

City of Watertown

Proposed City Council Agenda

City Hall, 23 2ND ST NE

Watertown, South Dakota

April 7, 2025, 5:30 PM



Page

1. CALL TO ORDER

2. PRAYER

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. ACTION TO APPROVE THE AGENDA

6. OPEN FORUM

7. CONSENT AGENDA

- | | | |
|-----|---|---------|
| (a) | Approval of the minutes of the Council meeting held on March 17th, 2025 and March 27th, 2025.
City Council - Mar 17 2025 - Minutes
City Council - Mar 27 2025 - Minutes | 4 - 6 |
| (b) | Approval of a business license to Wes Ott as a Gasfitter (\$75).
Wes Ott / Comfort Plus | 7 - 8 |
| (c) | Approval of a business license to Ace Neon Signs & Service Inc dba Ace Signs as a Sign Installer (\$250.00)
Ace Neon Signs & Service | 9 - 15 |
| (d) | Approval of a Business License to Wittnebel Construction as a Pipe Layer (\$250).
Wittnebel Construction | 16 - 19 |
| (e) | Authorization for the Watertown Regional Library to declare miscellaneous property as surplus and dispose of as junk.
Surplus - Library | 20 |
| (f) | Authorization for City Hall to declare miscellaneous property as Surplus Property and Dispose of as Junk.
Surplus - City Hall Property | 21 - 22 |
| (g) | Authorization for the Solid Waste Division to declare 870 refuse containers as Surplus Property and Dispose of as Junk
Surplus - Refuse Containers | 23 |
| (h) | Approval of bills and payroll and authorization to pay | |
| (i) | Approval of Bid Award for 95-gallon solid waste containers, via Sourcewell | 24 - 27 |

contract 041521-TOT to Toter, LLC., in the Amount of \$74,480.00.

[95-Gallon Solid Waste Containers](#)

8. PRESENTATIONS & REPORTS

- (a) Home Rule Charter Midterm Review Committee Findings & Recommendations 28 - 62
[HRC Midterm Review Committee](#)
- (b) Watertown Development Company Presentation
- (c) Presentation by Ryan Heiser on the "Team Up to Clean Up" Event

9. CONTRACTS & CHANGE ORDERS

- (a) Approval of a Bid Award for the 2025 Solid Waste Improvements-Weigh Scale Project, Project No. 2512 to Timmons Construction, Inc., in the amount of \$299,940.00 63 - 65
[2025 Solid Waste Improvements-Weigh Scale Project, Project No. 2512](#)

10. ORDINANCE FIRST READINGS

- (a) First Reading of Ordinance No. 25-03, Zoning Text Amendments to Chapter 24, Subdivision of Land of the Revised Ordinances of the City of Watertown 66 - 116
[Ordinance No. 25-03](#)

11. PUBLIC HEARINGS & SECOND READINGS

- (a) Application for a transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Video Lottery license from River Card Casino & Westside Laundromat LLC, d/b/a River Card Casino & West Side Laundromat LLC, 7 8th Street SW, The South 27.5' of the East half of Lot 3 and the South 27.5' of the West 11.5' of Lot 2, Block 49 to Rodney Parent d/b/a River Card Casino at the same location. 117 - 122
 - 1. Public Hearing
 - 2. Council Action[River Card Casino](#)
- (b) Second Reading of Ordinance No. 25-02, Zoning Text Amendments to Chapter 21.29 C-L Lake Commercial District, Chapter 21.30 C-L1 Lake Adjacent Commercial District (New District), Chapter 21.31 C-L2 Lake Proximity Commercial District (New District), and Chapter 21.58 C-LX Lake District Overlay (New District), Chapter 21.05 Establishment of Districts, Chapter 21.10 Summary of District Regulations, and Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown 123 - 153
 - 1. Public Hearing
 - 2. Council Action[Ordinance No. 25-02](#)

12. OTHER BUSINESS

- (a) Approval of Resolution No. 25-11, for Repeal or Carryover of Capital Outlay Appropriations from the 2024 Fiscal Year. 154 - 156

[Resolution No. 25-11](#)

- (b) Approval of Resolution No. 25-12, a resolution authorizing the conveyance of real estate property located within Block 4 of East Acres Addition to Watertown Development Company and Authorizing the Interim City Manager to enter into a Sanitary Sewer Utility Easement Agreement with Kampeska Builders, LLC 157 - 171

[Resolution No. 25-12](#)

- (c) Approval to allow a Patrol Officer to live .7 miles outside the 15-mile residency restriction 172 - 175

[Residency Restriction](#)

13. CITY COUNCIL MEMBER ANNOUNCEMENTS AND INTRODUCTION OF TOPICS FOR FUTURE DISCUSSION

14. CITY MANAGER REPORT

15. EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2

16. ADJOURNMENT

Kristen Bobzien
Chief Financial Officer

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. ADA Compliance:

The City of Watertown fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

Watertown
City Council Meeting Minutes
March 17, 2025

The City Council met in regular session at 2:00 PM in the City Hall Council Chambers, 23 2ND ST NE. Deputy Mayor Randy Tupper presiding.

Present upon roll call: Alderperson Jurrens, Peters, Schutte, Tupper, Buhler and Danforth. Absent: Mayor Holien.

Deputy Mayor Tupper called for Open Forum. No comments.

Motion by Schutte, seconded by Peters, to approve the agenda as presented. Items approved as part of the consent agenda: minutes of the Council meeting held on March 3rd, 2025; Mayor's appointment of Michael Danforth, Randy Tupper and Dan Schutte as City Council representatives to serve on the 2025 Consolidated Board of Equalization; a business license to Gustaf Carlson as a Gasfitter (\$75); approval to write-off uncollectible Ambulance accounts receivable and remit to the collection agency from 9/1/23 thru 6/1/24 in the amount of \$88,330.36; a Special Event Retail On-Sale License to The Shamrocks & Edelweiss Corp d/b/a Dempsey's Brewery Pub & Restaurant for the Boys & Girls Club Camel Races at the Codington County Extension Complex, 1910 West Kemp Ave, W17' of Lot 60 & all of Lots 61-71 W110' of Lots 72-82 & all of Lots 83-93, Way's 4th Lake Drive Addn from 3:00 PM to 11:59 PM on Friday, April 25th, 2025; authorization for City Hall to declare miscellaneous property as surplus and dispose of as junk. Motion Carried.

Motion by Danforth, seconded by Schutte, to acknowledge the FAA Airport Infrastructure Grant (AIG) Application for Hangar Taxilane Expansion, in the Amount of \$570,000.00. Motion Carried.

Motion by Peters, seconded by Schutte, to approve a Bid Award for the Private Hangar Area Expansion Project, Project No. 2423 to Webster Scale, Inc. in the Amount of \$349,830.00, pending FAA Grant Award. Motion Carried.

Motion by Danforth, seconded by Peters, to approve a Bid Award for the 2025 Park and Recreation Improvements-Bike Trail Overlay, Project No. 2509 to Bowes Construction, Inc., in the amount of \$309,290.00. Motion Carried.

Ordinance No. 25-04, a Revised Ordinance of the City of Watertown to Amend Ordinance Title 5, was placed on its first reading and the title was read. No action taken.

Motion by Schutte, seconded by Danforth, to approve Resolution No. 25-02, the Plat of Harmony Hill PUD First Addition to the Municipality of Watertown, in the County of Codington, South Dakota and Authorize the Interim City Manager to enter into a Private Road Agreement. Motion Carried.

Motion by Schutte, seconded by Danforth, to approve a 28' Public Access Easement through City property to allow secondary access for a proposed project on the NW corner of Willow Creek Drive and 28th Street SE. Motion Carried.

Agenda Item 7.(a) Approval of the minutes of the Council meeting held on...

Motion by Peters, seconded Buhler, to authorize the Forestry division to purchase a 2025 Forestry Chipper Truck in the amount of \$108,197.50. Motion Carried.

Councilman Peters mentioned that he had a recent discussion with a local developer along with Councilman Tupper and Mayor Holien. He encouraged other developers to reach out in order to discuss current development frustrations.

Councilman Danforth clarified that the upcoming transition at the Watertown Event Center is between two private entities with common ownership, whereas the City is the property owner. Danforth recommended that concerned constituents contact the hotel directly in regard to hotel and event reservations. The City is working on a long-term plan but asked the Community to be patient at this time.

Councilman Tupper announced that the City Finance Office has received the Certificate of Achievement for Excellence in Financial Reporting from the GFOA for the 2023 fiscal year.

Motion by Peters, seconded by Danforth, to go into Executive Session for the purpose of discussing contractual matters. Motion Carried.

Motion by Danforth, seconded by Schutte, to adjourn until 5:30 PM on Monday, April 7th, 2025. Motion Carried.

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of service.

Dated at Watertown, South Dakota, March 17th, 2025.

ATTEST:

Jennifer Collins, Records & Licensing Manager

Randy Tupper, Deputy Mayor

Watertown
City Council Meeting Minutes
March 27, 2025

The City Council met in special session at 12:00 PM in the City Hall Council Chambers, 23 2ND ST NE. Mayor Ried Holien presiding.

Present upon roll call: Alderperson Peters, Schutte, Tupper, Buhler and Mayor Holien. Absent: Alderperson Danforth and Jurrens.

Motion by Tupper, seconded by Schutte, to approve the agenda as presented. Motion Carried.

Mayor Holien called for Open Forum. No comments.

This being the time scheduled for a public hearing on the application for a transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Video Lottery license from Kareem Inc d/b/a Freedom, 225 W Kemp Ave, S100' of Lots 8-10, Block 35 Second Railway Addition to 727 Inc d/b/a Freedom Watertown at the same location, the Mayor called for public comment. Hearing no comments from the public, motion by Buhler, seconded by Peters, to approve the transfer application as presented. Motion Carried.

Councilman Tupper stated there is interest in updating the current "Welcome to Watertown" signs within the Community.

Councilman Tupper stated that he attended a tour of Harmony Hill earlier today with the Governor and Lieutenant Governor, who were impressed by the growth and changes occurring within the community.

Motion by Tupper, seconded by Schute, to adjourn until 5:30 PM on Monday, April 7th, 2025. Motion Carried.

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Dated at Watertown, South Dakota, March 27th, 2025.

ATTEST:

Jennifer Collins, Records & Licensing Manager

Ried Holien, Mayor



City Council

Agenda Item

Subject: Approval of a business license to Wes Ott as a Gasfitter (\$75).
Meeting: City Council - Apr 07 2025
From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Applicant will be licensed to work under Comfort Plus Heating & Air Inc for 2025. Gasfitter applicant has passed the gasfitter exam administered by Watertown Municipal Utilities.

FINANCIAL CONSIDERATIONS:

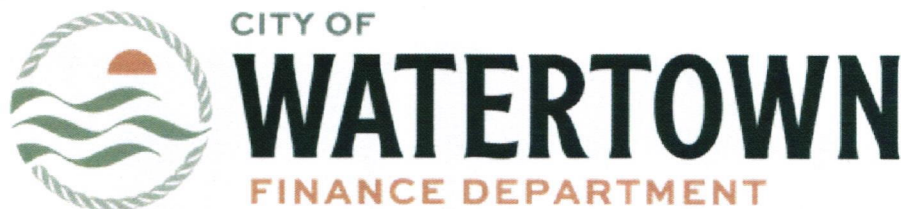
Applicant has paid \$75 of licensing fees to the City of Watertown.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the business license to Wes Ott as a Gasfitter (\$75).

ATTACHMENT(S):

[Wes Ott](#)



Gasfitting Contractor & Gasfitter License Application

☐ New Application ☐ Renewal ☒ Add Additional Gasfitter(s) ☐ Transfer Licensed Gasfitter(s)

Licensing Year: 20__

Gasfitting Contractor License Information:

Business Name (as it will appear on license)	Comfort Plus Heating and Air Inc
Applicant/Owner Name (as it will appear on license)	
Business Address	15226 465th Ave
City, State, Zip	Twin Brooks SD 57269
Phone Number	6058810796
Email Address	Scott.Snoozy7@gmail.com
Insurance Company Name (copy of certificate req'd)	Markve Insurance
Insurance Expiration Date	6/1/25
Bond Company Name (copy of bond req'd)	Auto Owners
Bond Expiration Date	8/21/25
License Fees (check made payable to City of Watertown)	Gasfitting Contractor: \$250 first year/\$75 renewal Gasfitter Fee: \$75 per gasfitter/per year Transfer Licensed Gasfitter Fee: \$25 per gasfitter

Supporting Gasfitter Licenses: (If more gasfitters are to be added, please attach additional information to this application)

Gasfitter #1 - Full Name <i>Wes Ott</i>	Signature of Gasfitter #1: <i>Wes Ott</i>
Gasfitter #2 - Full Name	Signature of Gasfitter #2:
Gasfitter #3 - Full Name	Signature of Gasfitter #3:

Scott Snoozy
Signature of Business Owner

3/17/25
Date

TO BE COMPLETED BY CITY OF WATERTOWN	
Fee Paid: _____	City Council Approved On _____
Receipt Number: _____ Dated: _____	_____
License or Permit Number: _____	City Manager _____
	Finance Officer _____

Submit completed application to: City Finance Office, Attn: Records/Licensing Manager, PO Box 910, Watertown SD 57201
Phone# (605) 882-6203 • Fax# (605) 882-6218 • licenses@watertownsd.us



City Council

Agenda Item

Subject: Approval of a business license to Ace Neon Signs & Service Inc dba Ace Signs as a Sign Installer (\$250.00)

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Applicant has paid licensing fees and has provided adequate proof of insurance/bonding.

FINANCIAL CONSIDERATIONS:

Applicant has paid licensing fees of \$250 to the City of Watertown.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the business license to Ace Neon Signs & Service Inc dba Ace Signs as a Sign Installer (\$250.00).

ATTACHMENT(S):

[Ace Neon Signs](#)



CITY OF
WATERTOWN
FINANCE DEPARTMENT

Sign Installer License Application

☒ New Application ☐ Renewal

Licensing Year: 20 25

License Information:

Business Name (as it will appear on license)	Ace Neon Signs & Service Inc dba Ace Signs
Applicant/Owner Name (as it will appear on license)	Jeremy Josephson
Business Address	403 N Kiwanis Ave
City, State, Zip	Sioux Falls SD 57104
Phone Number	605-336-7031
Email Address	ace@aceneonsigns.com
Insurance Company Name (copy of certificate req'd)	Columbia Ins / North Central Insurance
Insurance Expiration Date	4-1-26
Bond Company Name (copy of bond req'd)	Western Surety Co
Bond Expiration Date	3-17-26
License Fee (check made payable to City of Watertown)	License fee: \$250.00 first year/\$75.00 renewal


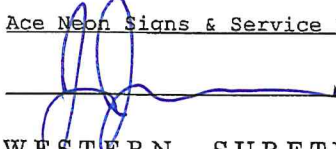
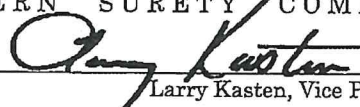
Applicant/Owner Signature

Date

TO BE COMPLETED BY CITY OF WATERTOWN

Fee Paid: _____	City Council Approved On _____
Receipt Number: _____ Dated: _____	_____
License or Permit Number: _____	City Manager
	Finance Officer

Submit completed application to: City Finance Office, Attn: Records/Licensing Manager, PO Box 910, Watertown SD 57201
Phone# (605) 882-6203 • Fax# (605) 882-6218 • licenses@watertownsd.us

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES	
<div></div> <div>Effective Date: <u>March 17th, 2025</u></div> <div><h1>Western Surety Company</h1><h2>LICENSE AND PERMIT BOND</h2></div>	
KNOW ALL PERSONS BY THESE PRESENTS:	Bond No. <u>67406903</u>
That we, <u>Ace Neon Signs & Service Inc</u>	
of <u>Sioux Falls</u> , State of <u>South Dakota</u> , as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State of <u>South Dakota</u> , as Surety, are held and firmly bound unto the <u>City of Watertown</u> , State of <u>South Dakota</u> , as Obligee, in the penal sum of <u>Ten Thousand and 00/100</u> DOLLARS (<u>\$10,000.00</u>), lawful money of the United States, to be paid to the Obligee, for which payment well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.	
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the Principal has been licensed <u>Sign Installer</u> by the Obligee.	
NOW THEREFORE, if the Principal shall faithfully perform the duties and in all things comply with the laws and ordinances, including all amendments thereto, pertaining to the license or permit applied for, then this obligation to be void, otherwise to remain in full force and effect until <u>March 17th</u> , <u>2026</u> , unless renewed by Continuation Certificate.	
This bond may be terminated at any time by the Surety upon sending notice in writing, by First Class U.S. Mail, to the Obligee and to the Principal at the address last known to the Surety, and at the expiration of thirty-five (35) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to said date. Regardless of the number of years this bond shall continue in force, the number of claims made against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.	
Dated this <u>17th</u> day of <u>March</u> , <u>2025</u> .	
<div><u>Ace Neon Signs & Service Inc</u> Principal</div> <div> Principal</div> <div>WESTERN SURETY COMPANY</div> <div>By  Larry Kasten, Vice President</div>	
Form 532-8-2023	
WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES	

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Larry Kasten of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Sign Installer City of Watertown

bond with bond number 67406903

for Ace Neon Signs & Service Inc

as Principal in the penalty amount not to exceed: \$ 10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Vice President with the corporate seal affixed this 17th day of March,
2025.

ATTEST

L. Bauder

L. Bauder, Assistant Secretary

WESTERN SURETY COMPANY

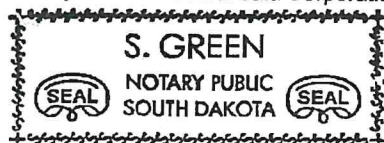
Larry Kasten

Larry Kasten, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 17th day of March, 2025, before me, a Notary Public, personally appeared
Larry Kasten and L. Bauder

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.



My Commission Expires February 12, 2027

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

On this 17th day of March, 2025, before me, the undersigned officer, personally appeared Larry Kasten, who acknowledged himself to be the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



S. Green
Notary Public — South Dakota

My Commission Expires: February 12, 2027

ACKNOWLEDGMENT OF PRINCIPAL
(Individual or Partners)

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, before me personally appeared _____, known to me to be the individual described in and who executed the foregoing instrument and acknowledged to me that he executed the same.

My commission expires _____

Notary Public


STATE OF South Dakota }
COUNTY OF Minnehaha } ss

ACKNOWLEDGMENT OF PRINCIPAL
(Corporate Officer)

On this 17th day of March, 2025, before me personally appeared Jeremy Josephson, who acknowledged himself/herself to be the President of Ace Neon Signs & Service Inc., a corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

My commission expires April 26, 2026

Jeremy Josephson
Notary Public



Western Surety Company

License or Permit No.	
LICENSE AND PERMIT BOND As	
of	
State of	
Name of Applicant	
Address	
Filed	
Approved this	
day of	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/17/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER North Central Insurance Center, Inc. 3700 S Western Ave Sioux Falls SD 57105-6115	CONTACT NAME: Dixie Tran PHONE (A/C, No, Ext): 605-339-4000 FAX (A/C, No): 605-339-3465 E-MAIL ADDRESS: dixie@northcentralins.com														
INSURED Ace Neon Signs & Service Inc 403 N Kiwanis Ave Sioux Falls SD 57104-2519	INSURER(S) AFFORDING COVERAGE <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A : Columbia National Insurance Co</td> <td>19640</td> </tr> <tr> <td>INSURER B : Columbia Mutual Insurance Co</td> <td>40371</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER	NAIC #	INSURER A : Columbia National Insurance Co	19640	INSURER B : Columbia Mutual Insurance Co	40371	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
INSURER	NAIC #														
INSURER A : Columbia National Insurance Co	19640														
INSURER B : Columbia Mutual Insurance Co	40371														
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

 License#: 1625
 ACENEON-01

COVERAGES

CERTIFICATE NUMBER: 435956039

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CMI'SD0000002712	4/1/2024	4/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CAPSD0000002712	4/1/2024	4/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUPSD2000009349	4/1/2024	4/1/2025	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	WCPSD0000002717	4/1/2024	4/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Installation Floater			CMPSD0000002712	4/1/2024	4/1/2025	Limit \$175,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

 City of Watertown
 PO Box 910
 Watertown SD 57201

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/17/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER North Central Insurance Center, Inc. 3700 S Western Ave Sioux Falls SD 57105-6115	CONTACT NAME: Dixie Tran PHONE (A/C, No, Ext): 605-339-4000 FAX (A/C, No): 605-339-3465 E-MAIL ADDRESS: dixie@northcentralins.com
INSURED Ace Neon Signs & Service Inc 403 N Kiwanis Ave Sioux Falls SD 57104-2519	License#: 1625 ACENEON-01

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Columbia National Insurance Co	19640
INSURER B : Columbia Mutual Insurance Co	40371
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 90264338**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CMPSD0000002712	4/1/2025	4/1/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CAPSD0000002712	4/1/2025	4/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUPSD2000009349	4/1/2025	4/1/2026	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	WCPSD0000002717	4/1/2025	4/1/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Installation Floater			CMPSD0000002712	4/1/2025	4/1/2026	Limit \$175,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**
 City of Watertown
 PO Box 910
 Watertown SD 57201

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



City Council Agenda Item

Subject: Approval of a Business License to Wittnebel Construction as a Pipe Layer (\$250).
Meeting: City Council - Apr 07 2025
From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Applicant has paid licensing fees and has provided adequate proof of insurance/bonding.

FINANCIAL CONSIDERATIONS:

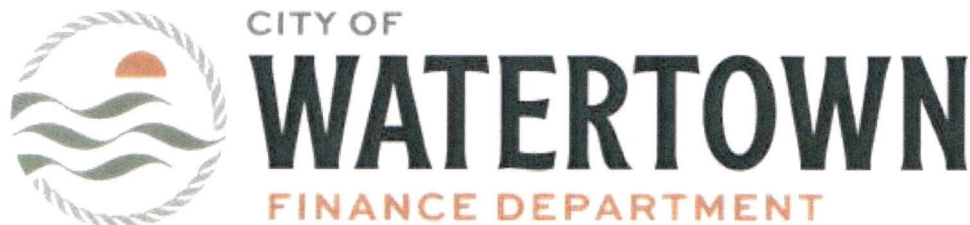
Applicant has submitted licensing fees of \$250.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the Business License to Wittnebel Construction as a Pipe Layer (\$250).

