

**CITY OF DEADWOOD
ORDINANCE 1406**

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “CHAPTER 12.08 SIDEWALK CONSTRUCTION” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

CHAPTER 12.08 SIDEWALK CONSTRUCTION AND REPAIR

SECTION 2: **AMENDMENT** “12.08.010 Supervision Of Sidewalk Construction” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.010 Supervision Of Sidewalk Construction and repair

The building and construction or repair of all sidewalks upon or along any street shall be under the ~~direct~~ supervision of the ~~building inspector~~, Public Works Director and the Planning and Zoning Administrator ~~who shall see that said sidewalk conforms to the specifications referred to in this chapter.~~

(Prior code § 27-300)

SECTION 3: **AMENDMENT** “12.08.020 Specifications” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.020 Specifications

The construction of all sidewalks, whether by direct contract with the ~~e~~ City or by contract with the abutting property owners, shall be strictly in accordance with the specifications for sidewalks adopted by resolution by the Deadwood City-e Commission ~~and on file in the office of the building inspector.~~ The ~~building inspector~~ City of Deadwood has full power to condemn work and materials not in accordance with the requirements of such specifications.

(Prior code § 27-301)

SECTION 4: AMENDMENT “12.08.030 Permit Required” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.030 ~~Permit Required~~ Constructing Sidewalks

Before any sidewalk is constructed upon or along any street by any contractor or person for the owners of abutting property, the contractor or person must first secure a permit ~~therefor~~ from the ~~Building Inspector Official~~. ~~The construction of all sidewalks shall be according to grades and lines furnished by the building inspector.~~

(Prior code § 27-302)

SECTION 5: AMENDMENT “12.08.040 Repair Of Sidewalks” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.040 Repair Of Sidewalks

The ~~building inspector~~ City of Deadwood has full power to condemn existing sidewalks which need repairs and to serve the abutting owner of the property written notice requiring such repairs to be made ~~within three days or such longer time as the building inspector in his or her discretion shall specify in the notice~~ in a specified timeframe.

(Prior code § 27-303)

SECTION 6: AMENDMENT “12.08.060 Concrete Sidewalks Required” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.060 Concrete Sidewalks Required

Sidewalks shall be constructed of concrete; ~~however, all streets in Deadwood with historically contained sidewalks shall continue to have wooden sidewalks, properly maintained.~~
Exceptions to this requirement will be allowed on a use-on-review basis.

(Ord. 1010 § 1 (part), 2003; amended during 2004 codification; prior code § 27-305)

SECTION 7: AMENDMENT “12.08.080 Municipal Construction Or Repair On Failure By Adjoining Owner” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.080 Municipal Construction Or Repair On Failure By Adjoining Owner

If such sidewalk is not constructed, reconstructed or repaired in the manner and within the time specified pursuant to the notice required in Section 12.08.070 of this chapter, the ~~e~~City by resolution ~~may cause the same to be done by day labor or by job. If the amount of the contract is less than five hundred dollars (\$500.00), it shall not be necessary to advertise for bids~~ shall cause such sidewalks to be constructed, reconstructed, or repaired.

(Ord. 1063 (part), 2006)

SECTION 8: AMENDMENT “12.08.050 Special Assessments” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.050 Special Assessments

Upon failure of the property owner to make repairs as required in Section 12.08.040, the ~~e~~City ~~e~~Commissioners shall cause the repairs to be made in accordance with SDCL 9-46.

(Prior code § 27-304)

SECTION 9: AMENDMENT “12.08.070 Notice To Adjoining Property Owners To Construct Or Repair Sidewalk” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.070 Notice To Adjoining Property Owners To Construct Or Repair Sidewalk

Whenever the ~~e~~City shall deem it necessary to construct, rebuild, or repair any sidewalk, it shall notify all owners of lots adjoining such sidewalk to construct, rebuild or repair the same at

their own expense. Such notice shall be in writing and either be served personally by certified mail return receipt requested on such owner of record or by publication once each week for two consecutive weeks in the legal newspaper. The notice shall set forth the character of the work and the time within which it is to be completed. Such notice may be general as to the owners but must be specific as to the description of such lots.

(Ord. 1063 (part), 2006)

SECTION 10: AMENDMENT “12.08.090 Inspection” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.090 Inspection

It shall be a policy of the ~~e~~ City of Deadwood that the ~~building inspector or his or her designee~~ City shall canvas the city ~~no later than June 30th of~~ each year to determine whether or not any sidewalks or driveway sidewalks are in a hazardous or unsafe condition. If the ~~building inspector or his or her designee~~ City determines that a sidewalk or driveway sidewalk is in a hazardous or unsafe condition, ~~the building inspector~~ City shall send notice to the owner of record pursuant to Section 12.08.070 of this chapter of an unsafe or hazardous condition and the need for ~~immediate~~ repair or reconstruction of any sidewalk or driveway sidewalk.

Notwithstanding any other time frame provided herein, any time a sidewalk’s condition is noted by the ~~building inspector or his or her designee~~ City as presenting a safety hazard to pedestrians, the ~~e~~ City shall notify the property owner by any means necessary that repairs are required and follow-up to ensure the repairs are completed.

(Ord. 1063 (part), 2006)

SECTION 11: AMENDMENT “12.08.100 Costs” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.100 Costs

Costs of constructing, reconstructing and/or repair of sidewalks shall be pursuant to SDCL 9-46-~~5 through 9-46-9~~ and acts amendatory thereto.

(Ord. 1063 (part), 2006)

SECTION 12: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from October 30, 2024 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

Presiding Officer

Attest

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood