structure. Any constructed or erected material or combination of materials, the use of which requires location on the ground, including but not limited to, buildings, stadiums, radio towers, sheds, storage bins, swimming pools, walls, fences, and signs.

Structural Alteration. Any change in the structural members of a building, such as load bearing walls, floors, columns, beams, or girders.

Subdivision Regulation. The Subdivision Regulations for the City of Mobridge or parts thereof, as and when adopted or amended by the Mobridge City Council.

Swine Production Unit. An operation confining a specific number of female breeding age swine for the purpose of farrowing. The operation shall farrow no more than an average of one-third (1/3) of the total herd at any one time and the total herd shall not farrow more than an average of two and one-half (2 ½) times within a twelve month period. All farrowed swine shall be relocated to an off-site nursery facility as defined by this ordinance, at approximately ten (10) pounds or said swine shall be calculated as part of the total animal units.

TEMPORARY BUILDING: All storage structures which are used or manufactured to be of a temporary nature, such as storage containers, tents, soft covered shelters and other similar type storage structures and all other storage type structures which are not permanently affixed to the real estate by footings or foundations. This does not include Accessory Buildings as defined in these ordinances. Except as otherwise contained in the Zoning Ordinances of the City of

Mobridge, it shall be unlawful to place or keep temporary buildings on all zoned property without first obtaining a TEMPORARY BUILDING permit from the City Zoning Officer. The cost of obtaining a TEMPORARY BUILDING permit shall be the sum of $20.00. No TEMPORARY BUILDING permit shall be issued for a term longer than one year. At the expiration of the term of the TEMPORARY BUILDING PERMIT, the temporary building shall be removed. The City Zoning Officer shall have discretion in issuing or refusing to issue the TEMPORARY BUILDING permit and the term of the permit by taking into consideration the condition, type and nature of the temporary building to be placed and the location and purpose of the temporary building so that the temporary building does not interfere with or detract from the use and attraction of the neighboring properties. Temporary greenhouses used by commercial establishments to store and sell plants and trees which will be erected and dismantled within 6 months are exempted from the cost and requirement of obtaining a TEMPORARY BUILDING permit. Upon application, the City Council is authorized to waive the cost of obtaining a TEMPORARY BUILDING permit if the temporary building is to be used for a civic function.

Tourist Home. A building or part thereof, other than a hotel, motel, boarding house, lodging house, or rooming house, where lodging is provided for transients by a resident family in its home for compensation.

Tow Business. A business engaged in removing, or delivering to or from public or private property, any type of motor vehicle, or an item that was being transported or towed by a motor vehicle, by towing, carrying, hauling, or pushing, and shall include vehicle service stations, vehicle repair businesses, auto-body businesses, and automotive dealerships that have a tow truck and repair vehicles on-site. All businesses that operate a tow truck shall comply with the Vehicle Storage Yard Requirements.

Town House. See Dwelling, Town House.

Trailer. See "Dwelling, Mobile"

Travel or Vacation Vehicle. A vehicle, either self propelled or non-self-propelled, so constructed as to permit its continued conveyance upon public streets and highways, and so designed and constructed as to provide sleeping and/or eating accommodations for persons while traveling or vacationing. Any portable vehicle providing such accommodations having a usable length of forty five (45') feet or less shall be included within this definition, and shall not be defined as a mobile home.

Utility Facilities. Any above-ground structures or facilities, other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities, owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

Variance. A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owning to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance

would result in unnecessary and undue hardship. As used in the Ordinance, a variance is authorized, only for height, area, and size of the structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district. This is NOT to be confused with a conditional use.

Vehicle Repair Business. Any land, building, structure, or premises used for repair, alteration, restoration, painting, cleaning, finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles. The term "repairing" shall not include the rebuilding, dismantling or storage of wrecked or junked vehicles. A repair shop does not include a junkyard/salvage yard, an impound lot, or an automobiles gas/service station, or a business whose main income is derived from the sale of vehicles. Parking and/or storage of repairable motor vehicles on property shall not exceed ten (10) spaces per every one thousand square feet of Net Assignable Square Feet (NASF). All Vehicle Repair Businesses shall comply with the Vehicle Repair Business Requirements.

Vehicle Storage Yard. A storage yard for the temporary storing of wrecked, abandoned or dismantled trucks, recreational vehicles, boats, and other vehicles that maybe returned to the owner or sold for recycled metal or parts to a junk and/or salvage yard within sixty (60) days of the towing date, an Vehicle Storage Yard does not include Salvage or Junk Yards. A Vehicle Storage Yard shall comply with the Vehicle Storage Yard Requirements.

Video Lottery. Any video game of chance played on video lottery machines.

Video Lottery Machine Operator. Any individual, partnership, corporation, or association that places video lottery machines or associated equipment for public use in this state.

Video Lottery Machines, or Machine. Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, keno, and blackjack, authorized by the commission utilizing a video display and microprocessors in which, by chance, the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash or tokens.

Windbreak. Any non-opaque man-made structure constructed of any material and erected adjacent to an animal feeding, calving, or other such lot of which its principal use is that of protecting livestock from the effects of the wind.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from the ground upward except where otherwise specifically provided in this Ordinance that a building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.
A. Yard, Front. An open unoccupied space on the same lot with a main building extending the full width of the lot and situated between the street right-of-way and the front line of the building

projected to the sideline of the lot. The depth of the front yard shall be measured horizontally at right angles to the front lot line.
B. Yard, Rear. The required open space, extending for the full width of the lot, between the rear lot line and any principal building, measured horizontally at right angles to the rear lot line. In the case of through lots, there will be no rear yards, but only front and side yards.
C. Yard, Side. The open space extending from the front yard to the rear yard, measured between the nearest side lot line and a building. Any lot line not a rear line or a front line shall be deemed a sideline.

Zoning District; Zoning Use District; Uses District. These terms are synonymous with each other. See District Zoning.

Zoning Administrator. (also known as Zoning Officer or Zoning Enforcement Officer) Appointed by the City Council of Mobridge, and is responsible for carrying out the rules and regulations of this ordinance.

That Title 12, GENERAL COMMERCIAL DISTRICT (GC) Section 12.02, Permitted Uses, of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

12.02 Permitted Uses.
1. Principal Uses
A. Non-residential uses of the types permitted in the Residential District as follows:
Offices of civic, religious and charitable organizations
Private clubs, lodges, fraternity and sorority houses
B. Lodging, including hotels, motels and apartment hotels.
C. Any retail business whose principal activity is the sale of new or used merchandise or antiques. Such retail business may include a workshop for servicing or repair of goods sold on the premises.
D. Service establishments in which the retail sale of goods may or may not be involved, of the following types:
Barber and Beauty Shops
Photography studios
Watch, clock or jewelry repair
Catering services
Secretarial, stenographic and typing services
Physical culture establishments
Dry cleaning and laundry pick up services
Self-service laundry and dry cleaning
Household appliance repair
Funeral Home or Mortuary
E. Commercially operated vocational schools, not including the use of equipment or machinery first listed as permitted in the I-1or I-2 Districts.
F. Restaurants, tea rooms, cafes and other establishments serving food, beverages or both, including drive-in facilities.

G. Radio and television studios, bowling alleys, roller rinks, ice-skating rinks, swimming pools, assembly halls, enclosed theaters, concert halls, dance halls, or similar places of assembly or entertainment.
H. Banks and other lending and financial establishments including drive-in facilities.
I. Workshop types of services, limited to the following:
Interior decorating
Re-upholstering and furniture refinishing
Laundry and dry cleaning
Medical and dental laboratories not connected with practice of medicine or dentistry
Electrical Repair, not including the repair of industrial or road building machines or similar large machines.
Duplicating, addressing, blue printing, photocopying, electrostatic reproduction, film processing, mailing, and mail listing services
Locksmith, gunsmith
Shoe shine and shoe repair shops, hat cleaning and blocking
Tailor or dressmaking shop
J. Drive-in establishments related to the sale of goods or services permitted in this District, including drive-in theaters.
K. Rental of autos, trucks, trailers, and home gardening and repair tools
L. Food locker plant, including the cutting and packaging of meat, fowl, fish or game, sale at retail, delivery of individual home orders, renting of individual lockers of home-customer storage thereof, but excluding the slaughtering or eviscerating thereof.
M. Repair services related to goods or merchandise permitted to be sold in this District.
N. Offices of professional, business or industrial firms, not including the manufacture or storage of goods on the premises.
O. Recreation facilities, general commercial
P. Gasoline service station.
Q. Off-street parking as a principal use.
R. Professional Services offices including but not limited to:
    Medical and dental office and clinics
    Legal, engineering, architectural, accounting and similar professional offices
    Accounting, bookkeeping and auditing services
    Real estate and insurance offices
S. Governmental Services
T. Bus passenger terminals and taxicab transportation services.
U. Parks
V. Public buildings and grounds
W. Self-Storage facility
X. Vehicle Repair Business
Y. Tow Business

That Title 13, HIGHWAY COMMERCIAL DISTRICT (HC) Section 13.02, Permitted Uses, of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

13.02 Permitted Uses.
1. Principal Uses
A. Gasoline service stations and automobile repair garages.
B. Truck stops
C. Tire store sales and service including vulcanizing, involving no manufacturing on the premises.
D. Milk distributing stations, but not involving bottling on the premises.
E. Lodging, including hotels and motels.
F. Recreation facilities, limited commercial
G. Retail stores for the sale of automobile parts and accessories, souvenirs, curios, film, magazines and other products customarily sold to meet the needs of the motoring public
H. Restaurants, tea rooms, cafes and other establishments serving food, beverages or both, including drive-in facilities.
I. Retail sale of used merchandise and the retail sale of new and used automobiles, trucks, boats, mobile homes, motorcycles or agricultural implements, and garden supplies.
J. Fruit and vegetable markets.
K. Garden centers, greenhouses and nurseries
L. Trucks and trailer for hauling, rental and sales (U-Haul type).
M. Self-Storage facility
N. Tow Business including Vehicle Storage Yard with ten (10) or fewer stored vehicles.
O. Vehicle Repair Business.

That Title 14, LIGHT INDUSTRIAL DISTRICT (I-1) Section 14.02, Permitted Uses, of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

14.02 Permitted Uses.
1. Principal Uses.
A. Agriculture
B. Commercial establishments associated with or intended to serve the industrial establishments or their employees as follows:
Restaurants
Offices and facilities relating to emergency medical, drug and health services and the practice of industrial medicine.
Gasoline service stations.
Engineering, architectural, accounting, legal and similar professional services.
Duplicating, addressing, blueprinting, photocopying, mailing and stenographic services
Private employment agencies
Vocational and technical schools, public or private
C. Blending, packaging and storage of previously manufactured products, as follows: Chemical products, including household, cleaning and industrial compounds and insecticides.
Feed, grain, flour, sugar and other food products

8. Vehicle parts shall not be taken or sold from vehicles stored within a Vehicle Storage Yard.
9. Vehicles stored in a Vehicle Storage Yard must be parked neatly in rows and meet or exceed all City, County, State and Federal laws governing the same.
10. Any Vehicle Storage Yard located in the Highway Commercial Zone that abuts residentially zoned property shall have a solid fence with a minimum height of six (6) feet up to a maximum height of eight (8) feet along the Vehicle Storage Yard's property line abutting the residentially zoned property.
11. No traffic shall be generated by a tow or vehicle repair business in greater volumes than would normally be expected.
12. No equipment or process shall be used in a tow or vehicle repair business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot.
13. Vehicle Storage Yards shall comply with all Local, State, and Federal environmental regulations.