ATTACHMENT(S):

[Wittnebel Construction](#)



Pipe Layer Business License Application

☐ New Application ☒ Renewal

Licensing Year: 20__

License Information:

Business Name (as it will appear on license)	Wittnebel Construction
Applicant/Owner Name (as it will appear on license)	Barrett Wittnebel
Business Address	44342 167 ST
City, State, Zip	Henry SD 57243
Phone Number	605-881-5362
Email Address	frances.b.wittnebel@gmail.com
Insurance Company Name (copy of certificate req'd)	Ncom Insurance
Insurance Expiration Date	9/22/25
Bond Company Name (copy of bond req'd)	Western Surety
Bond Expiration Date	3/26/28
License Fee (check made payable to City of Watertown)	License fee: \$250.00 first year / \$75.00 renewal

Barrett Wittnebel
Applicant/Owner Signature

3-18-25
Date

TO BE COMPLETED BY CITY OF WATERTOWN

Fee Paid: <u>\$250.00 chk #4513</u>	City Council Approved On _____
Receipt Number: _____ Dated: _____	_____
License or Permit Number: _____	City Manager
	Finance Officer

Submit completed application to: City Finance Office, Attn: Records/Licensing Manager, PO Box 910, Watertown SD 57201
Phone# (605) 882-6203 • Fax# (605) 882-6218 • licenses@watertownsd.us



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/19/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER NOEM INSURANCE INC. PO BOX 7 BRYANT SD 57221	CONTACT NAME: Bryon Noem PHONE (A/C, No, Ext): 605-628-5000 FAX (A/C, No): 605-628-5001 E-MAIL ADDRESS: bnoem@noeminsurance.com INSURER(S) AFFORDING COVERAGE INSURER A: SFM Mutual Insurance Company NAIC # 11347 INSURER B: Midwest Family Mutual Insurance INSURER C: INSURER D: INSURER E: INSURER F:
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COVERAGES **CERTIFICATE NUMBER:** 20241119150754972 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	COMMERCIAL GENERAL LIABILITY			CPSD0560126505	09/22/2024	09/22/2025	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person) \$ 5,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$ 1,000,000
	OTHER:						GENERAL AGGREGATE \$ 2,000,000
B	AUTOMOBILE LIABILITY			CPSD0560126505	09/22/2024	09/22/2025	PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input type="checkbox"/> ANY AUTO						Fire Damage \$ 100,000
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> HIRED AUTOS ONLY						BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			171246.202	10/12/2024	10/12/2025	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N <input type="checkbox"/>	N/A				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Watertown 23 Second St. NE PO Box 910 Watertown SD 57201 Email: speterson@watertownsd.us	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Bryon Noem
--	--

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Effective Date: March 26th, 2025

Western Surety Company

LICENSE AND PERMIT BOND

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 67423331That we, Barrett Wittnebel DBA Wittnebel Construction

of Henry, State of South Dakota, as Principal,
and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State of
South Dakota, as Surety, are held and firmly bound unto the

City of Watertown, State of South Dakota, as Obligee, in the penal

sum of Ten Thousand and 00/100 DOLLARS (\$10,000.00),
lawful money of the United States, to be paid to the Obligee, for which payment well and truly to be made,
we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the Principal has been
licensed General Contractor

by the Obligee.

NOW THEREFORE, if the Principal shall faithfully perform the duties and in all things comply
with the laws and ordinances, including all amendments thereto, pertaining to the license or permit
applied for, then this obligation to be void, otherwise to remain in full force and effect until
March 26th, 2028, unless renewed by Continuation Certificate.

This bond may be terminated at any time by the Surety upon sending notice in writing, by First Class
U.S. Mail, to the Obligee and to the Principal at the address last known to the Surety, and at the expiration
of thirty-five (35) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety
shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to said
date. Regardless of the number of years this bond shall continue in force, the number of claims made
against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of
liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total
liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be
cumulative.

Dated this 26th day of March, 2025.Wittnebel Construction

Principal

Principal

WESTERN SURETY COMPANY

By Larry Kasten
Larry Kasten, Vice President



City Council

Agenda Item

Subject: Authorization for the Watertown Regional Library to declare miscellaneous property as Surplus and Dispose of as Junk.

Meeting: City Council - Apr 07 2025

From: Maria Gruener, Library Director

BACKGROUND INFORMATION:

Watertown Regional Library has a variety of outdated and/or damaged items to surplus.
The list of items is as follows -

- 3 - Armchairs
 - 1 - Floor Cushion Set
 - 2 - Foot rests
 - 1 - Book cart
-

FINANCIAL CONSIDERATIONS:

There are will be no financial impact.

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends the approval of surplus through the following motion:

I move to approve the authorization for the Watertown Regional Library to declare miscellaneous Property as Surplus and Dispose of as Junk.



City Council

Agenda Item

Subject: Authorization for City Hall to declare miscellaneous property as surplus and dispose of as junk.

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

This surplus property are items outdated, broken, or unusable. We are requesting authorization to recycle or dispose these items.

FINANCIAL CONSIDERATIONS:

There are no major financial considerations for this item.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the authorization for City Hall to declare miscellaneous property as surplus and dispose of as junk.

ATTACHMENT(S):

[2035 List to Dispose](#)

Quantity	Item	Disposal Method	Reason
Misc.	Rang Poles	Junk	Broken
2	Tripods	Junk	Broken
2	Traffic Signs	Junk	Broken
3	Rolls of Plastic	Junk	Old/Water Damage
3	1 Gal. Paint	Junk	Old
3	5 Gal. Paint	Junk	Old
1	Misc. Rebar	Junk	Rusty/Old
1	Misc. Tape Measures	Junk	Broken
1	Misc. Shelving Brackets	Junk	Broken
1	Misc. Nails & Screws	Junk	Rusty/Old
1	Misc. Cylinder Molds	Junk	Not Usable
1	Misc. Foam Coolers	Junk	Not Usable
1	Cylinder Tank	Junk	Old/Junk
2	Steel Cabinets	Junk	Not Sturdy
2	Steel Shelves	Junk	Not Sturdy
1	Metal Soil Container	Junk	Rusty/Old
2	Door	Junk	Water Damage
2	Plywood	Junk	Water Damage
1	Misc. Display Board Material	Junk	Not needed, damaged
1	Misc. Storage Containers	Junk	Not needed, from basement



City Council

Agenda Item

Subject: Authorization for the Solid Waste Division to declare 870 refuse containers as Surplus Property and Dispose of as Junk.

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The Solid Waste Division has accumulated 870 refuse containers that are no longer of use because they are broken or otherwise worn out beyond repair. These containers cannot be placed back into service with the community and need to be disposed of properly.

It is the Solid Waste Division's intention to arrange for the proper disposal via a recycler to ensure environmental responsibility and to clear the accumulated surplus from the Landfill facility. By taking this step, the division can ensure the proper disposal of the surplus refuse containers while upholding environmental responsibility and regulatory compliance.

Items to Surplus as Junk:

Solid Waste 95-gallon refuse containers (broken) 792
Solid Waste 200-gallon refuse dumpsters (broken) 23
Solid Waste 300-gallon refuse dumpsters (broken) 21
Solid Waste 450-gallon refuse dumpsters (broken) 34

FINANCIAL CONSIDERATIONS:

The surplus property was budgeted for, over several previous years under Capital categories 43230-43611 & 43245-43682. The assets have been paid for and a percentage replaced under warranty.

OVERSIGHT / PROJECT RESPONSIBILITY:

Scott Davis, Solid Waste Superintendent

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends the approval of surplus through the following motion:

I move to approve the authorization for the Solid Waste Division to declare 870 refuse containers as Surplus Property and Dispose of as Junk.



City Council

Agenda Item

Subject: Approval of Bid Award for 95-gallon solid waste containers, via Sourcewell contract 041521-TOT to Toter, LLC., in the Amount of \$74,480.00.

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The Solid Waste Collection Division budgets to purchase solid waste containers annually.

This proposed purchase for 95-gallon solid waste containers meets the City of Watertown specifications, meeting the statutory bid requirements for materials or supplies over \$50,000.

Five companies provided quotes for containers, either via Sourcewell contract pricing or H-GAC (Houston-Galveston Area Council Cooperative Purchasing) contract pricing. One company's bid was ruled non-responsive due to not following solicitation requirements. Only one of the remaining four proposer's containers met City specifications.

The cost of the containers from the four bidders, varied from a low of \$53.49 each to a high of \$57.52 each.

The containers from Toter, LLC pricing is the second lowest cost proposal overall and the lowest cost of the proposals meeting specifications at \$54.80-\$55.30 per container depending upon whether hot-stamped with City logo or not.

This purchase is for 750 Municipal Solid Waste (Blue) containers, 350 Yard Waste (Green) containers and 250 Recycling (Tan) containers.

FINANCIAL CONSIDERATIONS:

The funding for these containers has been allocated from the Capital Improvement Plan; accounts 605-432.30-43611 and 605-432.45-43682 in the amount of \$93,240.00. The cost of this purchase is \$74,480.00 which comes in with \$18,760.00 remaining in the Capital Improvement accounts for the pending bid award for additional 300-gallon and 450-gallon refuse containers.

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of this bid award through the following motion:

I move to approve a Bid Award for 95-gallon solid waste containers, via Sourcewell contract to Toter, LLC., in the Amount of \$74,480.00.

Agenda Item 7.(i) Approval of Bid Award for 95-gallon solid waste contai...

ATTACHMENT(S):

[doc01592820250328145915](#)

Agenda Item 7.(i) Approval of Bid Award for 95-gallon solid waste contain...

2025 Watertown SW Division 96 Gallon Cart Bid Results

	Cascade Cart Solutions	Rehrg Pacific Co.	Toter	Schaefer Plastics	Otto	Other Considerations
Section 2. Manufacturing Processes & Materials						
2.1 Manufacturing Process. Each body may be mfg by either Rotational or Injection molding process using either medium or high density polyethylene.	X	X	X	X	X	
2.2 Plastic Material: Base container body plastic resin may contain up to 50% recycled content.	X	X	X	X	X	
2.3 Resin Additives: The plastic resin must be enhanced with color pigment and ultraviolet inhibitor which must be uniformly distributed throughout the finished container.	X	X	X	X	X	
Section 3. Container Requirements						
3.1 ANSI Conformance	X	X	X	X	X	
3.2 Load Rating	X	NO	X	NO	X	
Stated Load Rating, Pounds	336	332.5	335	333	335	
3.3 Weight	X	X	X	X	X	
Stated Weight	35.6	35	34.4	36	34.5	
3.4 Capacity: Stated Capacity, US Gallons	96	95	96.36	96	95.8	
3.5 Dimensions						
Height:	46"	43.5"	43.5"	43.2"	41.25"	
Length:	34"	33.3"	35.5"	32.1"	33.88"	
Width:	26"	29.2"	29.75"	28"	29.38"	
3.6 Rim Of Body	X	X	X	X	NO	
3.7 Handles	X	X	X	X	X	
3.8 Lid	X	X	X	X	X	
3.9 Bottom	X	X	X	X	X	
3.10 Wheels	NO	X	X	X	X	
3.11 Axle	NO	NO	X	X	NO	
3.12 Stability	X	NO	X	NO	X	
3.13 Lift System	NO	X	X	X	X	
3.14 Nestability	NO	NO	X	NO	NO	
3.15 Color	X	X	X	X	X	Only Toter Offers Granite Finish
Section 4. Markings						
4.1 Serial Numbers	X	X	X	X	X	
4.2 Custom Hot Stamped (Logo)	X	X	X	X	X	
4.3 User Instructions	X	X	X	X	X	
4.5 Load Rating	X	X	X	X	X	
Section 5. Experience						
5.1 References	X	X	X	X	X	
	SOCRA, MI Jeff McKeen 248-288-5150	City of Milwaukee, WI Rick Meyer 414-286-2332	City of Des Moines, IA Craig Shepherd 515-771-3223	City of Las Vegas, NV Sonny Paniccia 702-599-2008	City of San Jose, CA Omar Lopez 408-421-3592	
	City of Indianapolis, IN Shawn Brock 317-327-2779	City of St. Cloud, MN Dan Legatt 320-650-2924	City of Tulsa, OK Jason Fields 918-596-9783	City of Baltimore, MD Kristyn Oldendorf 410-396-4511	City of Charlotte, NC Ellen Price 704-353-1183	
	City of Chicago, IL Chris Sauve 312-774-4616	City of Madison, WI Bryan Johnson 608-267-2626	City of Memphis, TN Phillip Davis 901-636-3400	City of Elk Grove, CA Annah Rulon 916-476-4182	City of Sacramento, CA Wendell Brown 916-808-4841	
	City of Buffalo, NY Paul Sullivan 716-392-4181	City of Kenosha, WI Ryan Helton 262-618-6542	City of Ft. Wayne, IN Matt Gratz 260-427-2474	City of Santa Ana, CA Dan Capner 714-238-3316	DeKalb City, GA Tracy Hutchinson 404-294-2177	
	City of St. Paul, MN Kris Hageman 651-266-8866	City of Racine, WI Ron Pritzlaff 262-636-9400	City of Dallas, TX Chatonya Tatum 214-670-8184	City of Raleigh, NC Kathleen Mitchell 919-831-6890	Minneapolis, MN Scott Norbeck 612-673-5699	
Section 6. Warranty						

Agenda Item 7.(i) Approval of Bid Award for 95-gallon solid waste contain...

6.1 Failure of the Lid	X	X	X	X	X	
6.2 Damage to the container body, lid or any other component parts	X	X	X	X	X	
6.3 Failure of the body and lid to maintain their original shape	X	X	X	X	X	
6.4 Damage or cracking of the container body	X	X	X	X	X	
6.5 Failure of the wheels.	X	X	X	X	X	
6.6 Failure of any part to conform to min standards herein.	X	X	X	X	X	
6.7 Warranty specimen included with bid?	X	X	X	X	X	
Warranty Term	10 years	10 years	12 years	10 years	10 years	Buyer agrees that Rehrig Pacific Company shall have the right to (i) inspect and test the allegedly defective product(s) and (ii) require Buyer to provide supporting documentation and maintenance records substantiating Buyer's compliance with ANSI and truck manufacturer specifications relating to use of the product(s) in connection with Buyer's other machinery, such as lifting, tipping or dumping mechanisms on trucks;
Pricing						
Price Per Unit	\$57.52	\$53.49	\$54.80-\$55.30	\$51.00	\$54.20	Toter: Fully assembled Carts \$61.49-\$61.99 based on color.
1050 Units - Total Cost	\$60,396	\$56,165	\$57,940	\$58,686	\$56,910	Fully assembled Carts \$64,964.50. Otherwise must install wheels only. Carts will still stack after installation of wheels. Wheels take 1-2 min to install, verify how to install.
Sourcewell Contract #	#041521-CEI	#041521-REH	#041521-TOT	HGAC RC01-21	Omnia Partners #226024	Non-responsive bidder, did not follow solicitation requirements.
Notes:				True cost per cart \$55.89 incl freight		
Exceptions						
	3.1 Wheels. 10" injection molded snap-on wheels. Wheels are attached by way of a locking mechanism that snaps into a groove on the axle.	3.2 Load Rating, have load rating of 332.5#, ANSI standard is 3.5# per gallon.		3.2 Load Rating, have load rating of 332.5#, ANSI standard is 3.5# per gallon.		
				3.6 Rim of body. Rim has a honeycomb like structure on the underside.	3.6 Rim of body. Rim has 31 support gussets on the underside.	
	3.11 Axle. Cart exceeds this spec with a 0.844" diameter axle.	3.11 Axle. Axle Diam is 3/4" steel, zinc plated.	Axle 5/8"		3.11 Axle. Axle Diam is 27/32" steel.	
	3.13 Lifting System. Uses a composite lower retention bar.	3.12 Stability. Optional foot tilt design to help residents tilt the container. Per wind tunnel testing results, carts tip at 37 mph wind from the front, 45 mph side and 48 mph rear.	3.12 Stability. 43 mph front, 46 mph side & 50 mph rear.	3.12 Stability. Optional foot tilt design to help residents tilt the container. Per wind tunnel testing results, carts tip at 36 mph wind from the front, 37 from side.		
	3.14 Nestability. Carts must be assembled.	3.14 Nestability. Carts must be assembled.		3.14 Nestability. Carts must be assembled.	3.14 Nestability. Carts must be assembled.	
				3.15 No granite like colors available.		

Ranking by cost		Vs. Next Lowest		Vs. Rehrig	
	Rehrig	\$56,165.00			
	Toter	\$57,940.00		\$1,775.00	
	Schaefer	\$58,686.00	\$746.00	\$2,521.00	
	Cascade	\$60,396.00	\$1,710.00	\$4,231.00	

Otto \$56,910.00 \$745.00 Non-Responsive Bid.



City Council

Agenda Item

Subject: Home Rule Charter Midterm Review Committee Findings & Recommendations
Meeting: City Council - Apr 07 2025
From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Home Rule Charter Midterm Review Committee Findings & Recommendations

FINANCIAL CONSIDERATIONS:

NA

STAFF RECOMMENDATION / SUGGESTED MOTION:

Presentation Only; No Action Required.

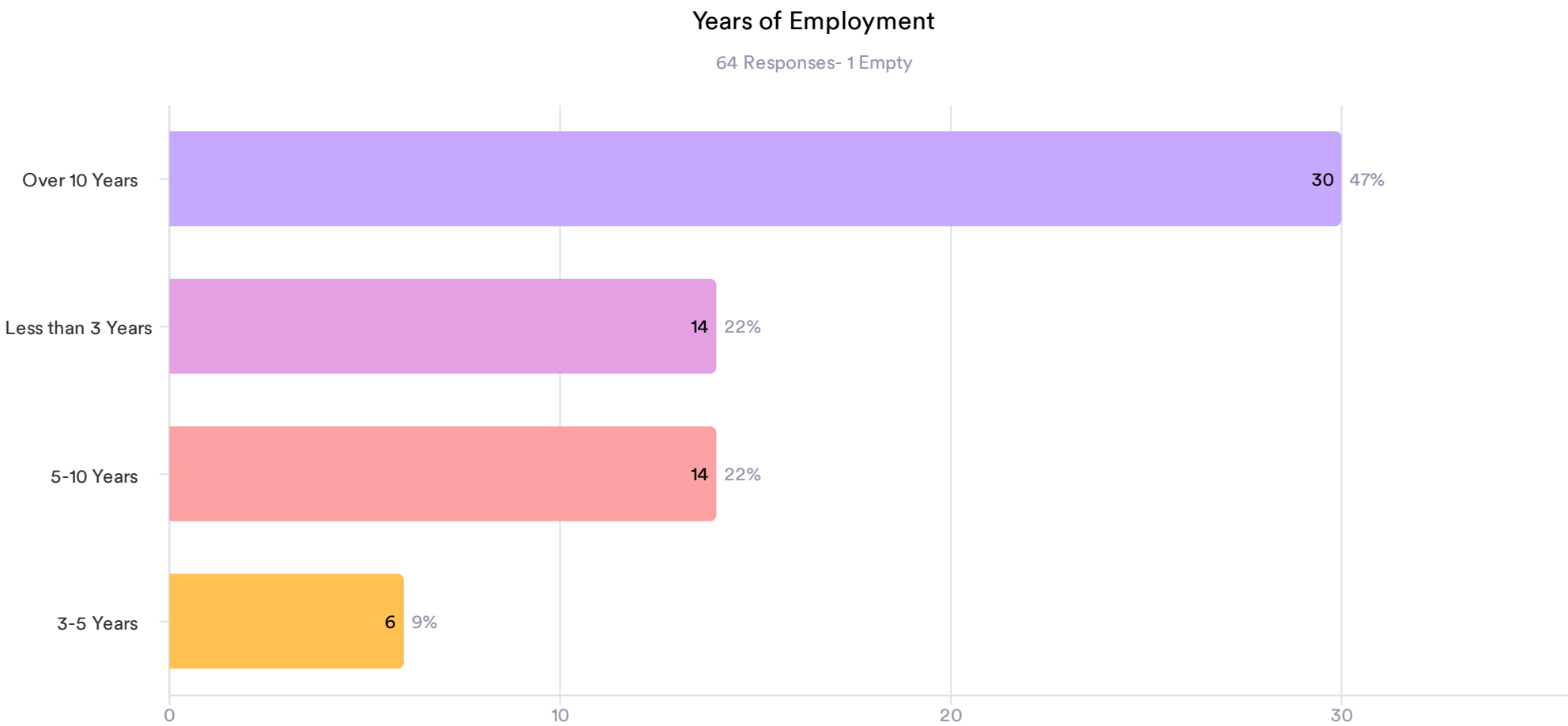
ATTACHMENT(S):

[Staff Report Summary](#)

[Department Heads Summary](#)

