

# Fees set for city building codes

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The Vermillion City Council passed a resolution to establish fees for the 2012 building codes at its regular meeting Monday night.

City building official Farrel Christensen told the council members that the fees will be placed on the city website for the convenience of property owners.

There are only two new items pertaining to the fees, Christensen said.

The first is that a fine will be incurred if false information is provided to a code officer.

The second was to change the wording of section

113.16, which said the fee for an appeal application is \$50. Christensen said the correct amount is \$100.

According to a memo provided to the council, each fee is based on specific code sections.

"The new codes have the same fee requirements as previous codes, but the code section number or ordinance section or subsection number may have changed," the memo reads. "The proposed resolution connects the correct fees with code section or ordinance section or subsection established in ordinance."

The resolution was adopted unanimously by the council.

## EGRESS

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that 4.5 is not necessarily the hard and fast rule. So I'm really struggling with this."

Davies asked whether the egress windows in question could not be examined on a case-by-case basis, with the final decision being left to the discretion of the inspector.

Council member Kelsey Collier-Wise said a problem arises when those decisions are left to discretion.

"I would say an abundance of discretion is one of the reasons why we've had issues with things that have passed inspection in the past, and then now have come up because it was left a little more to the inspector's discretion," she said.

Collier-Wise added that while the current inspectors don't play favorites, they are not going to remain in their current positions forever, and that leaving the decision up to their discretion makes an unfair playing field for rental property owners.

Davies ultimately was the only member of the council that did not approve of the second reading of the ordinance.

The city council has been discussing the issue since late last year, and some local landlords have raised objections to egress window requirements since the beginning, although the city has met with some of them to discuss possible areas of compromise.

Dan Siefken of the South Dakota Multi-Housing Association thanked the city for allowing this involvement, and said that some windows have been identified that are "absolutely not safe."

However, he said problems could arise when landlords try to get windows that are up to code.

"If the opening isn't there, then you end up getting in the skeleton of the building, and it gets very expensive, and can in some cases make the building totally unsafe," Siefken said.

This is more the case in one-family structures that have been converted for multi-family use, he added.

Another problem concerns landlords that have recently replaced windows with units that are not up to the current code.

"They took a safe window and replaced it, and made it an unsafe window," Siefken said. "The code is clear, you cannot remove safety equipment. However, others have replaced the windows, and what ends up happening is, in five years that window isn't going to pay for itself."

Under the ordinance as it was read Monday night, city building official Farrel Christensen said landlords have five years to bring windows of a certain size up to compliance.

"We want to make it as doable as possible for these people that have windows that need to be changed," Christensen said. "We know they're not free. But with five years, based on the numbers that we've been able to accumulate for the cost of window repair, we feel that ... the average raise in rent would only be \$10 a month over those five years, which would cover the cost of most of those egress windows."

Egress windows that are less than 18 inches in width and 24 inches in height, or less than three square feet in area, must be replaced by Sept. 1, 2014, he said.

Siefken said the replacement and other costs will add up, and at some time get to a breaking point.

"As a council, you guys are going to be looking at us and saying, 'Help us out, why aren't our homes affordable?'" Siefken said. "All of this code costs money, and if you just replaced a window, you are just throwing money away."

Siefken asked if a different timeframe could be worked out so as not to have more of an impact on the renters.

"Since '75 the city has been inspecting them, and we've been passing them," he said. "I find it hard to believe that the code enforcement officers were negligent. If you go back to the

International Property Maintenance Code, it states that the year that the building was built, if it met code, then it's good."

Christensen said 157 windows are on the list as needing to be replaced, but there are things rental property owners can do, including an historic building exception and an option of installing a step beneath windows that measure as being too high above the floor.

"We know that 4.5 is the smallest number we can use successfully, so we're trying to make that opening in that building work as well with 4.5 as we can, and if it can't, you might have to modify the building," he said. "Some buildings maybe aren't suitable to be used for rentals."

Fire Chief Shannon Draper added that the 4.5 square foot minimum for egress windows was arrived at through information from code councils, industry standard experts, research and fatality reports.

"The current code ... is 5.7, so we're not even at current code, we're at the beginning, so that is the minimum," Draper said.

Siefken suggested the city create a committee or taskforce to deal with the issues surrounding the codes, an idea in which council members Steve Ward and Kent Osborne expressed interest.

City Manager John Prescott said he had spoken to the city attorney regarding such a group, and said that while the group would be able to gather information, it would not have any decision-making abilities.

Collier-Wise said an advisory group could be beneficial in terms of communication between the city and rental property owners, although no action was taken on the matter.