That APPENDIX K, Vehicle Repair Business Requirements, of the Revised Zoning Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted as follows:

APPENDIX K

VEHICLE REPAIR BUSINESS REQUIREMENTS

A Vehicle Repair Business is any land, building, structure, or premises used for repair, alteration, restoration, painting, cleaning, finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles. The term "repairing" shall not include the rebuilding, dismantling or storage of wrecked or junked vehicles. A repair shop does not include a junkyard/salvage yard, an impound lot, or an automobiles gas/service station, or a business whose main income is derived from the sale of vehicles. Parking and/or storage of repairable motor vehicles on property shall not exceed ten (10) spaces per every one thousand square feet of Net Assignable Square Feet (NASF).

Vehicle Repair Businesses, incident to the operation of an automotive repair business, may be established within the following zoned districts: General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial pursuant to the zoning laws of the City of Mobridge for Vehicle Repair Business under the following conditions and requirements:

1. Parking or storage of repairable vehicles on property shall not exceed ten (10) spaced per every one thousand square feet (1000^2ft.) of Net Assignable Square Feet (NASF).
2. All active outdoor vehicle repair work shall be completed within one (1) year from documented repair estimate or the vehicle shall be removed from the property. Temporarily taking the vehicle indoors for repair does not reset the one-year timeframe.
3. All vehicle repair businesses shall comply with the following:
    a. Shall have a repair or estimate bill per vehicle;

b. Only twenty-five percent (25%) of allowable vehicles can remain on the property for a period longer than forty-five (45) days and no vehicle shall remain on property for a period exceeding one (1) year.

4. No abandoned or junk vehicles may be kept on the property as defined under Mobridge Municipality Code 9.12.1.
5. Vehicle repair work shall not include:
   a. The dismantling or wrecking of any vehicles; or
   b. The storage or keeping of inoperable, damaged or wrecked vehicles, other than those awaiting immediate repair.
6. All fluids, including but not limited to, oil, gasoline, transmission flue, windshield washer fluid, hydraulic oil, and brake fluid, as well as batteries from vehicles shall be stored, disposed, or recycled according to state and federal regulations.
7. No traffic shall be generated by such repair businesses in greater volumes than would normally be expected.
8. No equipment or process shall be used in such repair businesses which created noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises.

APPROVED:

ATTEST:

_____
Mayor

_____
Finance Officer
Passed First Reading:_____
Passed Second Reading:_____
Approved:_____
Published:_____
Effective:_____

RESOLUTION NO. 18-03

BANKING AUTHORIZATION RESOLUTION

WHEREAS, The City of Mobridge is a Municipality under the laws of South Dakota; and

WHEREAS, The City of Mobridge has authorized Mayor Gene Cox, Council President _____, and Finance Officer Heather Beck to act on behalf of the City of Mobridge to open any deposit or share accounts in the name of the Municipality; and

WHEREAS, The City of Mobridge will require two (2) of the three (3) signatures for any transaction; and

WHEREAS, The City of Mobridge will obey all of the rules of Wells Fargo Bank, Dacotah Bank, SD FIT and Great Western Bank,

NOW, THEREFORE BE IT RESOLVED, That the City of Mobridge shall be entitled to operate and maintain bank accounts at Wells Fargo Bank, Dacotah Bank, SD FIT and Great Western Bank in Mobridge, South Dakota and all transactions in said accounts shall require signatures of any two of the following persons: Mayor Gene Cox, Council President _____, or Finance Officer Heather Beck.

Effective this 9th day of May, 2018.