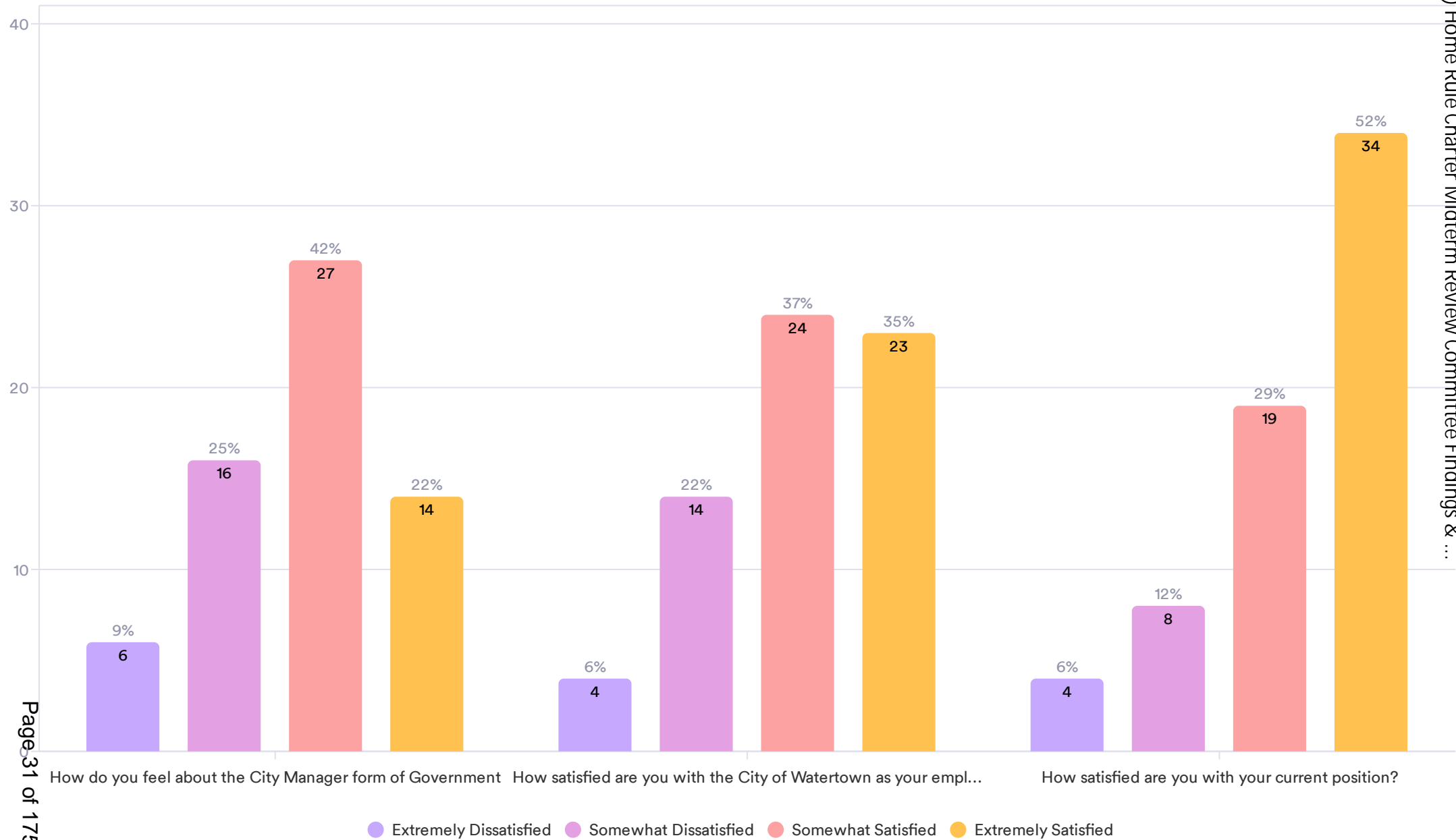
HRC Review

Staff Summary



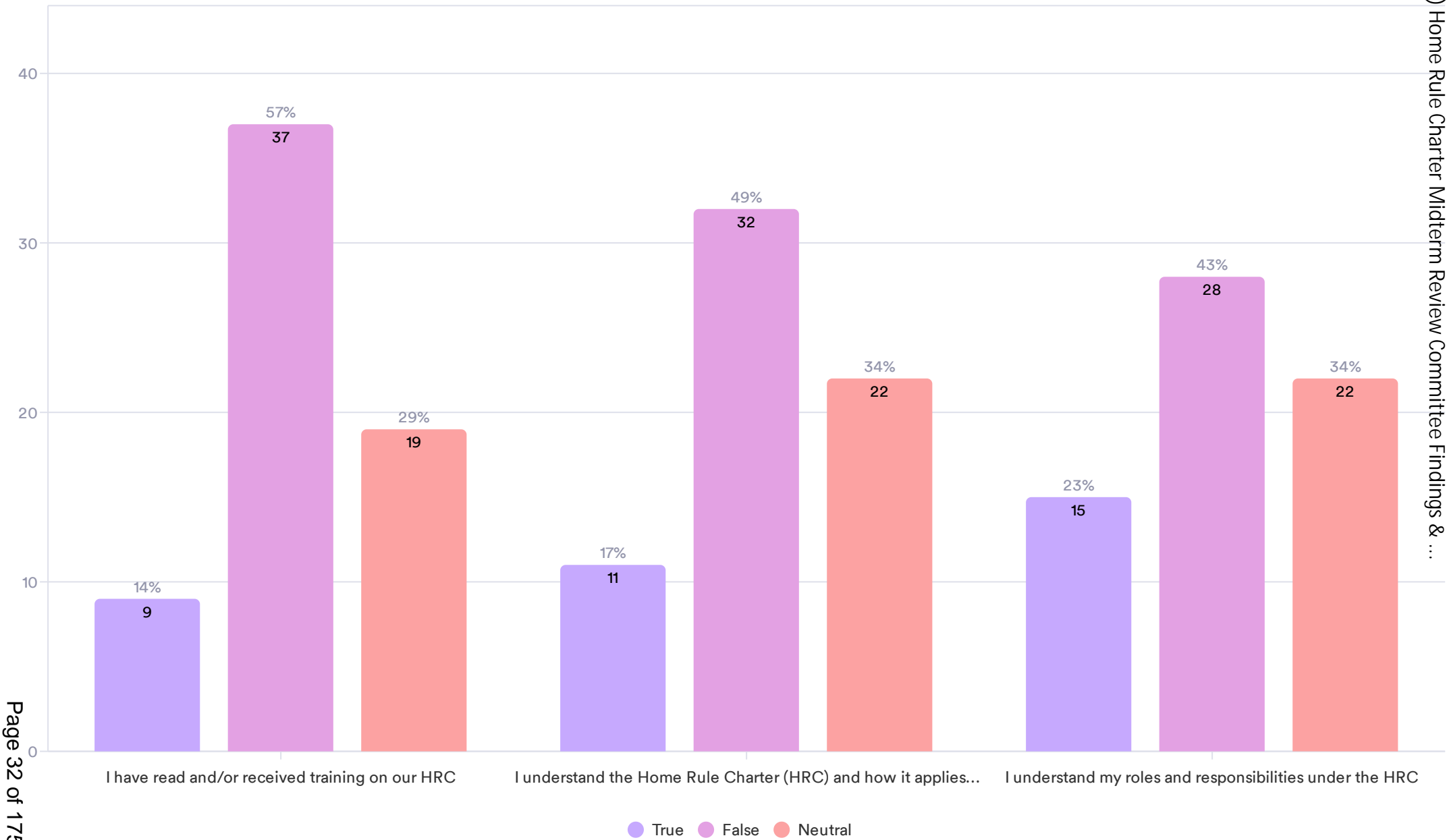
Section 1 : Please answer the following questions as they pertain to you:

65 Responses



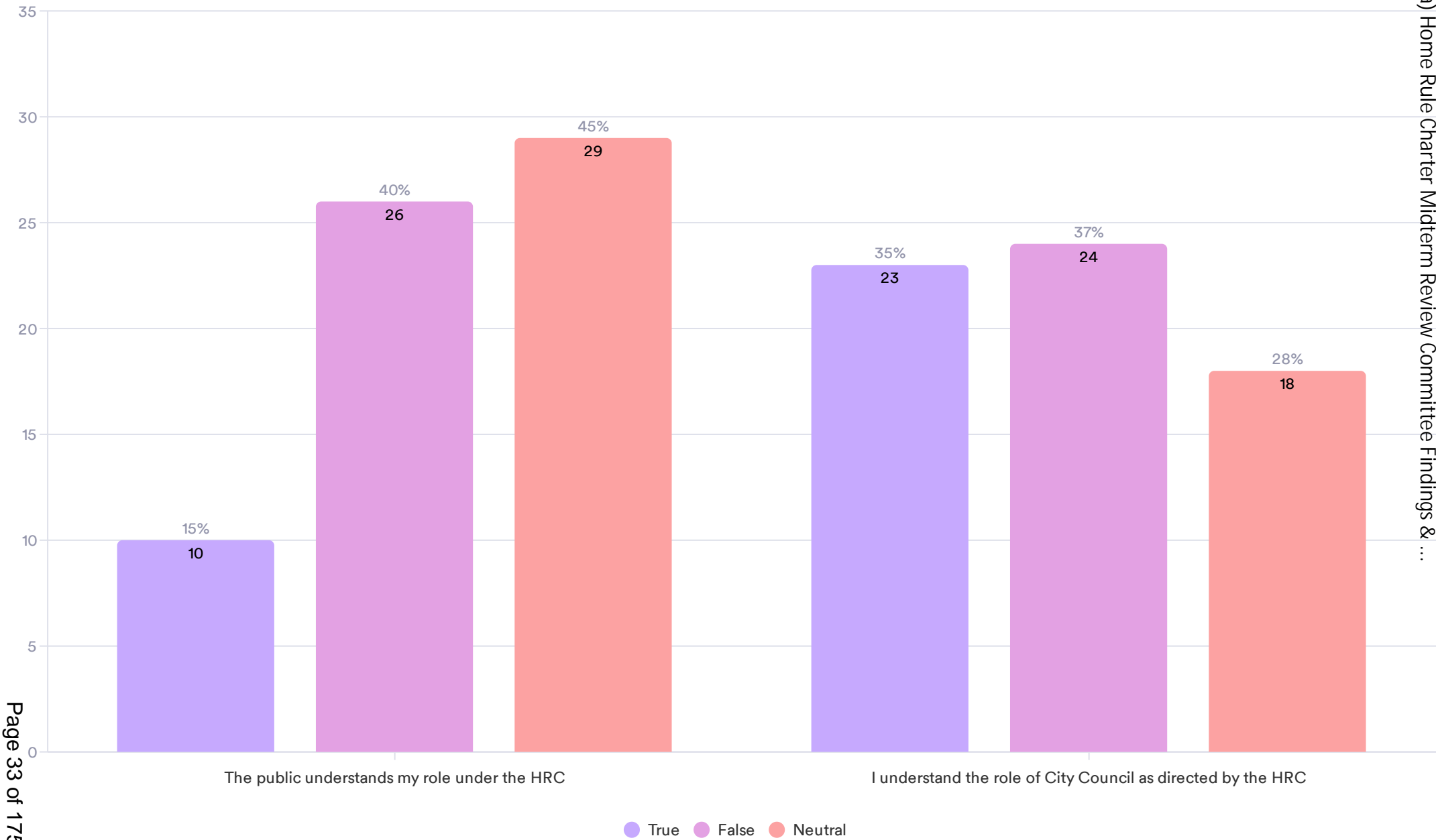
Section 2: Please answer True, False or Neutral to the following questions:

65 Responses



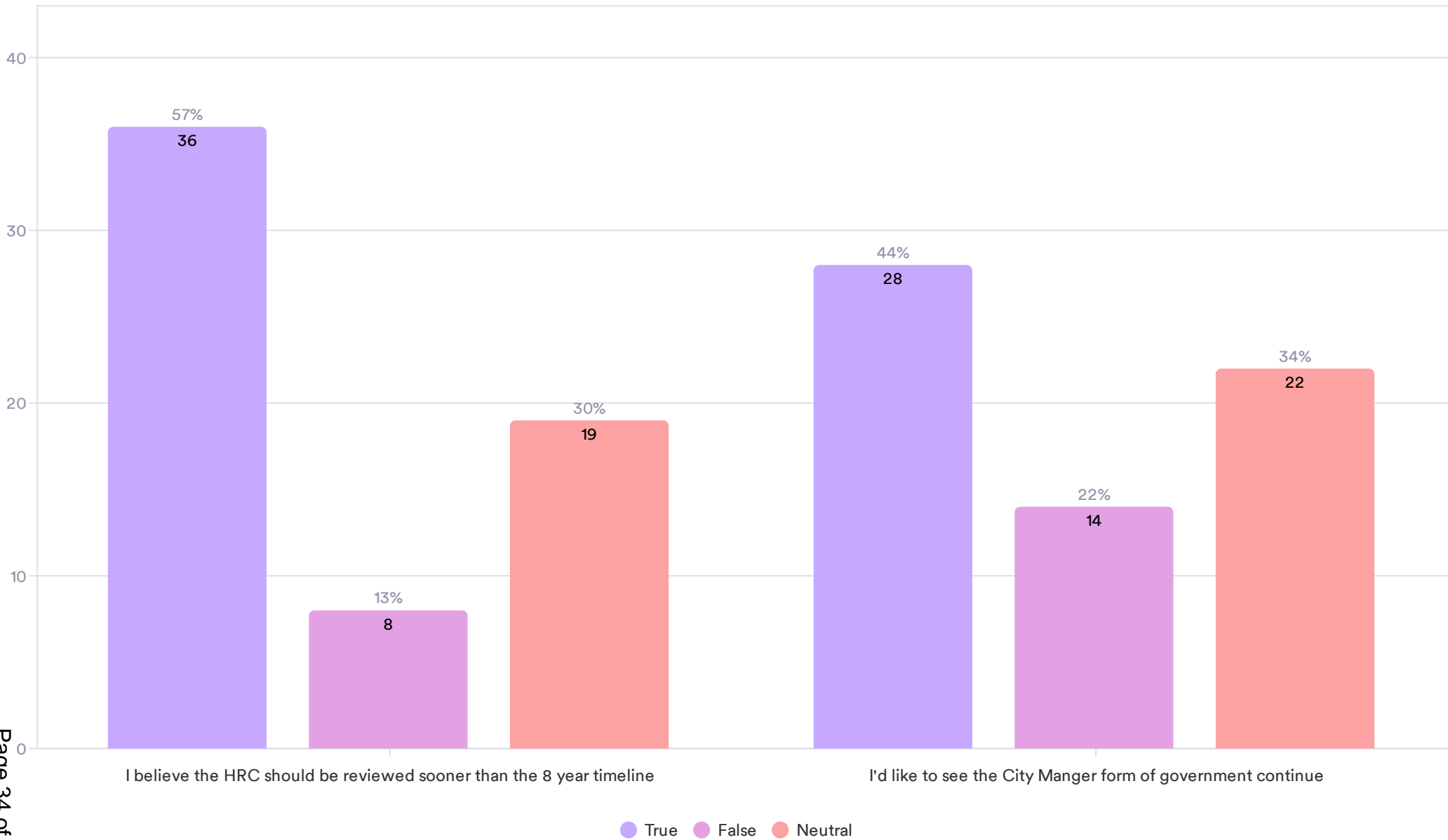
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65 Responses



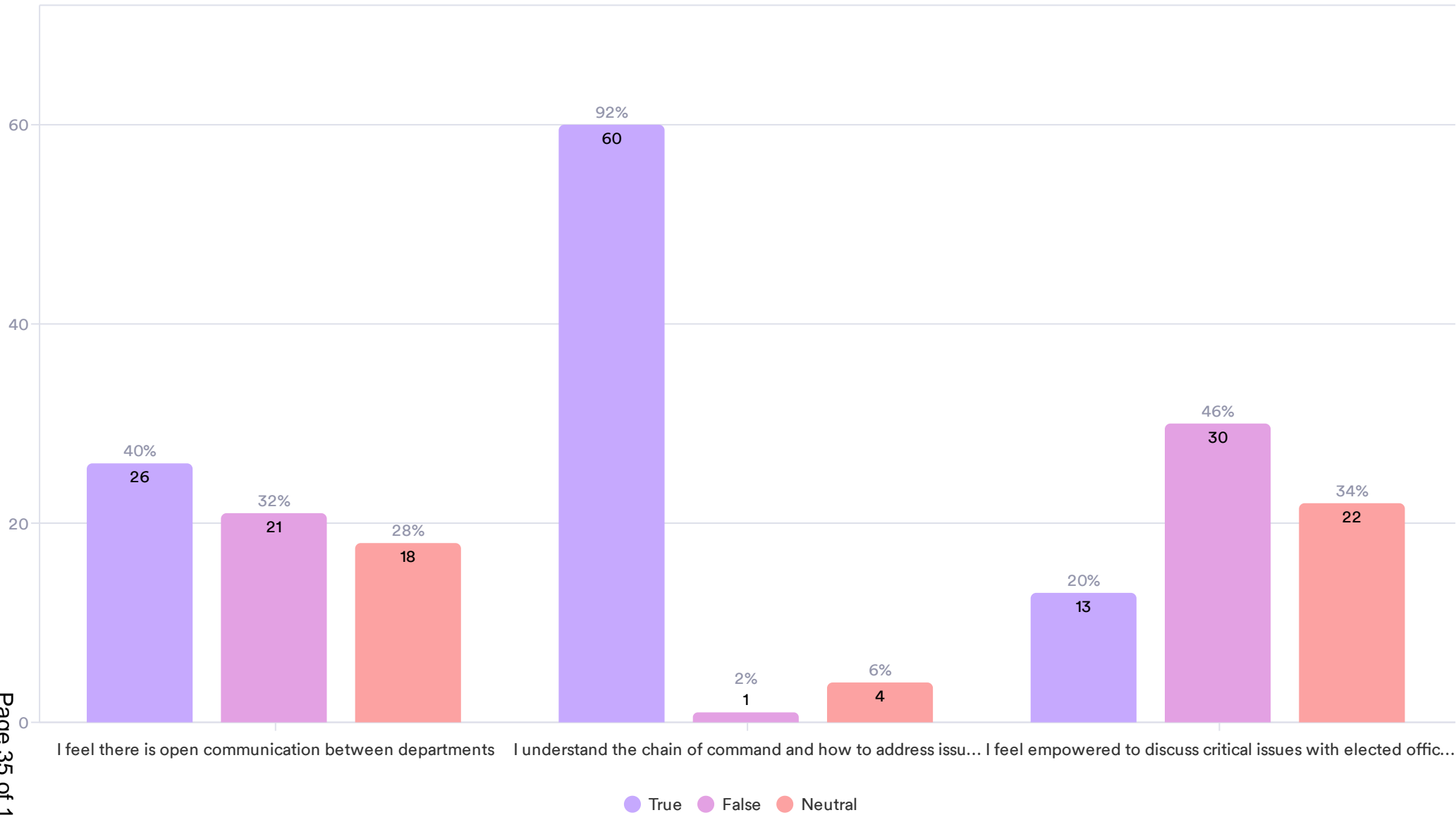
Section 2: Please answer True, False or Neutral to the following questions:

65 Responses



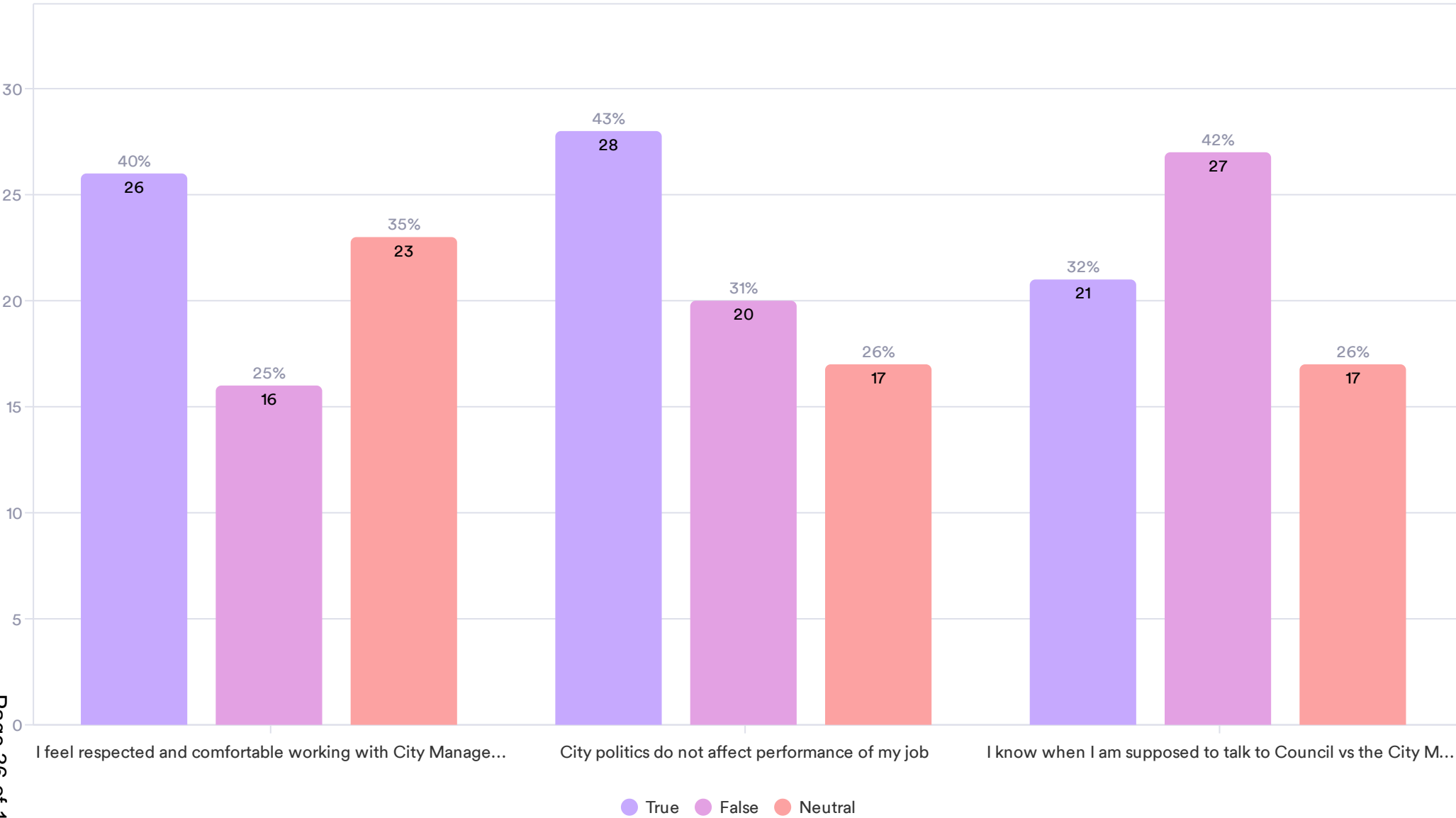
Section 3: Please answer True, False or Neutral to the following questions. For this section, when answering FALSE, please provide details on why you answered false and/or how this can be corrected.

