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GENERAL PROVISIONS

1.01 Title and Application

These regulations shall be referred to as the 2013 Revised Zoning Ordinance of the City of Colton.

1.02 Jurisdiction

The provisions of this ordinance shall apply to all territory within the boundaries of the City of Colton, South Dakota, as established on the Official Zoning Map of the City of Colton.

1.03 Purpose

These regulations have been based upon the Colton Comprehensive Plan adopted and in conformance with Chapter 11-4 and 11-6 of South Dakota Codified Laws. These regulations are designed to carry out the goals, objectives, and policies of the Comprehensive Plan.

The Zoning Ordinance is intended:

- * to lessen congestion in the streets;
- * to secure safety from fire, panic and other dangers;
- * to promote health and the general welfare;
- * to provide adequate light and air;
- * to prevent overcrowding of land;
- * to avoid undue concentrations of population; and
- * to facilitate the adequate provision of transportation, water, sewers, school, parks and other public necessities.

1.04 Provisions of Ordinance Declared to be Minimum Requirements

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards, shall govern.

1.05 Penalties for Violation

If the Authorized Official determines that a violation of the provisions of this Ordinance has occurred, they shall issue a notice of violation and give the landowner time to comply with the Ordinance. If the person fails to comply within the time designated, then a citation shall be issued and the landowner assessed a civil penalty, which shall be set by resolution of the City Council. Each day that the violation continues shall be considered a separate offense and subject them to additional civil penalties. The City may file legal proceedings to collect the civil penalties and/or to correct the violation.

The owner or tenant of any building, structure or premises, any architect, builder, contractor, agent or other person who commits, maintains, assists in or participates in such violation may be also assessed a civil penalty.

1.06 Separability Clause

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be unconstitutional or invalid.

1.07 Repeal of Conflicting Ordinances

All prior ordinances or parts of prior ordinances in conflict with this ordinance are hereby declared repealed.

1.08 Effective Date

These regulations shall be in full force and effect from and after their passage, approval, publication and effective date of the 2013 Revised Zoning Ordinance of the City of Colton, as provided for by South Dakota law.