At the same meeting, the council members also had the second reading of Ordinance 1309, which adopts the International Building Code, International Residential Code and International Fire Code, which was approved unanimously, with no changes from the first reading.

## VHS to celebrate 1,000th blood donation

Vermillion High School and Community Blood Bank will celebrate the 1,000th donation of blood since the bloodmobile began visiting the high school in 1997.

This blood drive will mark the 38th event hosted with Community Blood Bank. The Vermillion High School staff, students, friends, family and community now have donated over 125 gallons of blood for patients at Sanford Vermillion. Vermillion High School sponsors two to three blood drives a year in partnership with the Community Blood Bank.

The blood drive will be held on Wednesday, March 26 from 9 a.m. to 12:30 p.m. and 2 to 4 p.m. at Vermillion High School. There will be

special t-shirts and refreshment given to all who donate to celebrate the 1,000th donation.

"Community support is vital to the local blood supply. It is important to know that the blood that is donated to Community Blood Bank is from your friends and neighbors in this region," said Ken Versteeg, Executive Director, Community Blood Bank.

Individuals can safely donate blood every 56 days. Eligible donors must be at least 17 years old (16 years old with a sign consent form found at cblifeblood.org), weigh 110 pounds or more and be in good health. It is recommended that a person eat and drink plenty of fluid prior to donating.

## CLAY COUNTY SHERIFF'S PRESS BRIEFING

03/09/14 20:56 – A deputy investigated an inmate in the jail attempting to conceal his medication and sell them to another inmate.

03/09/14 23:21 – A rural resident reported someone driving around the area and hearing the sound of gunshots too late for legal hunting. A deputy responded but did not locate a vehicle or any damage. Muddy tracks were located.

03/10/14 15:14 – The Register of Deeds reported a scam some residents received from "Registered Property Services" offering, for a large fee, a service the Register of Deeds will provide for considerably less.

03/10/14 15:41 – A deputy respond to a report of a push mower stolen from a vacant farm place. The theft occurred sometime since January.

03/10/14 17:05 – An inmate was transported to the Clay County Jail from the Yankton County Jail after an arrest

warrant for a previously reported Rape charge was served in Yankton County.

03/11/14 08:21 – Deputies responded along with an ambulance to a medical emergency at a rural residence.

03/11/14 13:36 – An inmate was transported to the Clay County Jail from the Minnehaha County Jail after being arrested in Sioux Falls for a Clay County warrant.

03/11/14 16:46 – A caller reported a semi weaving on Highway 50. A deputy located the vehicle and did not observe any impairment.

03/12/14 08:05 – An inmate was transported to the Human Services Center in Yankton for court ordered treatment.

03/12/14 13:46 – A deputy received information from a Vermillion resident who said he had information about possible crimes in the past in Nebraska. The information was taken and passed along to the appropriate agency with

jurisdiction.

03/12/14 20:10 – A rural Burbank resident called to report a suspicious door-to-door salesman selling insurance. A deputy located the name of the company and determined it was an actual salesman. No fraud had been committed in this case.

03/13/14 05:31 – A rural resident called to report stray dogs were killing her cats. Deputies were unable to locate the dogs' owner. The caller later reported the dogs were no longer near her residence.

03/13/14 10:09 – An inmate was transported to a doctor visit and then returned to the jail.

03/13/14 12:15 – A 911 call was received from a rural residence and the caller hung up. A deputy

responded and found the call was accidentally dialed.

03/14/14 10:18 – An inmate who is wanted for a Clay County warrant was picked up from the state penitentiary after finishing a sentence there and transported to the Clay County Jail.

03/14/14 18:58 – Deputies arrested a wanted person in Vermillion. The man was booked into jail.

03/14/14 20:52 – A vehicle was located parked along Highway 50 and left unattended for days. It was towed to an impound yard after contact with the owner was unsuccessful.

03/14/14 20:57 – A vehicle was observed running two stop signs at Highway 50 and Timber Road/Highway 19 and

then continuing east on Highway 50 over the speed limit. The vehicle was stopped and the driver was cited for the stop sign violation. This has been an area where complaints have been received due to frequent violations observed by citizens.

03/15/14 02:17 – Deputies responded to a non-violent domestic dispute in Wakonda. The intoxicated couple was physically separated for the remainder of the night by finding another place for one person to stay.

03/15/14 03:14 – A deputy responded to a car/deer collision on Highway 19 north of Vermillion.

03/15/14 03:46 – A deputy located a wanted person in Vermillion. The woman was booked into jail.

03/15/14 21:01 – A complaint was received of a vehicle speeding on Highway 50. A deputy located the vehicle, which was still speeding. The vehicle was stopped and the driver was cited for the offense.

Total Records: 22

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