65 Responses

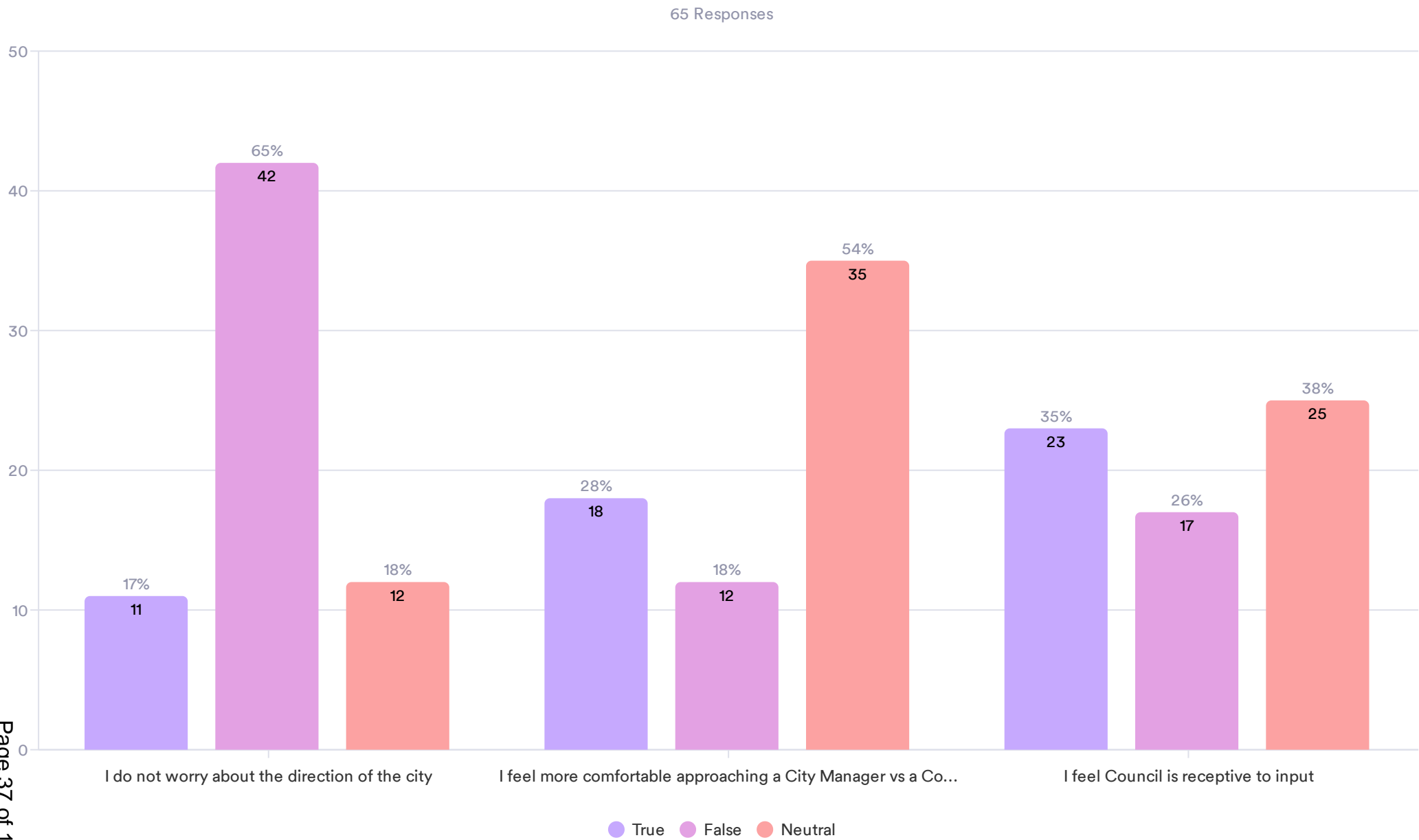


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65 Responses

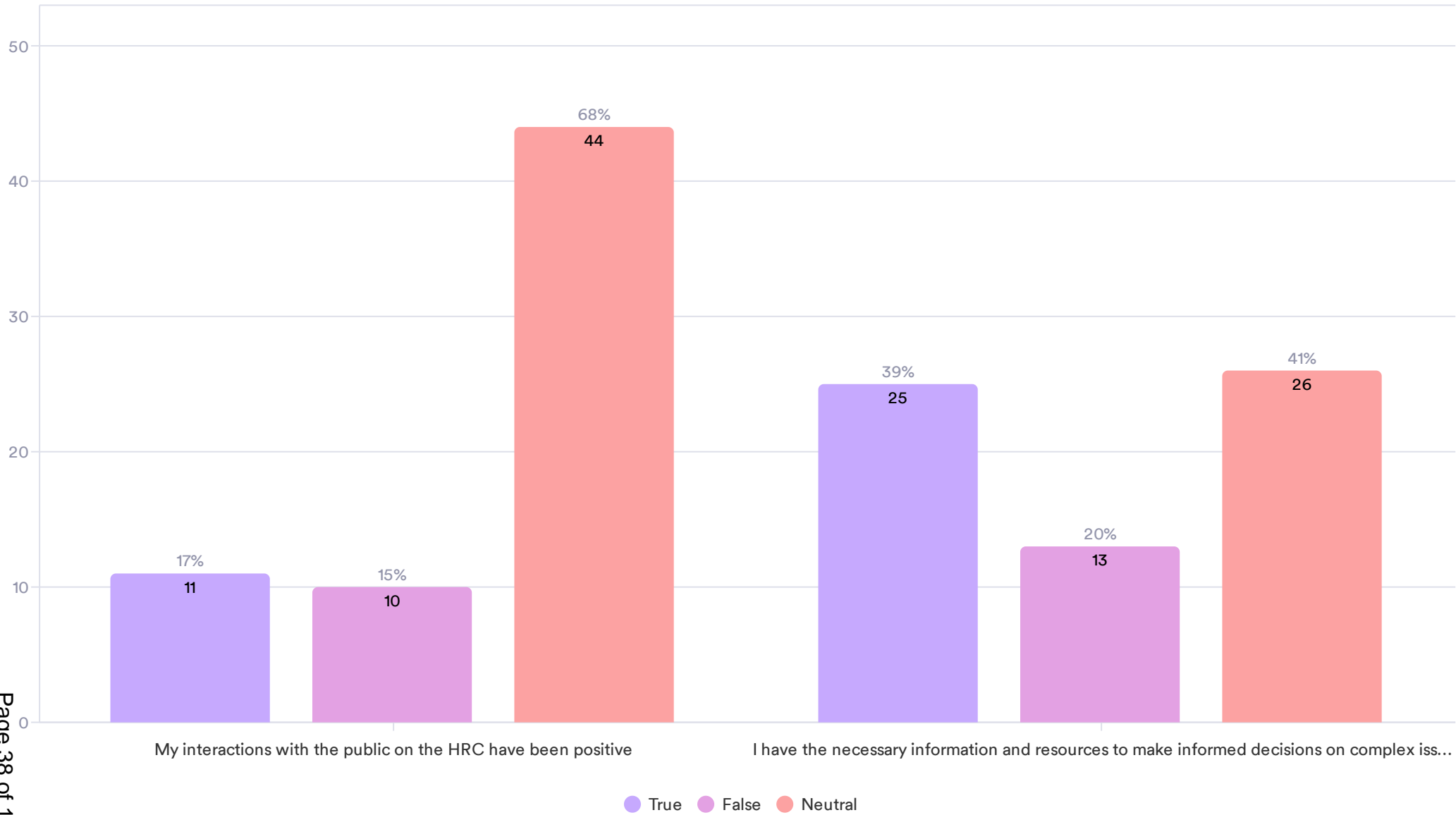


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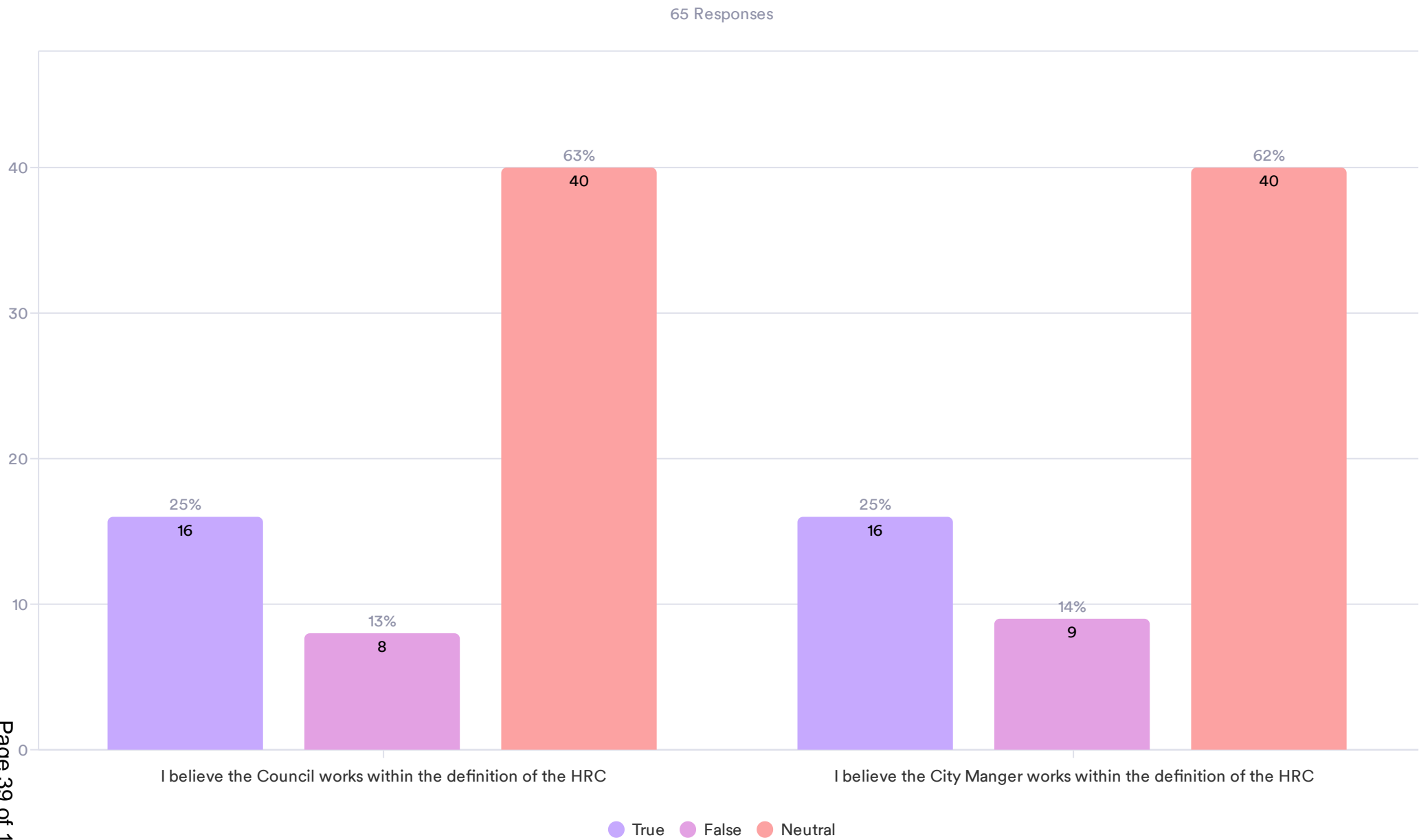


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65 Responses

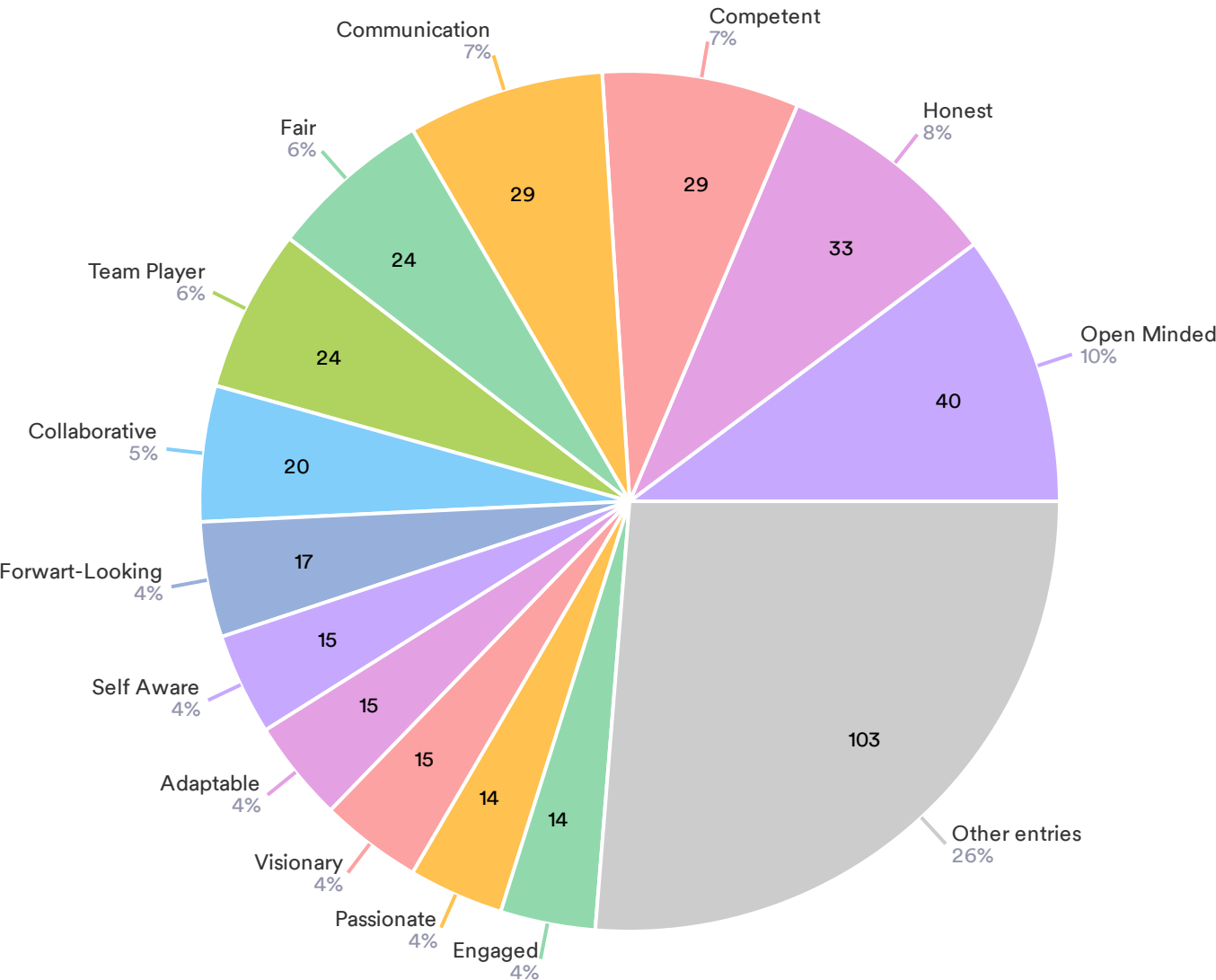


Section 3: Please answer True, False or Neutral to the following questions. For this section, when answering FALSE, please provide details on why you answered false and/or how this can be corrected.



What qualities would you like to see in the next City Manager? Please select seven.

392 Responses- 9 Empty



General Sentiment Toward City Manager Form of Government:

- **Mixed Satisfaction:** Some employees appreciate the stability and long-term planning under a City Manager, while others feel it centralizes too much power in one individual.
- **Concerns Over Leadership:** Many feel the City Manager is out of touch with employees and prioritizes personal projects over community needs.
- **Issues with Past Leadership:** Complaints about the previous City Manager's lack of engagement, favoritism, and inefficiency in completing projects were common.

Communication & Transparency:

- **Restricted Communication:** Many employees feel barred from speaking directly with the City Council or City Manager, being required to go through supervisors.
- **Lack of Transparency:** Leadership is perceived as secretive, with decisions made without input from lower-level employees.
- **Communication Gaps:** Information does not always flow effectively from department heads to staff, leading to confusion and frustration.

Employee Treatment & Workplace Issues:

- **Concerns About Compensation:** Employees are dissatisfied with wages, especially in comparison to other cities, and believe contract negotiations have not been conducted in good faith.
- **Favoritism & Inequality:** There is a perception that leadership favors certain employees while ignoring others, particularly those in lower positions.
- **Lack of Resources & Staffing Issues:** Many departments report being short-staffed, leading to burnout and inefficiency.

Challenges in Dealing with the City Manager & Council:

- **City Manager Issues:** Employees cite a lack of accessibility, favoritism, and slow decision-making as major concerns.
- **Council Challenges:** Employees feel the Council is out of touch with daily operations, makes inconsistent decisions based on political agendas, and does not effectively oversee the City Manager.
- **Fear of Retaliation:** Some employees fear speaking openly due to potential consequences.

Perceived Benefits of City Manager Government:

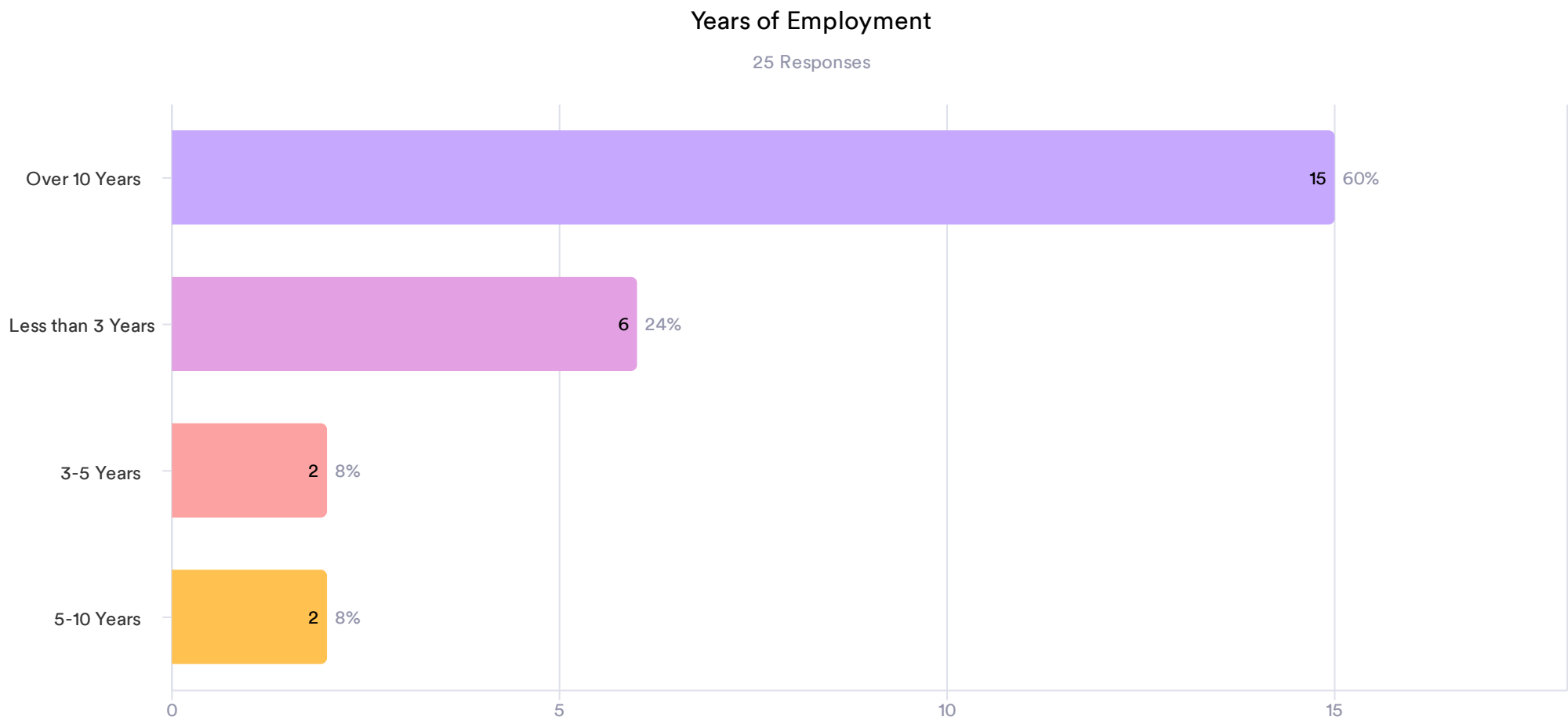
- **Stability & Consistency:** The system allows for long-term planning without political swings.
- **Efficient Decision-Making:** Some believe decisions can be made without excessive political interference.
- **Better Oversight of Operations:** A City Manager is expected to have professional expertise in municipal governance.

Improvements Suggested:

- **Stronger Checks & Balances:** More oversight on the City Manager's actions and spending.
- **Better Communication:** More direct engagement between leadership and staff, with clearer pathways for input.
- **Employee Inclusion in Decisions:** More involvement in policy changes, budgeting, and department priorities.
- **Fairer Compensation & Hiring Practices:** Address wage disparities and ensure fair treatment of employees at all levels.

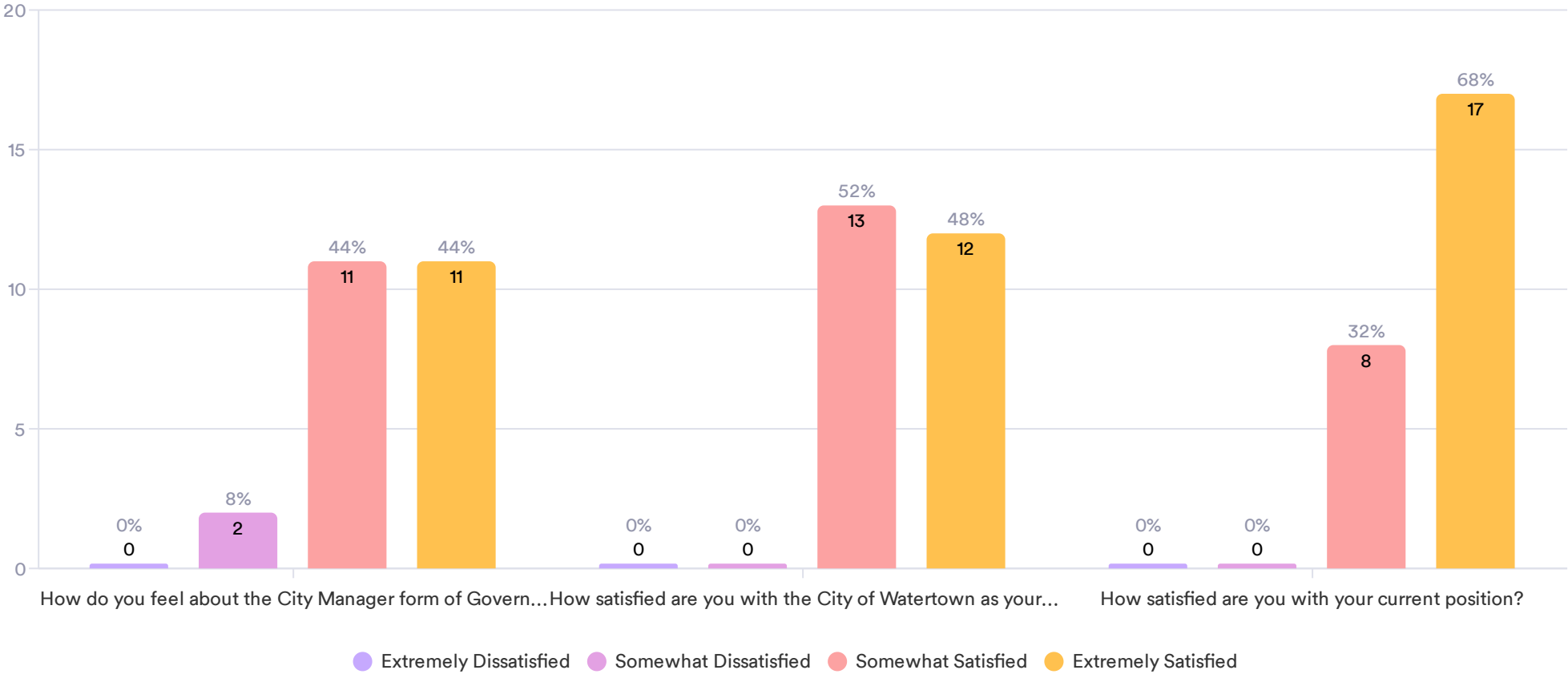
Desired Qualities in the Next City Manager:

HRC Review - Dept Heads and Managers



Section 1 : Please answer the following questions as they pertain to you:

25 Responses



Section 2: Please answer True, False or Neutral to the following questions:

25 Responses



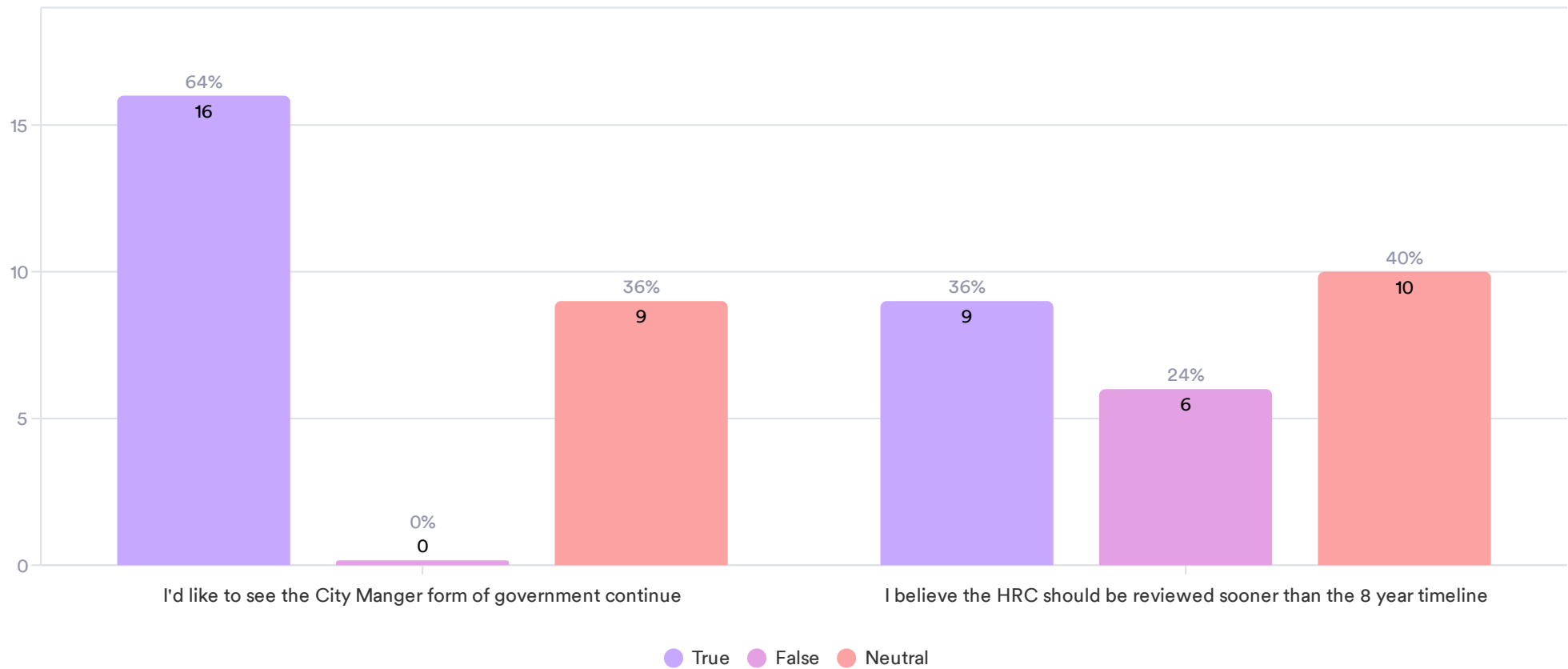
Section 2: Please answer True, False or Neutral to the following questions:

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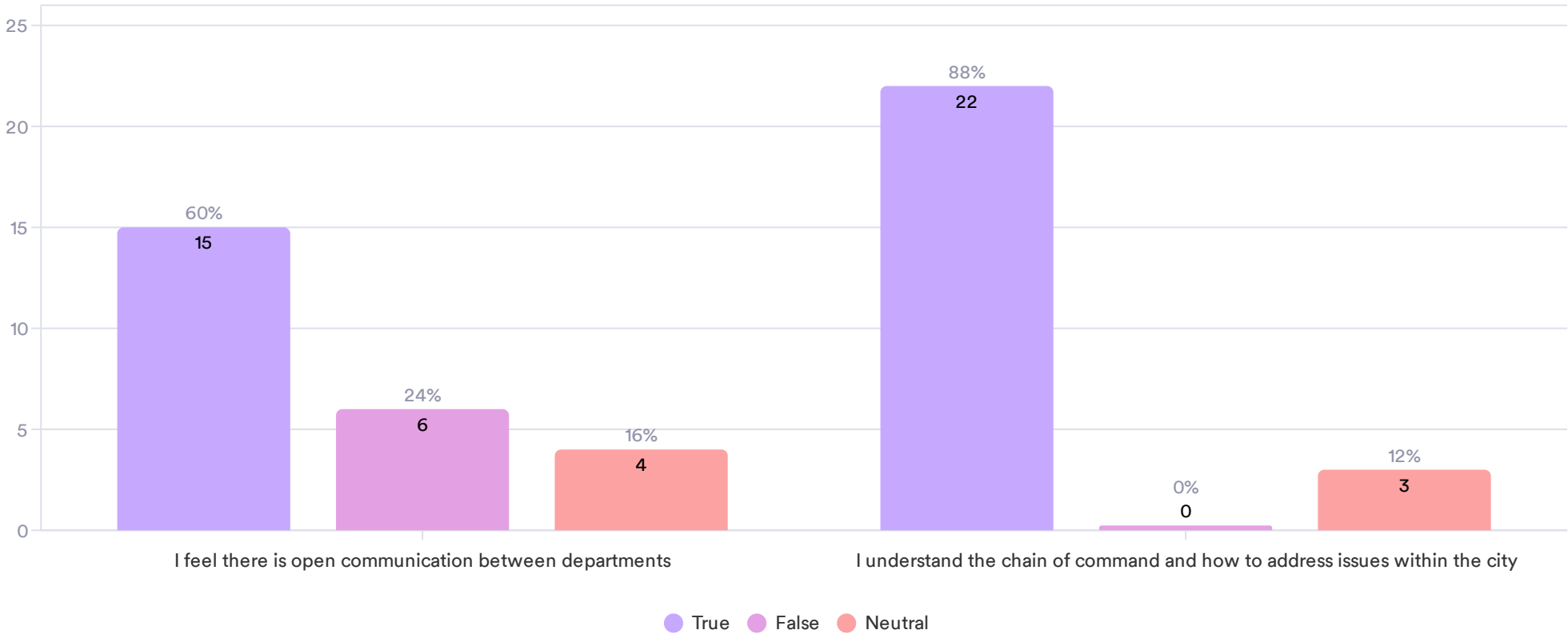
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25 Responses



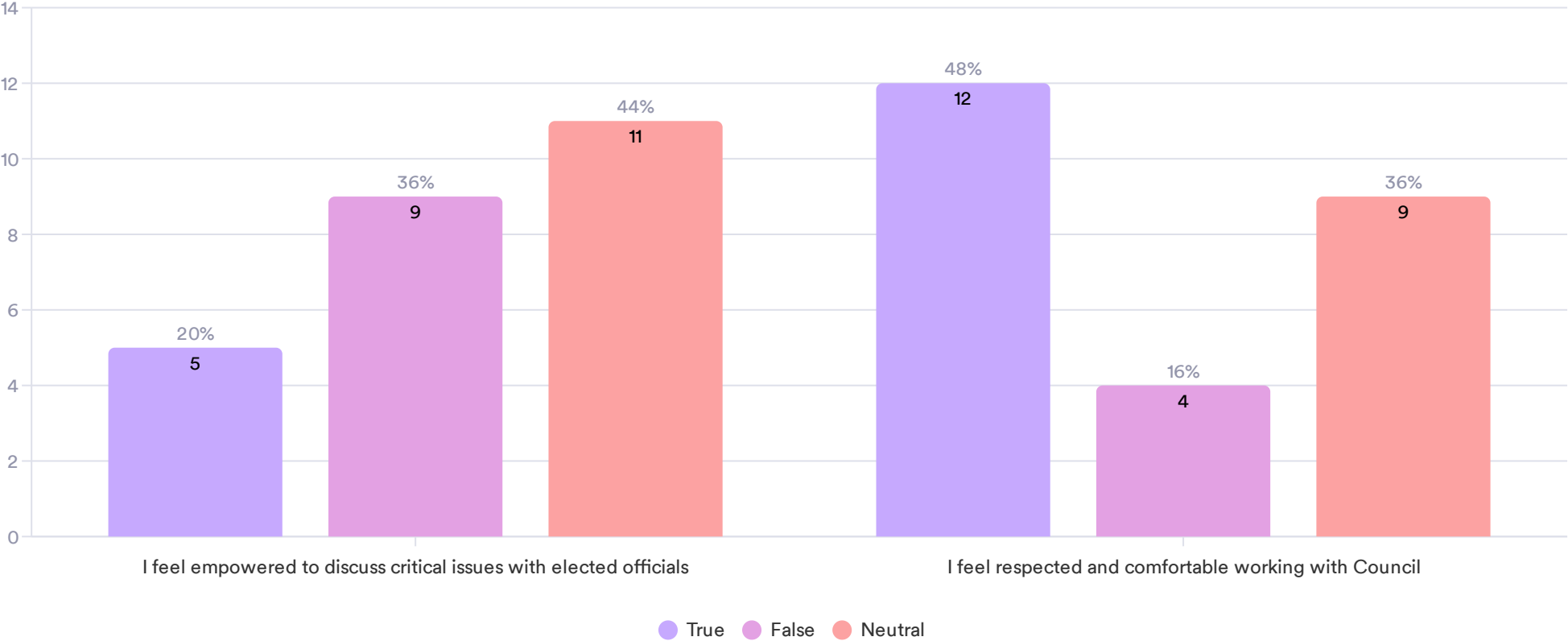
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25 Responses



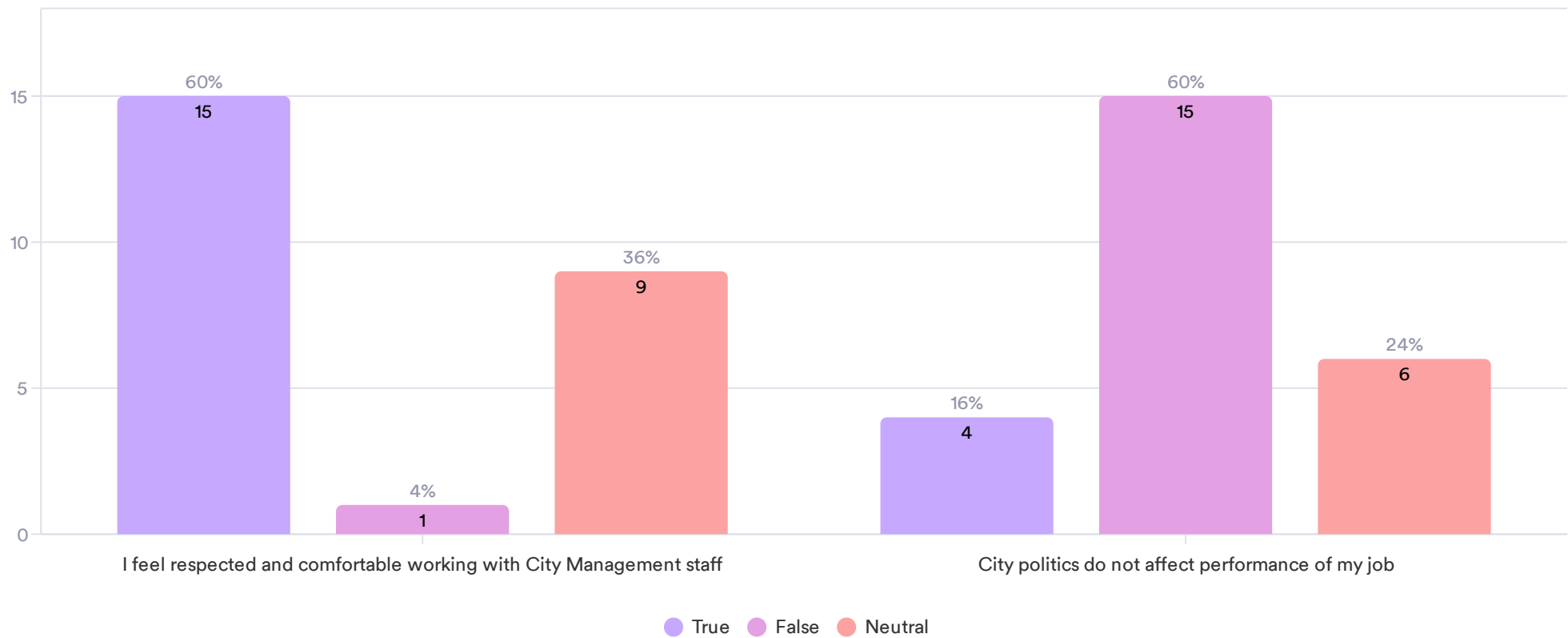
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25 Responses



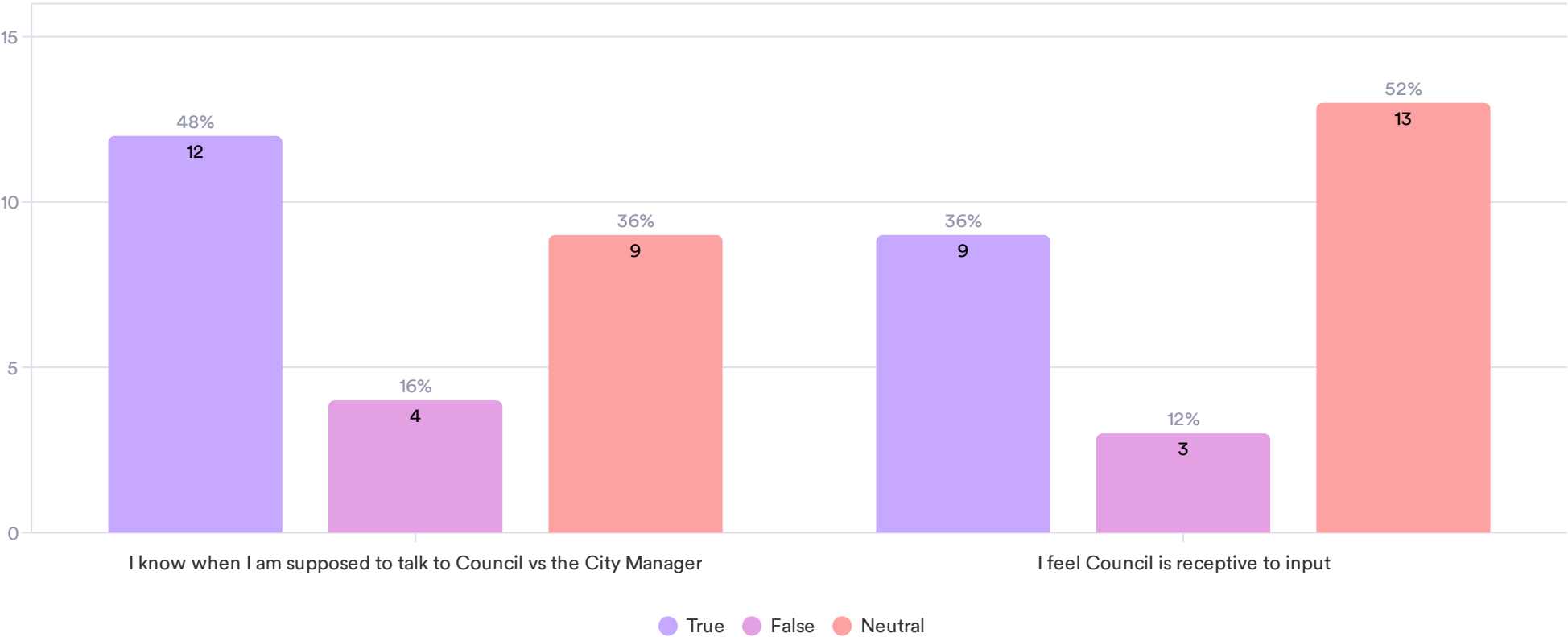
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25 Responses



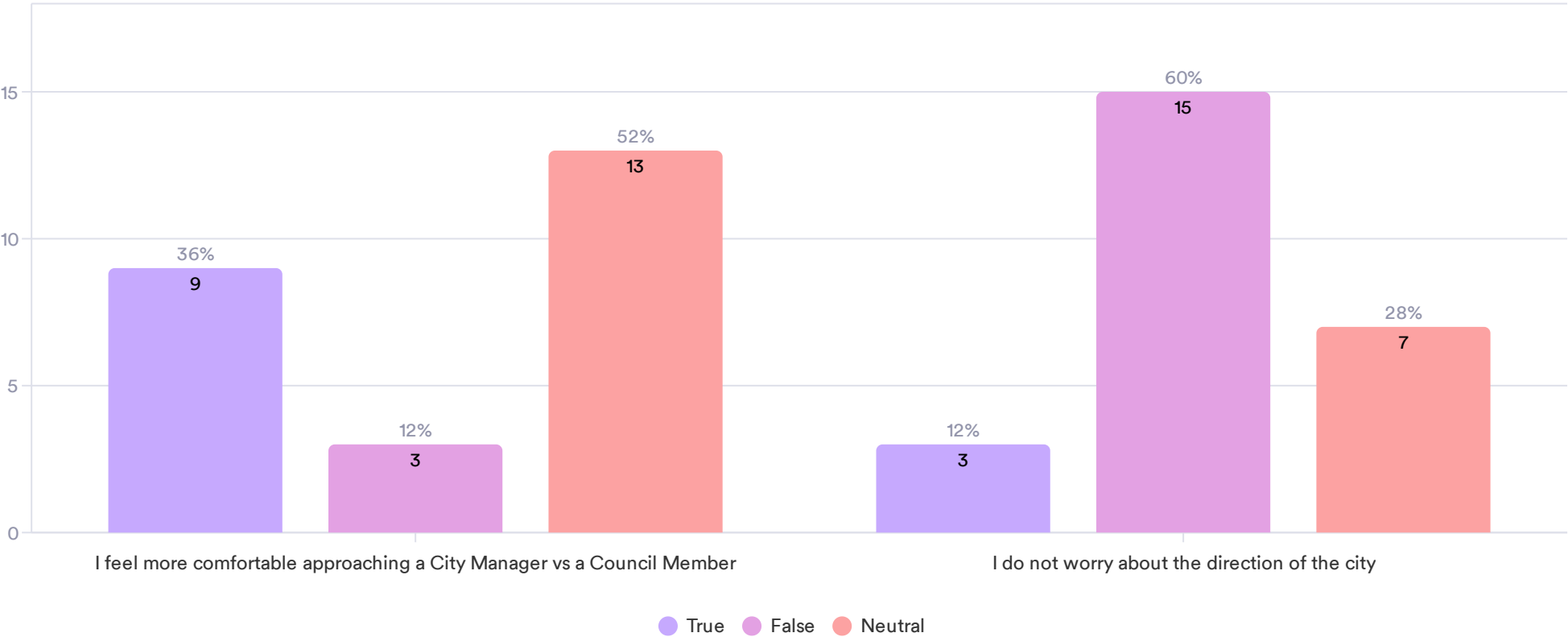
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25 Responses



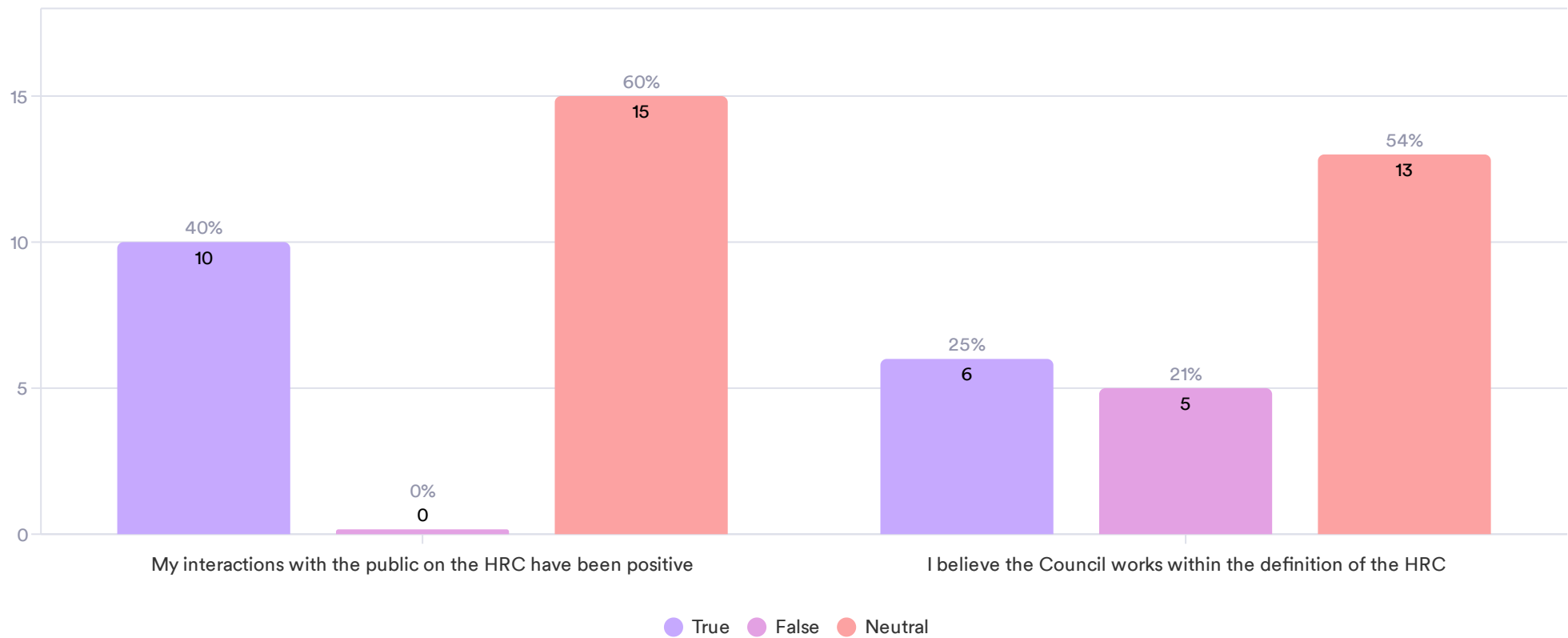
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25 Responses



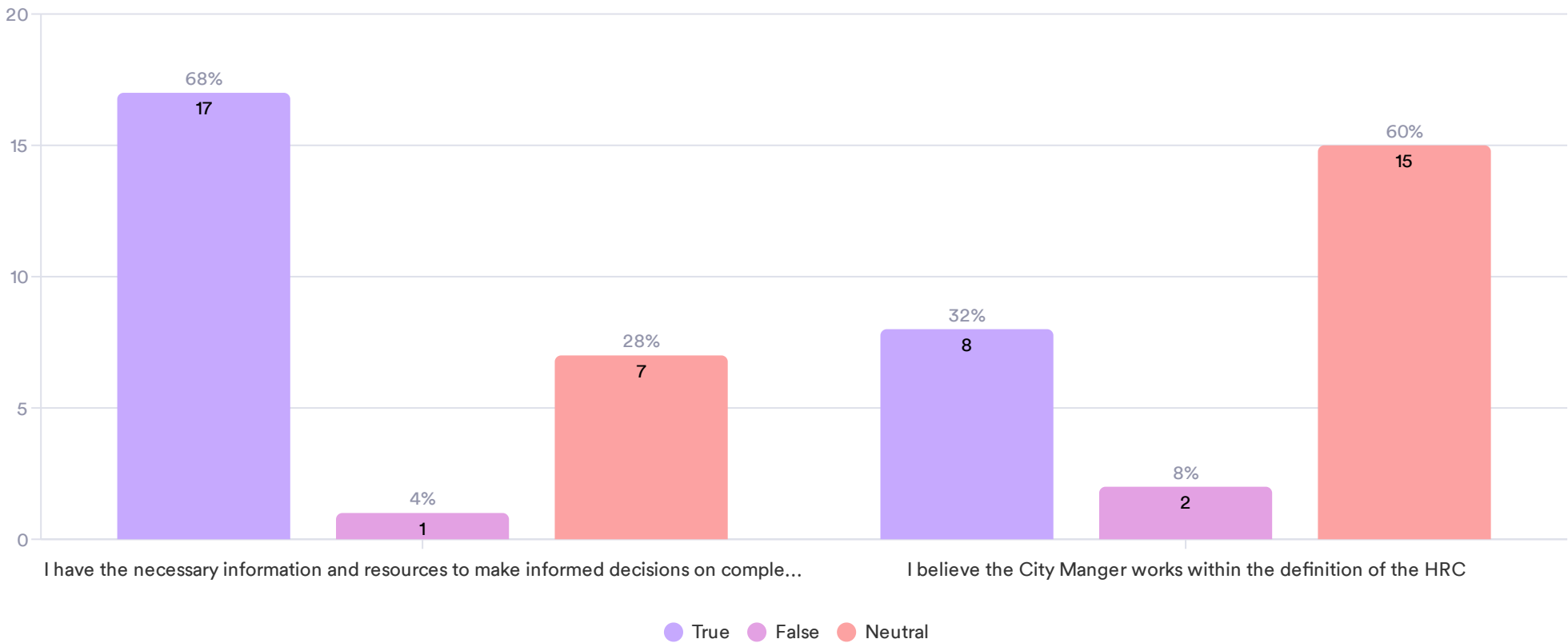
Section 3: Please answer True, False or Neutral to the following questions. For this section, when answering FALSE, please provide details on why you answered false and/or how this can be corrected.