CITY OF MOBRIDGE

BY: _____
Gene Cox, Mayor

ATTEST:

_____
Heather Beck, Finance Officer

APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner: *City of Mobridge*
114 1st Avenue E
Mobridge, SD 57601

Project: *Scherr-Howe Arena ADA Restroom Remodel*
212 Main Street
Mobridge, SD 57601

Application No.: *1*
Period To: *04/30/18*
Project Nos.: *18010*

Distribution to:
☑ Owner
☑ Architect
☑ Contractor

From Contractor: *Kyburz Carlson Construction*
729 Circle Drive
Aberdeen, SD 57401

Via Architect: *Ciavarella Design Inc.*
410 W 2nd Ave Suite 4
Mitchell, SD 57301

Contract Date: *02/22/18*

Invoice #: 18010-0001

Contract For: *Remodel to provide ADA restrooms/Other*

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

1. Original Contract Sum		$	*219,500*
2. Net Change by Change Orders		$	-
3. Contract Sum to Date (Line 1 ± 2)		$	*219,500*
4. Total Completed & Stored to Date		$	*60,450*
5. Retainage:			
a. 10% of Completed Work	$ *6,045*		
b. 0% of Stored Material	$ -		
Total Retainage (Line 5a + 5b)		$	*6,045*
6. Total Earned Less Retainage (Line 4 less Line 5 Total)		$	*54,405*
7. Less Previous Certificates for Payment (Line 6 from prior Certificate)		$	-
8. Current Payment Due		$	*54,405*
9. Balance to Finish, Including Retainage (Line 3 less Line 6)		$	*165,095*

CHANGE ORDER SUMMARY	Additions	Deductions
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS	$ -	$ -
NET CHANGES by Change Order	*$0*	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: Kyburz-Carlson Construction Co.

By: Matthew Beaner Date: April 26, 2018

Matthew Beaner, President

State of: South Dakota

County of: Brown

Subscribed and sworn to before me this 26 day of April 2018

Notary Public: Jennifer Law

My Commission expires: October 6, 2018

JENNIFER LAW
Notary Public
SEAL
State of South Dakota

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: $ 54,405.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

Architect: Ciavarella Design, Inc.

By: Date: April 27, 2018

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Scherr-Howe Arena ADA Restroom Remodel

APPLICATION AND CERTIFICATE FOR PAYMENT, containing
Contractor's signed Certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use column I on contracts where variable retainage for line items may apply.

Application Number: 1
Application Date: 04/26/18
Period To: 04/30/18
Contractor Project No.: 18010

A #	B Description of Work	C Scheduled Value	D From Previous Application (D+E)	E This Period	F Materials Presently Stored	G Total Completed And Stored (D+E+F)	H % (G/C)	I Balance To Finish (C-G)	J Retainage
1	General Requirements	33,505	0	12,000	0	12,000	36%	21,505	1,200
2	Demolition	5,328	0	4,500	0	4,500	84%	828	450
3	Concrete	4,288	0	0	0	0	0%	4,288	0
4	Metal Fabs	3,482	0	0	0	0	0%	3,482	0
5	Sheathing, Trims, Casework	6,698	0	1,200	0	1,200	18%	5,498	120
6	Insulation & Sealants	1,701	0	500	0	500	29%	1,201	50
7	Doors/Glazing/Hardware	19,638	0	0	0	0	0%	19,638	0
8	Framing/Drywall/Finishes	43,156	0	14,000	0	14,000	32%	29,156	1,400
9	Toilet Compartments & Accessc	8,294	0	0	0	0	0%	8,294	0
10	Plumbing	35,000	0	10,000	0	10,000	29%	25,000	1,000
11	HVAC	12,407	0	3,400	0	3,400	27%	9,007	340
12	Electrical	38,970	0	11,000	0	11,000	28%	27,970	1,100
13	Insurance/Bonds	2,641	0	2,641	0	2,641	100%	0	264
14	SD Excise Tax	4,392	0	1,209	0	1,209	28%	3,183	121
15						0		0	0
16						0		0	0
17						0		0	0
18						0		0	0
19						0		0	0
20						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
						0		0	0
	TOTALS	219,500	0	60,450	0	60,450	28%	159,050	6,045

12.

City of Mobridge

Memo

To: Council Members

From: Heather Beck

Date: May 9, 2018

Re: Malt Beverage License Renewals

Below are the malt beverage licenses that are up for renewal. These licenses run from July 1, 2018 to June 30, 2019. All fees have been paid and property taxes are current.

APPLICANT	DESCRIPTION	TYPE OF LICENSE
Bridge City Bait	Lot 1 Block 33 Grand Crossing	Retail (On-Off Sale)
Bridge City Liquors	S 60' of Lots 4 & 5, Blk 43 Grand Crossing	Retail (On-Off Sale)
Gas N More/Lucky's	Lots 1-2 Block 34 Grand Crossing	Retail (On-Off Sale)
Great Plains Family Rest.	W6' Lot 13, Lots 14-17 Block 41 Grand Crossing	Retail (On-Off Sale)
LaCabana	Lots 1-3, Block 1, Eklo's 1st Add	Retail (On-Off Sale)
Last Chance	Lots 5 & 6 Block 41 NW 3rd	Retail (On-Off Sale)
Mobridge Gas-n-Goodies	Lots 1-4 Block 22 Milwaukee 1st	Retail (On-Off Sale)
Rick's Cafe	Lots 2-6 Block 11 Mobridge Original	Retail (On-Off Sale)
The Gas Stop	Lots 10-12 Block 1 Eklos 1st	Retail (On-Off Sale)
The Grand Oasis	Lot 1 & part of Lots 2, 3 & 9 Blk 43, NWTS 3rd Add	Retail (On-Off Sale)
ShopKo	S 400' of Lots 3&4 SE ¼ of 13-124-80	Retail (On-Off Sale)
Merkel's Foods	Lots 14-18 Block 21 Milwaukee 1st	Retail (On-Off Sale)
Payless Foods	Lots 4-15 Block 40 Grand Crossing	Retail (On-Off Sale)
Dollar General	Dollar General Addn.	Retail (On-Off Sale)

Please let me know if you have any questions.

Thanks,

Heather

NOTICE OF PUBLIC HEARING
UPON APPLICATION FOR TEMPORARY RETAIL
LIQUOR/MALT BEVERAGE LICENSES

NOTICE IS HEREBY GIVEN THAT: The City Council in and for the City of Mobridge, South Dakota on the 9th day of May 2018 will consider the following applications for a Temporary Retail Liquor/Malt Beverage Licenses to operate within the municipality. This public hearing will take place during the regularly scheduled City Council meeting beginning at 5:30 PM.

APPLICANT: Mobridge Rodeo Association
LOCATION: Scherr Howe Event Center on June 29, 2018

APPLICANT: Mobridge Area Chamber of Commerce
LOCATION: Scherr Howe Event Center on June 7-9, 2018

APPLICANT: Pauly's Pub & Casino
LOCATION: One Block of Main Street on June 30, 2018

APPLICANT: Mobridge Area Chamber of Commerce
LOCATION: Scherr Howe Event Center on August 2-4, 2018

NOTICE IS FURTHER GIVEN: That any person, persons or their attorney may appear and be heard at said scheduled Public Hearing.

Heather Beck
Finance Officer

City of Mobridge

Memo

To: Council Members

From: Heather Beck

Date: May 9, 2018

Re: Summer Hires/Rehires

Below are the recommended hires/rehires for the 2018 seasonal positions:

Pool:

Lifeguards:

Geneva Grace Wollman – Head Lifeguard - $12.00/hour
Naomi Stroeder – WSI Lifeguard - $12.00
Tucker Holzer - $9.60; Grace Madison - $9.35; Arial Hach - $9.35
Keane Schlomer, Conner Unterseher, Caitlin Claymore, Caden Halsey, & Darcy Kelly - $9.10

Attendants:

Rachel Goldsmith – Head Attendant - $12.00/hour
Hannah Stroeder - $9.35; Jack Unterseher - $8.85; Madelyn Jungwirth - $8.85; Sarah Cox - $8.85; Kennedy Longbrake - $8.85; & Bryson Vetch - $8.85

Parks:

Wyatt Bieber - $13.00; Nathan Ford - $13.00; Tyler Blankartz - $10.00; Carson Quenzer - $10.00; Pat Davis - $11.39

Street:

Logan Vojta - $12.00