25 Responses



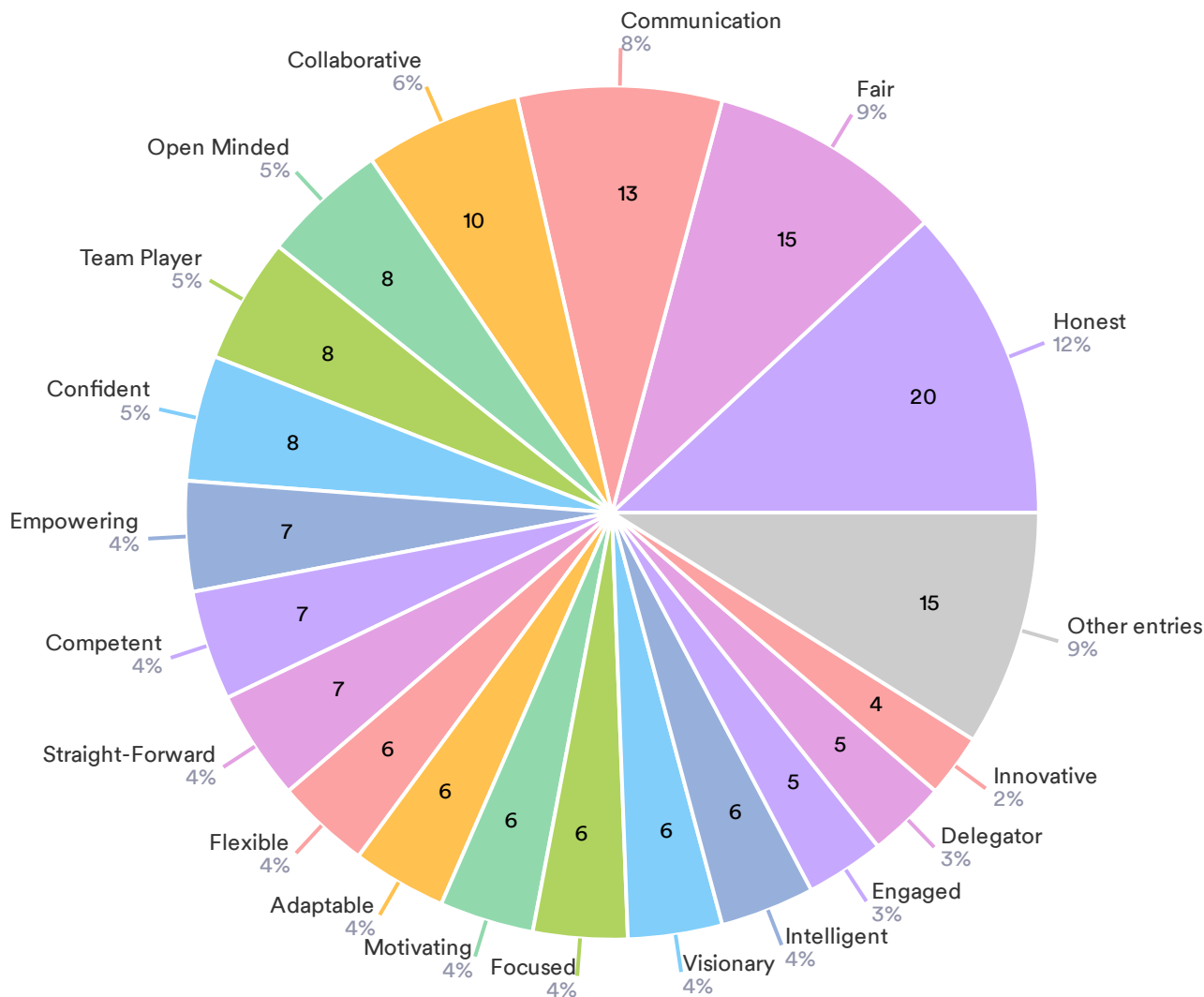
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25 Responses



What qualities would you like to see in the next City Manager? Please select seven.

168 Responses- 1 Empty



1. General Overview

- The survey gathered responses from department heads and managers regarding their experiences with the **City Manager form of government** in Watertown.
- A majority of respondents have worked for the city for **over 10 years**, giving them extensive experience with both the **Strong Mayor** and **City Manager** models.
- **Overall satisfaction with the city government was mixed**, with some supporting the structure for stability, while others felt there was a lack of transparency and communication.

2. Understanding of Roles and Communication

- Some department heads felt they were allowed to **communicate openly** about city matters, while others believed communication was **restricted** or **discouraged** under previous leadership.
- There was **confusion regarding the decision-making authority** between the **City Manager, department heads, and City Council**—some felt that policies and directives were unclear.
- Many believed that **information was controlled at higher levels**, preventing direct discussions between staff and City Council.
- Some noted that communication was **easier under the City Manager**, while others felt transparency and inclusivity were **lacking**.
- The **past City Manager** received **mixed reviews**—some believed they were effective, while others felt they **barred open discussions and withheld information** from both Council and staff.

3. What is Going Well with the City Manager Form of Government

Key Positives Identified:

- **Stability & Consistency** – The City Manager role provides **continuity** in decision-making and policy enforcement, reducing the uncertainty caused by changing political leadership.
- **Clear Chain of Command** – Having a **single executive overseeing city operations** allows for a structured and efficient administration.
- **Strategic Long-Term Planning** – The City Manager approach enables **consistent budgeting and project planning**, rather than being disrupted by election cycles.
- **Shielding Staff from Politics** – Unlike a Strong Mayor system, the City Manager structure **removes direct political influence from city operations**, allowing for more neutral decision-making.

4. Biggest Challenges in the City Manager Form of Government

Key Challenges Identified:

- **Disconnect Between Staff and Leadership** – Many department heads felt **distanced from decision-making**, unable to provide input on policies that directly affected them.
- **Lack of Trust and Transparency** – Some respondents felt that **critical decisions were made without consulting department heads**, leading to **uncertainty and frustration**.
- **Communication Barriers** – Several department heads reported that information **did not flow efficiently** from the City Manager to staff, creating **misalignment** between leadership and daily operations.
- **Micromanagement from the City Manager** – Some department heads **felt micromanaged**, with **unnecessary layers of oversight** restricting their ability to run their departments effectively.

5. Challenges in Dealing with the City Manager and Council

City Manager-Specific Challenges:

- **Scheduling Time Was Difficult** – Some department heads found it hard to get direct meetings with the City Manager.
- **Lack of Trust in Department Heads** – Some believed the City Manager **did not fully trust** department heads to manage their own teams, leading to excessive oversight.
- **Lack of Engagement** – A few respondents felt the City Manager was **not visible or engaged** with daily city operations.

City Council-Specific Challenges:

- **Reversing Decisions Due to Public Complaints** – Some felt that the Council **did not stand by** decisions if public backlash occurred, leading to **inconsistent policies**.
- **Lack of Respect for Department Expertise** – Some respondents felt the Council **did not consult** or **trust the expertise of department heads** before making major decisions.
- **Political Influence** – A few noted that **city politics sometimes interfered with operational decisions**, making it difficult to maintain efficiency.

6. Effect of Mistrust on Workflow

Key Findings:

- **Some Departments Experienced Workflow Interruptions** – Certain departments **faced delays or uncertainty** due to **mistrust between leadership and staff**.
- **Council Overreach into Operations** – Some respondents believed Council members were **overstepping their roles**, interfering with day-to-day management.

7. Suggested Improvements for the Government Structure

Key Recommendations:

- **Clearly Define Responsibilities Between City Manager and Council** – Respondents believe there should be a **better distinction between administrative and policy-making roles** to avoid confusion.
- **Improve Transparency in Decision-Making** – More **open communication between leadership and staff** is needed to build trust and ensure everyone understands policies and changes.
- **Council Should Trust Staff Expertise** – Some believe **Council members should rely more on department heads** for expert advice rather than making independent decisions.
- **Better Training on Governance Structures** – Educating both staff and elected officials on **proper governance procedures** would improve understanding and efficiency.
- **Allow Department Heads More Direct Access to Council** – Some department heads suggested that **removing communication barriers** between themselves and the Council would improve decision-making.

8. Qualities Desired in the Next City Manager

Based on **392 responses**, the most desired qualities for the next City Manager were:

- **Open-Minded (10%)** – Willing to consider different perspectives and input (**40 votes**).
- **Honest (8%)** – Transparent and ethical in leadership (**33 votes**).
- **Competent (7%)** – Has the necessary skills and expertise to manage city operations effectively (**29 votes**).
- **Strong Communicator (7%)** – Ensures clear and open communication between leadership, staff and the public (**29 votes**).
- **Fair (6%)** – Treats all departments and employees equally (**24 votes**).
- **Team Player (6%)** – Works well with department heads, Council, and employees to foster collaboration (**24 votes**).
- **Collaborative (5%)** – Encourages teamwork and values input from various stakeholders (**20 votes**).
- **Forward-Looking (4%)** – Focuses on long-term planning and city growth (**17 votes**).
- **Self-Aware (4%)** – Understands their strengths, weaknesses, and the impact of their decisions (**15 votes**).
- **Adaptable (4%)** – Able to adjust to changing circumstances and challenges (**15 votes**).
- **Visionary (4%)** – Has a clear, strategic direction for the city's future (**15 votes**).
- **Passionate (4%)** – Shows enthusiasm and commitment to the city and its employees (**14 votes**).
- **Engaged (4%)** – Actively involved in city affairs and connects with staff (**14 votes**).
- **Other (26%)** – Various additional qualities suggested by respondents, such as accountability, transparency, and leadership experience (**103 votes**).

Key Takeaway:

9. Final Comments

- **Mixed Opinions on the City Manager System** – Some respondents **fully supported** the system while others **felt it had not been properly implemented or tested**.
- **Stronger Leadership is Needed** – Many believed a **better City Manager** could greatly improve operations **with the right leadership approach**.
- **Council Needs to Respect Its Role** – Some felt Council members **needed more training** to understand their role and **avoid interfering in operations**.
- **Desire for More Open Dialogue** – Several respondents **appreciated the opportunity to share their opinions** in this survey and hoped leadership would take their concerns seriously.

Overall Summary & Takeaways

1. The City Manager system provides stability, but many feel it lacks transparency and trust.
2. Communication barriers exist between staff, the City Manager, and City Council.
3. Department heads want more autonomy and direct access to the Council.
4. The next City Manager must be fair, communicative, engaged, and competent.
5. Stronger oversight and clearer role definitions between leadership entities are needed.



City Council

Agenda Item

Subject: Approval of a Bid Award for the 2025 Solid Waste Improvements-Weigh Scale Project, Project No. 2512 to Timmons Construction, Inc., in the amount of \$299,940.00

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

On March 11, 2025, One (1) bid was received for the 2025 Solid Waste Improvements-Weigh Scale Project, Project No. 2512. Timmons Construction, Inc. of Brookings, SD had the low bid of \$299,940.00, which was 7% higher than the Engineer's Estimate of \$278,300.00.

This project consists of installing a new scale, scale house, concrete, and utilities.

FINANCIAL CONSIDERATIONS:

The funding for this project has been budgeted in the Solid Waste Improvement Fund, account 605-43240-43900, in the amount of \$400,000.00. With approval of the bid at \$299,940.00, the project is \$100,060.00 under budget.

OVERSIGHT / PROJECT RESPONSIBILITY:

Justin Petersen, City Engineer
Scott Davis, Parks, Solid Waste Superintendent
Kraig Engen, Project Manager

STAFF RECOMMENDATION / SUGGESTED MOTION:

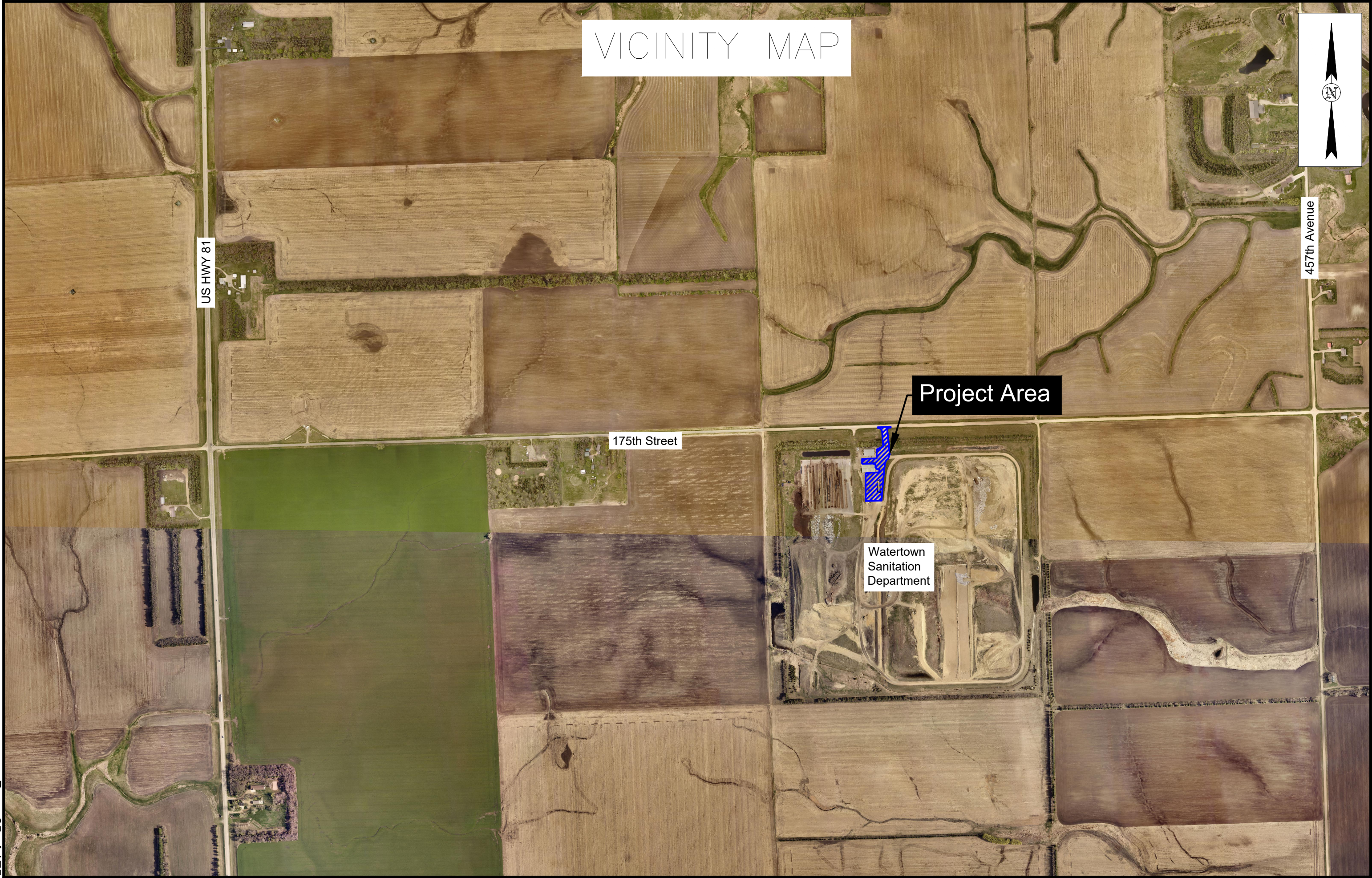
Staff recommends approval of this Bid Award through the following motion:

I move to approve of a Bid Award for the 2025 Solid Waste Improvements-Weigh Scale Project, Project No. 2512 to Timmons Construction, Inc., in the amount of \$299,940.00.

ATTACHMENT(S):

[Bid Tabulation](#)
[Vicinity Map](#)

Estimate of Quantities 2025 Solid Waste Improvement-Scale Project Project No. 2512 City of Watertown, South Dakota				City of Watertown Bid Date: 3/11/2025 Ph: 605-882-6202 Engineer Estimate		Timmons Construction Inc. 1306 Western Avenue Brookings, SD 57006 Ph: 605-691-6308	
BID SCHEDULE							
ITEM	ITEM	ESTIMATED	ITEM	ITEM	ITEM	ITEM	ITEM
NO.	DESCRIPTION	QUANTITY	PRICE	TOTAL	PRICE	TOTAL	
1	Mobilization	1	L.S.	\$ 28,000.00	\$ 28,000.00	\$ 14,000.00	\$ 14,000.00
2	Traffic Control, Miscellaneous	1	L.S.	\$ 2,500.00	\$ 2,500.00	\$ 1,200.00	\$ 1,200.00
3	Cardinal Scale, 80' x 11' Pitless	1	L.S.	\$ 100,000.00	\$ 100,000.00	\$ 108,200.00	\$ 108,200.00
4	Concrete Pier Foundation and 15' Approaches	1	L.S.	\$ 52,000.00	\$ 52,000.00	\$ 59,200.00	\$ 59,200.00
5	Scale House	1	L.S.	\$ 50,000.00	\$ 50,000.00	\$ 52,400.00	\$ 52,400.00
6	Water Hookup	1	L.S.	\$ 17,000.00	\$ 17,000.00	\$ 28,000.00	\$ 28,000.00
7	2,500 Gal. Septic Holding Tank	1	L.S.	\$ 14,000.00	\$ 14,000.00	\$ 12,900.00	\$ 12,900.00
8	Electrical	1	L.S.	\$ 13,000.00	\$ 13,000.00	\$ 20,880.00	\$ 20,880.00
9	6" Asphalt Concrete Composite	20	S.Y.	\$ 90.00	\$ 1,800.00	\$ 158.00	\$ 3,160.00
Total of All Bid Schedule Items					\$ 278,300.00		\$ 299,940.00





City Council

Agenda Item

Subject: First Reading of Ordinance No. 25-03, Zoning Text Amendments to Chapter 24, Subdivision of Land of the Revised Ordinances of the City of Watertown

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The proposed updates to Chapter 24, Subdivision of Land, consist mainly of clerical changes. Other notable changes include amendments to §24.0521, Assurances for the Completion of Minimum Improvements, in which the development agreement process has been modified to allow for agreements to be approved for periods of either two (2) or three (3) years, depending on the length of right-of-way being platted and subsequent infrastructure improvements within a subdivision. This length is capped at one (1) linear mile of right-of-way unless otherwise approved by the City Engineer. Extensions to development agreements may be approved on an annual basis at the discretion of the City Council.

In §24.0613, Inspections and Testing, and §24.0802, Completion of Final lift on Street, amendments are proposed that include updated language regarding current inspection policies in order to ensure proper installation and inspections have been completed prior to the final lift of a right-of-way being poured. These proposed amendments take into consideration the discussion that happened at the February 10, 2025, City Council work session. At the meeting, staff, City Council, and developers discussed the development agreement process and where recurring issues in the completion of subdivision developments were forming. The proposed amendments allow for an increase in flexibility for the time of infrastructure completion while setting clear expectations for developers on required inspections.

The Planning Commission unanimously recommended approval to City Council (6-0) at the March 20, 2025, meeting, with two proposed amendments. The first amendment removed the requirement of US Postal Service approval of mailbox locations on preliminary plans. The second amendment changed the approver of the certificate of completion from the Public Works Director to the City Engineer in the definitions section of the chapter.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Justin Petersen, City Engineer
Lucas Ammann, Civil Engineer II

STAFF RECOMMENDATION / SUGGESTED MOTION:

This is the first reading of Ordinance No. 25-03; no action required.

ATTACHMENT(S):

[Illustration](#)

[Ordinance No. 25-03](#)

FOR ILLUSTRATION PUPROSES FOR ORDINANCE NO. 25-03

TITLE 24

SUBDIVISION OF LAND

Chapter	(back to Table of Contents)
24.01	Title and Purpose
24.02	Legal Provisions
24.03	Subdivision Plans in General
24.04	Administration and Penalties
24.05	General Requirements and Design Standards
24.06	Subdivision Procedure
24.7 24.07	Final Plat Approval
24.8 24.08	Street Maintenance and Acceptance
24.09	Changes and Variances
24.10	Definitions
24.97	Interpretation, Abrogation and Severability
24.98	Cross-References
24.99	Punishment

Chapter 24.01
TITLE AND PURPOSE

[\(back to Title contents\)](#)

24.0101: TITLE

These regulations may be referred to as the 2011 Revised Subdivision Ordinance for the City of Watertown and its area of extraterritorial jurisdiction.

24.0102: PURPOSE

It is the purpose of this ordinance to regulate the subdivision of land so as to coordinate streets with other subdivisions and uses, to provide water and sanitation facilities, drainage and flood control, to foster efficient and orderly urban growth compatible with the natural environment, to minimize cut and fill operations, to prevent premature land subdivision and to conform with the Comprehensive Plan for the City of Watertown and its area of extraterritorial jurisdiction. (Ord 11-18; Add 11-4-11)

Chapter 24.02
LEGAL PROVISIONS

[\(back to Title contents\)](#)

24.0201: JURISDICTION

Pursuant to SDCL §11-6, these regulations shall govern the regulation of all subdivisions and the plats of all subdivisions within the corporate limits of the City, and any applicable extraterritorial area. (Ord 11-18; Add 11-4-11)

Chapter 24.03
SUBDIVISION PLANS IN GENERAL

[\(back to Title contents\)](#)

24.0301: RECORDING, USE AND SELLING

No person shall transfer or sell any parcel as part of a subdivision plan before a plat of such subdivision has been approved by the City of Watertown and recorded.

1. No person shall subdivide or layout such land in lots, unless by plat, in accordance with state law and the regulations contained herein. Subdivision of any parcel by metes and bound description for the purpose of sale, transfer, or lease with the intent of evading the terms of these regulations is prohibited.
2. No building permit shall be issued for the construction of any building or structure located on a lot subdivided or sold in violation of the provisions of these regulations.
3. No application for variance or conditional use shall be received by the City for any such lot subdivided or sold in violation of the provisions of these regulations. (Ord 11-18; Add 11-4-11)

Chapter 24.04
ADMINISTRATION AND PENALTIES

[\(back to Title contents\)](#)

24.0401: ADMINISTRATION

The City Engineer is hereby authorized to enforce these regulations, to interpret them, and to adopt and enforce rules and supplemental regulations in order to administer and clarify their provisions. Any appropriate action may be taken by law or in equity to prevent any violation thereof, to prevent unlawful construction, to recover damages, to correct or abate a violation or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to the penalties described below. (Ord 11-18; Add 11-4-11)

24.0402: PENALTIES

Any person violating any provision of this title shall be subject to the maximum penalty allowed by law. (Ord 11-18; Add 11-4-11)

Chapter 24.05
GENERAL REQUIREMENTS AND DESIGN STANDARDS

Section

[\(back to Title contents\)](#)

24.0501	General
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24.0501: GENERAL

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The Planning Commission shall require compliance with the following requirements to ensure the orderly development of all property within its platting jurisdiction. (Ord 11-18; Add 11-4-11)

24.0502: DESIGN STANDARDS

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All public improvements shall be designed in accordance with standard accepted engineering practices, designed in compliance with the Engineering Design Standards and subject to the approval of the City Engineer. (Ord 11-18; Add 11-4-11)

24.0503: LAND SUITABILITY

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The Planning Commission may find that land sought to be subdivided is unsuitable for development due to high agricultural productivity, flooding, poor drainage, steep slopes, rock formations or other conditions.

The Planning Commission may refuse to approve what it considers scattered or premature subdivision of land by reason of: lack of adequate water supply and sewerage treatment, schools, proper drainage, good roads or other public services which would necessitate an excessive expenditure of public funds for the supply of such services. (Ord 11-18; Add 11-4-11)

24.0504: FLOODPLAIN MANAGEMENT

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Regulations pertaining to floodplain management are set forth in Title 5 of the Watertown Ordinances. (Ord 11-18; Add 11-4-11)

24.0505: CONFORMITY WITH OTHER PLANS

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1. All proposed subdivisions shall conform to the adopted Comprehensive Plan.
2. The densities established by the zoning ordinance shall be observed by the subdivider and developer.
3. All thoroughfares in the major street plan shown as crossing or as boundaries of a proposed subdivision are required to be provided in that location and at the right-of-way width designated thereon. (Ord 11-18; Add 11-4-11)

24.0506: RELATION TO ADJOINING STREET SYSTEMS

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The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) in so far as they may be deemed necessary by the Planning Commission for public requirements. The width of such streets in new subdivisions shall not be less than the minimum width established in the Engineering Design Standards. The street and alley arrangement shall be such as not to cause a hardship to owners of the adjoining properties. In general, provisions should be made for through streets at intervals not exceeding one-half mile, and for street connections to future subdivisions at intervals not less than one quarter mile. Offset streets should be avoided. (Ord 11-18; Add 11-4-11)

24.0507: STREET NAMES AND NUMBERS

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1. Streets in line with existing streets shall bear the names of the existing streets.
2. No street names shall duplicate, contain the same spelling, or sound alike in pronunciation with any existing street. All street names should be kept as short as possible to permit signs to be no longer than thirty six (36) inches.
3. Each lot shall be assigned an address number in accordance with the numbering system now in effect in the City. Where possible, such address shall be established at the time of plat approval.
4. Street name suffixes shall be applied as follows:
 - a. Avenue: a road running east and west
 - b. Street: a road running north and south
 - c. Road: a road running east and west or north and south but which is not appropriate to name as a street or avenue
 - d. Lane: a road running northeast to southwest
 - e. Drive: a road running northwest to southeast
 - f. Trail: a road which wanders in different directions
 - g. Circle: all cul-de-sacs
 - h. Court: a road with two openings which enters and exits on the same road
 - i. Place: all private roads
 - j. Boulevard: a major road, usually an arterial or collector
5. When, due to topography, offsets caused by rectangular surveys, or other physical features, streets become interrupted, quarter line and section line streets shall retain the same name on either side of the irregularities. (Ord 11-18; Add 11-4-11)

24.0508: PRIVATE ROADS; PLACES

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The use of private roads shall be discouraged; however, in cases where a private road is allowed, it shall meet the following requirements:

1. Private streets shall be surfaced by the developer to a width of no less than twenty-seven-eight (27~~28~~) feet ~~four (4) inches back of curb to back of curb~~, and maintained in a passable condition. Greater width may be required when necessary. All private streets must provide a height clearance of fourteen (14) feet six (6) inches as a minimum and are subject to the same grade requirements as public streets.
2. A road maintenance agreement among property owners who will depend on said private street for access will be filed with the plat. This agreement shall affix the legal responsibilities for the repair and maintenance of any private streets and the required signs.
3. The Homeowner's Association shall place street signs on all private streets or ~~to~~-pay the City to place street signs for private streets at the locations the City Engineer deems necessary for the safety and convenience of the public. Street signs shall be of such a style and material to render them easily readable at night as well as day, and are subject to the approval of the City Engineer.
4. Buildings located adjacent to a private street shall be addressed and are subject to the approval of the City Engineer.
5. Private streets shall be indicated on the plat with broken lines. Any lots adjacent to a private street shall have their lot lines extended to include the area used for streets.

6. Any private street accepted by the City must provide permanent unobstructed public access to the area it serves.
7. Any plat presented for City approval which shows a private street as a means of access shall provide language in the Owner's Certificate reserving said private street as a permanent unobstructed access easement.
8. The City will not subsequently accept a private street for dedication unless and until it is brought up to City standards, providing adequate right-of-way without requiring variances for setbacks.
9. Alleys
 - a. Alleys are permitted in commercial and industrial districts, except where provision is made for service access, such as off-street loading, unloading and parking consistent with the requirement set forth in the Zoning Ordinance.
 - b. Alleys are permitted in residential districts when design standards and conditions warrant an alternative means of access as approved by the City Engineer. (Ord 11-18; Add 11-4-11)

24.0509: HALF STREETS

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1. Whenever an existing half street is adjacent to a tract being subdivided, the other half of the street shall be platted with said subdivision.
2. A preliminary plan of a subdivision may show half of a street adjoining property, which has not been subdivided, but no lot abutting on such half street shall have a building permit issued for it until such time as the other half street is dedicated. (Ord 11-18; Add 11-4-11)

24.0510: SIDEWALKS

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1. Concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with applicable standards and specifications of the City. Pedestrian ramps meeting the current American with Disabilities Act guidelines shall be installed with the street improvements.
2. The City may waive the installation of sidewalks in Industrial zoned districts.
3. The City may require the installation of sidewalks on lots, whether or not they contain any structure, when the adjacent lots have sidewalks, or when the City determines it is in the best interest of the public.
4. Alternative pedestrian routes may be considered by the Planning Commission in lieu of or in addition to sidewalks. (Ord 11-18; Add 11-4-11)

24.0511: BLOCKS

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1. The lengths, widths and shapes of blocks shall be determined with due regard to:
 - a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Need for convenient access, circulation, control and safety of street traffic and utilities.
 - c. Limitations and opportunities of topography.
2. Block lengths shall not exceed one thousand (1,000) feet and shall normally be wide enough to allow two tiers of lots of appropriate depth.
3. Pedestrian walks with a right-of-way not less than ten (10) feet wide, shall be required through blocks where it is deemed to be essential to provide circulation or access to schools, playgrounds, shopping centers and other community facilities. (Ord 11-18; Add 11-4-11)

24.0512: LOTS

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1. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide off-street parking and loading for the use contemplated.
3. Corner lots for residential use shall, to the extent possible, have extra width to permit appropriate building setbacks from both streets.

4. Each lot shall be provided with access to a public street or an officially approved place designated by the City Zoning Ordinance.
5. Double frontage lots shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. Along the property line of lots abutting any arterial street or other such disadvantageous feature, no right of access shall be permitted.
6. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.
7. All interior lot lines shall be a straight line or a series of straight lines. Curved interior lot lines shall be prohibited. (Ord 11-18; Add 11-4-11)

24.0513: EASEMENTS

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1. Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall conform to the Engineering Design Standards.
2. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use, the width of which shall be determined by the City Engineer and approved by the Planning Commission.
3. All proposed lots of record shall provide:
 - a. A ten (10) foot utility easement along any side which abuts a public right-of-way;
 - b. A ten (10) foot rear yard utility easement whenever the rear yard abuts another lot; and
 - c. A five (5) foot utility easement for all other lot lines.

Said easements shall be measured starting from the lot line, then into the lot in question. Said easements shall be depicted on all official plans by broken lines and the particular purpose of the easement shall be clearly indicated thereon. (Ord 17-29; Rev 07-14-17)

4. Lots and easements shall be arranged in such a manner as to eliminate unnecessary jogs or off sets and to facilitate the use of easements for power distribution, telephone service, drainage and water and sewer services.
5. The property owners whose property is subject to such easements shall be responsible for its maintenance. The easements shall be kept clear of any structure, debris, trees, shrubs or landscaping whatsoever except lawn grass which shall be regularly mowed and annual vegetation may be grown thereon. Fences and minor landscaping are permitted obstructions, allowed at sufferance, within utility easements and are wholly prohibited in drainage easements. No utility whose facilities are currently sited, or are being installed, in a utility easement shall be liable for or responsible for the replacement of any portion of fence or minor landscaping that must be removed to accomplish necessary work on utility facilities. (Ord 11-18; Add 11-4-11) (Ord 17-29; Rev 07-14-17)

24.0514: PERMANENT PROPERTY MARKERS

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All subdivision boundary corners shall be marked with monuments to grade and noted on the subdivision plat. (Ord 11-18; Add 11-4-11)

24.0515: PRESERVATION OF NATURAL FEATURES AND AMENITIES

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1. Existing features which would add value to residential development or to the community as a whole, such as trees, water courses and similar irreplaceable assets, should be preserved in the design of the subdivision.
2. Sensitive environmental areas as shown on the Comprehensive Plan shall be reviewed with regard to the special character of the area taking into consideration harmonious design, environmental protection and topographical restraints. (Ord 11-18; Add 11-4-11)

24.0516: PARKS, SCHOOL SITES AND OTHER PUBLIC AREAS

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In conjunction with Title 14, when subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the official comprehensive plan, school board or park department plans. Any provisions for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be evaluated. (Ord 11-18; Add 11-4-11)

24.0517: HOMEOWNER'S AND OTHER ASSOCIATIONS

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Where the subdivision contains park areas, road maintenance systems or other facilities or services which are necessary to or desirable for the area, and which are of common use or benefit and which are not accepted for maintenance by an existing public agency, provisions shall be made by trust agreement for the proper and continuous maintenance and supervision of such facilities. A final and signed copy of said agreement shall be attached to each and every plat having a facility or service covered by such an agreement. (Ord 11-18; Add 11-4-11)

24.0518: DRAINAGE

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A drainage plan conforming to the City approved master drainage plan for the area, if any, shall be made for each subdivision by a licensed professional engineer. Provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision taking into account the ultimate development of the tributary area. The storm and sanitary sewer plans shall be made as part of the utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to gravity flow improvements as opposed to other utilities and improvements.

1. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel and shall be the responsibility of the developer.
2. Low areas subject to periodic inundation shall not be developed or subdivided unless and until the City Engineer establishes and the Planning Commission establish and/or approve the following:
 - a. The nature of the land use would not lend itself to damage by periodic flooding and inundation; or
 - b. The area may be filled or improved in such a manner as to prevent such periodic inundation; or
 - c. Minimum floor elevations may be established to prevent damage to buildings and structures. Standing water that would contribute to mosquito development is to be eliminated by suitable construction measures.
3. The City Engineer may require whatever additional engineering information deemed necessary to make a decision on subdivisions and other development.
4. Ponds and similar areas will be accepted for maintenance only if approved by the City Council. (Ord 11-18; Add 11-4-11)

24.0519: AREAS SUBJECT TO PERIODIC INUNDATION

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1. **Flood Zones.** Land areas of such elevation and location to be subject to periodic inundation by flood waters shall not be subdivided or developed except as provided below.
2. **Development Review in Flood Zones.** Proposed subdivisions and proposed new developments shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Any such proposals shall be reviewed to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

Source: (Ord 11-18; Add 11-4-11) (Ord 21-32; Rev 8-27-2021)

24.0520: EROSION

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Measures used to control erosion on a development site shall, as a minimum, meet the standards and specifications of the Codington County Soil and Water Conservation District and the Engineering Design Standards. Stripping of vegetation, re-grading and cut and fill operations should be kept to a minimum, as should the amount of land and the duration of exposure. Whenever feasible, development plans should be made in conformance with topography in order to create the least erosion potential. Similarly, as much as possible natural vegetation shall be retained, protected and supplemented. The City Engineer may require further measures if necessary to prevent erosion on building sites and developments from depositing wastes or sediments on public streets or other property. Every effort shall be made to retain the natural vegetation on all ditches and drainage ways. Ditches and drainage ways will not be disturbed without the approval of the City Engineer's office. (Ord 11-18; Add 11-4-11)

24.0521: ASSURANCES FOR THE COMPLETION OF MINIMUM IMPROVEMENTS

1. No plats of any subdivision shall be approved unless the improvements required by this ordinance have been installed prior to such approval or unless the developer has signed a development agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the City Council. ~~s~~Such period ~~shall not to exceed~~ two (2) years for subdivisions containing one-half (1/2) linear mile or less of right-of-way development or three (3) years for subdivisions containing more than one-half (1/2) linear mile of right-of-way development. No subdivision shall contain more than one (1) linear mile of right-of-way development unless approved by the City Engineer. The development agreement shall be recorded with the register of deeds at the time of filing the plat. An eExtensions to the ~~performance two (2) year period of the development agreement~~ may be granted at the discretion of the City Council ~~in one (1) year increments. The first extension year shall not incur any fees, but all extensions thereafter shall require an administrative fee of one thousand five hundred (1,500) dollars per year to be paid to the City prior to issuance of the extension. This development agreement shall be recorded with the register of deeds at the time of filing the plat.~~
2. No building permits shall be issued until agreements have been filed, curb and gutter has been installed and sanitary sewer, storm sewer and water supply lines have been approved ~~or all required public improvements have been completed and approved.~~ (Ord 11-18; Add 11-4-11).

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Chapter 24.06
SUBDIVISION PROCEDURE

Section

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24.0616	Plat

24.0601: THE PLAT APPROVAL PROCESS

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All proposed subdivision plats must be approved through a three phase development process. All plans and plats referred to in this section shall be prepared by a registered professional engineer and a registered land surveyor in conformity with requirements of state law.

Source: (Ord 11-18; Add 11-4-11)

24.0602: PROCEDURE

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The procedure for review and approval of a subdivision consists of the following phases:

1. Required preparation, submission and approval of a “Concept Plan”.
2. Required preparation, submission and approval of a “Preliminary Plan”.
3. Required preparation, submission and approval of the “Construction Plans” and “Plat”.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0603: CONCEPT PLAN

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The purpose of a Concept Plan is for the developer to receive approval from the Planning Commission regarding general requirements, minimum standards of design and required improvements as set forth in this ordinance. This plan includes the entire area the developer intends to subdivide and will show the development phases to be preliminary planned. This plan will aid the developer in preparing a more readily accepted Preliminary Plan for each phase and help prevent revisions in the layout and development of the subdivision. One (1) paper copy and electronic copies of the PDF, DWG and GIS shapefile of a Concept Plan shall be submitted to the Community Development Division to be distributed for review by the Design Review Team. A Concept Plan shall include the following information:

1. General

- a. The proposed name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision. These names shall be subject to the approval of the Administrative Official.
- b. Names of the additions and subdivisions within the city limits shall read as follows:
____ Addition (Subdivision) to the Municipality of Watertown, in the County of Codington, South Dakota.
- c. Names of additions and subdivisions outside the city limits (within jurisdiction) shall read as follows:
____ Addition (Subdivision) in the ____ Quarter, Section ____, T ____, R ____, ____ of the 5th P.M. in the County of Codington, South Dakota.

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- d. Names of H Lots within the city limits shall read as follows (include Addition if available):

H - in _____ Addition, in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

- e. Names, addresses, and telephone numbers of the owner(s), developer(s) and engineer(s).
- f. Vicinity map to scale, showing the locations of the proposed subdivision and other property for at least six hundred sixty (660) feet in every direction.
- g. The legal description(s) and notations stating acreage, scale, north arrow and date of survey.
- h. The names of all adjoining subdivisions. Adjoining un-platted property shall be labeled as such.
- i. Un-platted//undeveloped property surrounding such property being developed shall be included showing connectivity to existing infrastructure: streets, sanitary sewer, water, drainage, or other public infrastructure as applicable within the quarter (1/4) section.
- j. The proposed zoning districts.
- k. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.
- l. Locations and widths of all existing and proposed easements.
- m. Locations and sizes of all public facilities, schools, libraries, fire stations, parks, tree masses and other significant natural features.
- n. Any expectations for City reimbursements.
- o. Proposed phasing for development with estimated timelines.
- p. Disclosure of proposed variances.

2. Streets

- a. The general layouts of streets and access points to arterial, collectors, and other adjacent street systems.
- b. The general layout of pedestrian connectivity.
- c. Rights-of-way widths.
- d. SProposed street names and widths from back of curb to back of curb including curb radius dimensions at intersections and cul-de-sacs.
- e. Typical of street sections.

3. Sanitary Sewer

The general layout of the proposed sanitary sewer system including locations of gravity sewers and force mains, lift stations, and connection points to the existing system.

4. Water

The general layout of the proposed water main system including connection points to the existing system. Water systems shall be approved by the City of Watertown Municipal Utilities Department.

5. Drainage and Grading

The proposed drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Preliminary Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.4), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0604: APPROVAL OF CONCEPT PLAN

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After the Community Development Division and Design Review Team have reviewed and approved the Concept Plan, it shall be submitted to the Planning Commission for final approval. A public hearing will be held by the Planning Commission. The approved plan shall be kept on file with the Community Development Division. Approval of the Concept Plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the Concept Plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0605: EFFECTIVE PERIOD OF CONCEPT PLAN/AMENDMENTS

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The approved Concept Plan shall remain effective until all phases of the subdivision are complete. The Community Development Division may request an updated Concept Plan for administrative review and approval when minor changes to the plan are proposed. Minor changes may include, but are not limited to, the following: a change in local street pattern, street name, drainage ways or detention pond location, lot lines, development phases, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Concept Plan shall follow the procedures for approval of a Concept Plan as required in this section. Major changes may include, but are not limited to, the following: a change in arterial or collector street patterns, proposed variances, other public open space locations, an increase in density, or perimeter boundaries.

Source: (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0606: PRELIMINARY PLAN

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A Preliminary Plan for the specific phase of development as outlined by the approved Concept Plan shall be submitted to the Community Development Division to be reviewed and approved by the Design Review Team. One (1) copy on 11"x17" paper and electronic copies of the PDF, DWG and GIS shapefile of the Preliminary Plan shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to one hundred (100) feet (1":100'). The Community Development Division shall review the Preliminary Plan and provide recommendations, along with recommendations from the Design Review Team, to the applicant. Final consideration shall be made by the Community Development Manager within sixty (60) days following submittal.

The Preliminary Plan shall conform with the Engineering Design Standards and shall include all information from the approved Concept Plan as well as the following information:

1. General

- a. Engineer's certificate.
- b. Disclosure of any anticipated supplemental provisions to the General Conditions and Standard Specifications for Public Improvements and the currently adopted Engineering Design Standards.
- c. Adjacent property information: access points, rights-of-way, lot and block lines, easements, city limits, development plans, and any other pertinent information needed for review.
- ~~d. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.~~
- ~~e. Proposed zoning districts and minimum setback requirements.~~
- ~~f. Location and widths of all existing and proposed easements.~~
- e. Specify which phase shown on the Concept Plan is being developed.
- ~~g. Mailbox collection point locations, as approved by the US Postal Service.~~

2. Street Plan

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- a. Compliance with the City's Major Street Plan in the currently adopted Comprehensive Land Use Plan.
- b. Access onto city streets shall be in accordance to the currently adopted Engineering Design Standards.
- c. The City has adopted an Access Plan for accesses to U.S. Highways 212 and 81 and South Dakota Highway 20 in conjunction with the State of South Dakota Department of Transportation (SDDOT). Any conflicts with this Plan will need to be first resolved with the SD DOT before they will be considered on a preliminary plan.
- ~~d. Proposed street names and widths from back to back of curb including curb radius dimensions at intersections and cul-de-sacs.~~
- ~~e. Illustrations of typical street sections.~~
- ~~f. Streets and rights-of-way widths.~~
- ~~g. Locations and widths of proposed easements.~~
- ~~h. Identification of minor and major collectors with conformance to the currently adopted Engineering Design Standards.~~
- ~~i. Transportation connectivity within the development as well as connectivity with the surrounding properties. This also includes pedestrian connectivity.~~
- ~~j. Consideration of lots that front on an arterial or collector street and proposed access points.~~
- ~~k. Note if access to the development is from a city street, county or state highway.~~
- ~~l. Conformance to traffic calming practices shown in the currently adopted Engineering Design Standards.~~

~~m-j.~~ Top back of curb elevations at low end of lots.

3. Sanitary Sewer Plan

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- a. Compliance with the City's Wastewater Collection System Master Plan, Sanitary Sewer Manual, and Sewer Capacity Study.
- b. Major individual commercial or industrial occupants (if any).
 - (1) Type of sewage produced by major contributors identified above (if atypical).
 - (2) Volume of sewage produced by major contributors identified above (if atypical).
- c. Provide geographic, gradient and capacity serviceability of the proposed development to the existing sewer system. The City Engineer will furnish the design engineer with sewer flows of the existing system upon written request.
- d. Locations, material type, grade and size of proposed gravity sewers, force mains, manholes, lift stations and other sanitary sewer appurtenances.
- e. Estimated flow in planned sewer and future upstream sites (cfs, mgd, or other units).
- f. Type and capacity of proposed lift stations. The capacity of said lift stations shall accommodate adjacent future developments as indicated by the City Engineer.
- g. Locations and widths of proposed easements.
- h. Adequacy of receiving sewer system.
- i. Manhole locations and spacing with manholes numbered.
- j. Flow directions, connections to existing system and extensions to adjacent properties.
- k. Extensions of sanitary sewer to the adjacent upstream users.

4. Water Plan

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- a. Water systems shall be approved by the City of Watertown Municipal Utilities Department.
- b. Show locations of valves, fire hydrants (including spacing), and other water main appurtenances.
- c. Locations and widths of proposed easements.
- d. Extensions of waterlines to perimeter of the development.
- e. Proposed pipe sizes and materials.

5. Drainage and Grading Plan

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- a. The drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Final Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.
- b. Approximate ground water and lowest finished floor elevations shall be shown for buildings. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation. Test holes shall determine ground water elevation where applicable. Test hole results shall be provided to the City.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21) (Ord 22-01; Rev 3-4-22)

24.0607: ADDITIONAL IMPACT REQUIREMENTS

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The City Engineer may require any or all of the following to be included in the Preliminary Plan:

1. Traffic studies in accordance to Chapter 5.1 of the currently adopted Engineering Design Standards.
2. Information on additional water and sewer loads created by the proposed subdivision including confirmation that existing facilities or proposed additions can accommodate the additional loads is required.
3. A Geotechnical Exploration Report in accordance to Chapter 6 of the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0608: APPROVAL OF PRELIMINARY PLAN

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The preliminary plan shall be submitted to the Community Development Division for approval following review by the Design Review Team. The approved plan shall be kept on file with the Community Development Division. Approval of the preliminary plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the

preliminary plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0609: EFFECTIVE PERIOD OF PRELIMINARY APPROVAL

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The approval of a Preliminary Plan shall be effective for a period of three (3) years, at the end of which time approval on the subdivision plat or a portion thereof must have been obtained from the City. Any preliminary plan which has not received approval for all or a portion thereof of it within the period of time set forth herein, would require re-submittal of a new plan for preliminary approval subject to any new subdivision regulations. However, before the initial three (3) years has ended, the Developer may, upon written request, receive a three (3) year extension from the Community Development Manager.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0610: AMENDMENTS TO PRELIMINARY PLAN

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Amendments to an approved Preliminary Plan may be made at the discretion of the Community Development Manager. The Community Development Manager may request an updated Preliminary Plan for review and approval when minor changes to the plan are proposed. Minor changes shall include, but are not limited to, a change in local street pattern, street name, lot lines, development phases, drainage ways or detention pond location, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Preliminary Plan shall follow the procedures for approval of a preliminary plan as required in this section. Major changes to an approved Preliminary Plan shall require a revised Concept Plan as detailed in Section 24.0603 and 24.0604. Major changes shall include, but are not limited to, a change in major street pattern, public open space location, or perimeter boundaries.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0611: CONSTRUCTION PLANS

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Construction Plans shall be submitted to the Community Development Division to be distributed for review and approval. One hard copy on 11"x17" paper and electronic copies of the PDF, DWG, and GIS shapefile shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to forty (40) feet (1":40'). Final consideration and issuance of a Permit to Construct shall be made by the City Engineer within sixty (60) days following submittal.

Construction Plans shall conform to all chapters of the currently adopted Engineering Design Standards. Plans shall include all information from the Preliminary Plan as well as the following:

1. **Final Site Grading Plan.** The drainage and grading plans shall show the existing and proposed contours with intervals of one (1) foot for land with a slope of one percent (1%) or less, intervals to two (2) feet for a slope between one and one-tenth (1.1%) and nine and nine-tenths (9.9%) percent and contours of five (5) feet for land with a slope exceeding ten percent (10%) referenced to City of Watertown datum (established by the NAVD 1988 USGS). The site grading plan shall also show the top-of-foundation elevation and drainage arrows for each lot with lot corner elevations shown. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation.
2. **Final Street Grading Plan.** The street grading plan shall show finished street grades shown to an accuracy of one hundredth of a foot (1/100), showing existing conditions and proposed curb grades, and a detailed design for all intersections. Where the developer owns only half the property which makes up a street, and he/she is the first person to request development along said street, he/she shall be responsible for establishing the street grades for said street for approval by the City.
3. **Final Drainage Plan.** The final drainage plan shall include detailed data for all runoff within the proposed development phase in accordance with the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards. *(Same requirements as the Drainage and Grading Plan for the Preliminary Plan referenced in Section 24.0606 5.)*
4. **Final Utility Plan.** The utility plan shall show the final storm sewer system and sanitary sewer layout, showing the direction of flow, the manhole locations and their approximate depth to a scale approved by the City Engineer. The utility plan shall also show the final water system layout showing the location of existing water lines and the proposed pipe sizes.
5. **Final Erosion Control Plan.** The erosion control plan must show all proposed land disturbance including areas of excavation, grading, filling, removal and destruction of topsoil and spreading of earth material. Provisions for erosion control during construction must be in accordance with the adopted Erosion and

Sediment Control Best Management Practices including a copy of the NOI and SWPPP, as applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21)

24.0612: WHEN CONSTRUCTION MAY BEGIN

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Grading of the proposed subdivision may begin only after a Grading Permit has been issued by the Engineering Division in accordance to Title 5 of the Revised Ordinances of the City of Watertown. A Grading Permit may be issued if a Preliminary Plan for the area has been approved. If the project disturbs one acre or more, a Storm Water Pollution Prevention Plan must be submitted to and approved by the Engineering Division. A copy of the Notice of Intent (NOI) issued by the South Dakota Department of Environment and Natural Resources must also be submitted to the City Engineer prior to Grading Permit issuance.

The installation of water, sanitary sewer and storm sewer lines and the construction of street and drainage requirements may not begin until after Construction Plans have been approved by the City Engineer and a permit to construct has been issued.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0613: INSPECTIONS AND TESTING

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Inspections and testing shall be required as written in the currently adopted Engineering Design Standards. It is the responsibility of the developer to schedule all required testing and to notify the Office of the City Engineer when work is ready for inspections. Density tests must be submitted to the City Engineering Division for review prior to paving the final lift. In the event that the required specifications are not met, construction on the project shall cease until the items that are out of compliance are resolved. Failure to comply with the City's standards may result in a moratorium of building permits and/or other penalties as provided under law.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0614: SHOP DRAWINGS

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Shop drawings shall be submitted in accordance with the currently adopted Engineering Design Standards. Drawings shall be reviewed and approved by the Developer's Engineer prior to submittal to the City Engineer. The attached cover page shall include contact information for the Developer's Engineer in addition to those listed in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0615: RECORD OR AS-BUILT DRAWINGS

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Record drawings shall be prepared and submitted in accordance with the currently adopted Engineering Design Standards. ~~Two (2) copies on 11"x17" paper and e~~Electronic copies of the PDF, DWG and GIS shapefile shall be submitted. On projects where city-maintained utilities are being constructed, the developer shall be responsible for locating the utilities until record drawings have been approved. Once approved, the City shall assume locating responsibilities.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0616: PLAT

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A Plat shall be submitted to the Community Development Division to be distributed for review. One (1) mylar, two ~~(2)~~ paper copies, and electronic copies of the PDF, DWG and GIS shapefile shall be submitted. Final consideration shall be made by the City Engineer within sixty (60) days following submittal. Copies of the approved plat shall be submitted in accordance with the currently adopted Engineering Design Standards and this chapter.

The Plat shall conform substantially to the Preliminary Plan as approved and may constitute only a portion of the Preliminary Plan, which the developer proposed to record and develop. Plats shall comply with state statutes and shall include the following information:

1. Compliance with the Preliminary Plan for layout of lot, block, right-of-way, and easements.
2. The name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision.
3. Site location map, north arrow, and basis of bearings.

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4. The date, title, scale (minimum scale of one hundred (100) feet to one (1) inch within the city limits, minimum scale of two hundred (200) feet to one (1) inch outside the city limits), north point and legal description of the proposed subdivision, location by quarter section, section, township and range required on plats outside the city limits.
5. The names of all adjacent subdivisions and streets, all previously platted lots to include dimensions and block lines, type of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such.
6. All easements shall be shown indicating size and purpose on new subdivision.
7. A systematic lot and block numbering pattern corresponding to that existing in the City. Lot lines, road names, and the square footage or acreage of all lots shall be included.
8. The location and width of all proposed and existing right-of-way, alleys, and easements, as well as the location of any parks, dedicated drainage ways and railroad right-of-way.
9. The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest sector corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat.
10. Accurate location of all permanent monuments, control points and survey pins, either set or located.
11. An accurate description of any portions of the property intended to be dedicated or granted for public use, labeled as lot and block or tract.
12. For properties within the Special Flood Hazard Area (SFHA), reference the effective Flood Insurance Rate Map (FIRM) date, community and panel number.
13. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets, alleys, easements, and any other area for public or private use. Linear dimensions are to be given to the nearest one one-hundredth (1/100) of a foot.
14. All property lines shall show chords, lengths and radii to the nearest minute and second.
15. Appropriate certifications as required by State statute.
16. Acknowledgment of the owner(s) of the Plat of any restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.
17. All formal irrevocable offers of dedication for all streets, alleys, parks and other uses as required.
18. Certificates of approval for endorsement by City Engineer and Finance Officer.
19. Development agreements shall be approved by the City Council.
20. Access agreements shall be approved by the City Engineer and SD Department of Transportation, where applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

Chapter 24.07
FINAL PLAT APPROVAL

Section

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- [24.0701 Plat Approval](#)
- [24.0702 Subdivision Process Exemptions](#)
- [24.0703 Plat Exemptions](#)
- [24.0704 Additional Requirements](#)

24.0701: PLAT APPROVAL

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1. The Plat shall be considered for final approval only after the City has assurances from the developer fixing responsibility for required improvements. All plats are approved separately by the [Planning](#) Commission and City Council, except as noted below.
2. Pursuant to the authority granted in SDCL §11-3-6 and as authorized by the City Council, the City Engineer may approve plats in lieu of approval by the governing body subject to the following regulations:
 - a. A Preliminary Plan of the subdivision has been approved by the [Planning](#) Commission and the plat is in conformance with the same.
 - b. Lot line revisions so long as the lots created conform to the density requirements of the applicable zoning district.
3. In the event the City Engineer determines that Subsections 1 or 2 have not been complied with, the plat shall be submitted to the [Planning](#) Commission and the City Council for review and approval.
4. When the plat has been approved, the mylar and accompanying documents will be recorded with the Register of Deeds office. All recording fees will be billed to the applicant. (Ord 11-18; Add11-4-11)

24.0702: SUBDIVISION PROCESS EXEMPTIONS

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To ensure timely review of minor plats and replats (including plats for transfer of ownership) that do not discernibly impact surrounding properties, environmental resources, or public facilities, no concept plan, preliminary plan, or construction plans will be required. Minor plats and replats can be administratively approved by the City Engineer and must comply with all requirements of a plat.

1. Minor Plat Requirements: A minor plat is a plat containing not more than five (5) lots and must meet **ALL OF** the following requirements:
 - a. Does not require the dedication of right-of-way or construction of new streets, except that arterial roadways identified on the Major Street Plan will be required to dedicate the necessary right-of- way;
 - b. Does not create any public improvements other than sidewalks;
 - c. Does not landlock or otherwise impair convenient ingress or egress to or from the rear side of the subject tract or any adjacent property;
 - d. Does not change the grades from the grading plan which was submitted and approved with the original plat or, if the grades are going to be changed, then a grading plan shall be submitted and approved for the minor plat or replat;
 - e. Does not significantly change any plans that have been prepared for the placement of any other utilities in the subdivision;
 - f. Does not adversely affect the remainder of the parcel or adjoining property; and
 - g. Does not conflict with any provision or portion of the growth management plan, official map, zoning ordinance, or these regulations.
 - h. No property involved or created by a minor plat shall be involved in a subsequent minor plat procedure for a period of three (3) years from the date of filing of the original minor plat procedure.
2. Replat: A replat includes all the requirements of a minor plat and shall also include the minor vacation of existing platted lines to achieve either a reconfiguration of the existing recorded plat or change the number of recorded lots in the subdivision only where the perimeter of the tract being replatted is not altered by the replat. Also, a replat shall certify that the platting vacates the existing plat. (Ord 11-18; Add 11-4-11)

24.0703: PLAT EXEMPTIONS

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This section is intended to provide exemptions to city platting rules and regulations. However, exemption of city platting rules and regulations does not exempt the platting requirements of the register of deeds, title company and state law. The following exemptions exist:

1. Cemetery gravesite plats or plots do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections, blocks, lots, individual grave spaces, avenues, walks, and streets, thereby platting or making a map which shall be filed and maintained as a permanent cemetery record. However, all platting requirements of the county register of deeds and state law are still applicable.
2. Government owned parcels. In order to facilitate the transfer of ownership from one owner to a government entity for the use of a public land or facility (e.g., school, park, drainage way, H lots), plats may be exempted by the City Engineer.
3. Boundary line adjustments. The purpose is to provide procedures and criteria for the review and approval of minor adjustments to boundary lines of legal lots or building sites in order to rectify defects in legal descriptions, to allow minor enlargement or reduction of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, and to correct situations where an established use is located across a lot line, or for other similar purposes. When an application is made for building permits, if the description given for the lots on the building permit application shows the property lines to be different from the platted lot lines, a boundary line adjustment or replat will be required for those lots. A boundary line adjustment shall include a surveyed site plan including all information required for a plat. The survey shall be submitted to the planning office with a title report of the entire parcel. A development lot agreement may also be required to officially join parcels to comply with zoning requirements. If the legal description given does not meet the requirements listed below for a boundary line adjustment, other applicable subdivision ordinance provisions shall be followed.

A boundary line adjustment application:

- a. Shall not result in the creation of an additional lot, parcel, or building site,
 - b. Shall not result in a lot that does not qualify as a building site pursuant to this title;
 - c. Shall not relocate an entire lot from one lot of record to another lot of record;
 - d. Shall not reduce the overall area in a plat or parcel devoted to open space;
 - e. Shall not be inconsistent with any restrictions or conditions of approval for a recorded plat;
 - f. Shall not involve lots which do not have a common boundary;
 - g. Shall not result in the required minimum lot sizes that do not meet the zoning ordinance requirements;
 - h. Shall not result in the creation of a nonconforming setback for any existing building; and
 - i. Shall meet all transfer and recording requirements of the county register of deeds. (Ord 11-18; Add 11-4-11)
4. Condo plats do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections or units and the following requirements are met. If all of the requirements are met then the condo plat can be administratively approved. If not ALL of the requirements are met then the condo plat must be approved separately by the Planning Commission and City Council.
 - a. That a Master Deed or Lease has been prepared in accordance with SDCL §43-15A-4,
 - b. The name of the plat must include the word “condominium” (ex: “Plat of Pine Knoll Condominium” or “Plat of Windhaven, a Condominium”),
 - c. The plat cannot create public streets, alleys or dedicate any area to the public,
 - d. The plat cannot alter any area previously dedicated to the public, nor modify or remove any easements, restrictions, or other encumbrances on the land.
 - e. The construction of the building(s) must meet the International Building Code and the International Fire Code, and
 - f. That the primary structure meets the required setbacks of the proposed zoning designation. (Ord 15-15; Add 06-12-15)

24.0704: ADDITIONAL REQUIREMENTS

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Additionally, building permits will not be issued on any tract or lot in the subdivision until, where applicable:

1. A Final Plat has been approved.
2. Construction Plans have been approved.
3. The Park Fee is paid or park land donated.
4. The property to receive a permit is platted and officially recorded.
5. Final zoning has been approved. (Ord 11-18; Add 11-4-11)

Chapter 24.08
STREET MAINTENANCE AND ACCEPTANCE

Section

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- [24.0801 Maintenance of Gravel Streets under Development](#)
- [24.0802 Completion of Final Lift on Street](#)
- [24.0803 Final Acceptance of Improvements](#)
- [24.0804 Developers Warranty Responsibilities](#)

24.0801: MAINTENANCE OF ~~GRAVEL~~ STREETS UNDER DEVELOPMENT [\(back to Chapter contents\)](#)

For streets under construction the City will provide minimum maintenance and snow removal on gravel and asphalt streets to provide minimum vehicular passage and provide minimum street sweeping on asphalt streets. If there is any damage to manholes, valves, curb and gutter, valley gutters, or other appurtenances, repairs shall be done at the developer's expense. Gravel streets will be allowed through one winter season only. (Ord 11-18; Add 11-4-11)

24.0802: COMPLETION OF FINAL LIFT ON STREET [\(back to Chapter contents\)](#)

Both the sanitary sewer and storm sewer must be televised and accepted by the City prior to paving the final lift. Any corrections needed for either sewer system must also be made prior to paving the final lift. Any disturbance to the paving section for any reason will be the responsibility of the developer to repair.

No sooner than one year after the first lift has been applied or at any time when requested by the City, the developer shall place the final lift of asphalt on the street. Prior to this action, the developer will notify the City and state its intentions. The City Engineering Division will inspect the improvements and make an inspection report to the developer as to the necessary work needed for the project to meet City specifications. This inspection report will encompass all aspects of the water, sanitary sewer, storm sewer, curb and gutter, valley or any other part of the construction as provided for in the preliminary plan as approved. Adjustments or repairs will be the responsibility of the developer and shall be made prior to the placement of the final lift. (Ord 11-18; Add 11-4-11)

24.0803: FINAL ACCEPTANCE OF IMPROVEMENTS [\(back to Chapter contents\)](#)

After the developer deems that all the street and utility improvements have been completed and has placed the final lift of asphalt, the developer will notify the City in writing that the street is completed. The City Engineering Division will then inspect all the improvements and inform the developer of any deficiencies. Any deficiencies shall be remedied by the developer at the developer's expense. Upon the review and recommendation of the The City Engineer, the City Public Works Director will then issue a Certificate of Completion noting any deficiencies and setting a date as to when the one (1) year warranty will end. (Ord 11-18; Add 11-4-11)

24.0804: DEVELOPERS WARRANTY RESPONSIBILITIES [\(back to Chapter contents\)](#)

The developer shall warranty the water, sewer, storm sewer, curb and gutter, valley or any other part of the construction specified in the preliminary plan for a period of one year from the date as stated in the Certificate of Completion.

Prior to the end of the one (1) year warranty period the City Engineer will inspect the improvements and report his findings to the City Council. The City Council shall by resolution confirm or reject the Aeeptance–Certificate of Acceptance. If confirmed, the developer's responsibility for the improvements end, and the improvements become the responsibility of the City. If any portion is rejected, the developer will repair or replace the rejected portion and a one (1) year warranty period will begin again on the rejected portion and the developer shall again comply with the provisions as stated in this ordinance. (Ord 11-18; Add 11-4-11)

Chapter 24.09
CHANGES AND VARIANCES

Section

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[24.0901 Changes or Modifications of Plans](#)

[24.0902 Variances](#)

24.0901: CHANGES OR MODIFICATIONS OF PLANS

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All modifications to the approved construction plans shall be approved by the City Engineer. The Planning Commission reserves the right to require that any changes or modifications to approved plans that they deem to be major changes or modifications shall require the developer to re-submit the modified plan for review and adoption as herein provided. (Ord 11-18; Add 11-4-11)

24.0902: VARIANCES

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Requests for variances must be submitted to the Planning Commission and/or the City Council under the procedures set forth in Watertown Ordinances. (Ord 11-18; Add 11-4-11)

Chapter 24.10
DEFINITIONS

24.1001: DEFINITIONS

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For the purpose of this title 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 tense; 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 discretionary; 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."~~

Access Control Easement: an easement on property adjacent to a street right-of-way prohibiting vehicular access or street curb cuts to such designated property.

Alley: a public or private right-of-way which affords a secondary means of access to property.

~~**Acceptance Certificate:** a certificate issued as acceptance of improvement in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.~~

Block: a tract of land bounded by streets or by a combination of streets, public parks, railroad right-of-ways, shoreline of waterways or municipal boundaries.

Building: any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind. When separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Building Setback Line: a line parallel or approximately parallel to the lot lines at a specified distance therefrom, marking the minimum distance from the lot line that the building may be erected.

~~**Certificate of Acceptance:** a certificate issued as acceptance of improvements in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.~~

~~**Certificate of Completion:** a certificate issued as approval of improvements in developments that will, after approval by the City Public Works Director/Engineer, constitute the start of a one (1) year warranty period.~~

City Engineer: the person designated by the City Council to furnish engineering assistance for the administration of these regulations.

City, City of Watertown: the City of Watertown, South Dakota.

City Council: the City Council of Watertown, South Dakota, as duly elected.

Condo Plat: a plat detailing the location of a structure(s) which is encumbered by a declaration of condominium covenants or condominium form of ownership.

Construction Standards: construction specifications approved by the City for infrastructure construction.

Comprehensive Plan: the master plan or general plan for the development and improvement of Watertown, South Dakota as adopted by the City Council.

Concept Plan: a basic set of plans indicating the proposed layout of the subdivision to be submitted for approval.

Construction Plan: a set of detailed engineering plans to be used for construction of public infrastructure based on the City's Engineering Design Standards.

Contractor: the person who contracts with an individual or the developer to construct a building on a parcel of land prepared by the developer.

Corner Lot: a lot at the junction of, and fronting on, two or more intersecting streets.

Covenants: those declarations prepared by the developer and intended to be recorded along with the Plat, which may provide for restrictions and controls of land use and development within the subdivision and which shall include a method whereby all private roadways within the subdivision shall be improved and maintained until such time as the obligation thereof may be accepted by the City or another governmental unit.

Cul-de-Sac: a local street with only one outlet having an appropriate terminal for safe and convenient reversal of traffic movement.

Curb Cut: a cut in the curb allowing access to a public street.

Dedicated: a grant of land to the public for perpetual use.

Design Review Team: a group of representatives from each city department, SD DOT, 1st District, Focus Watertown and others affected by the proposed plan.

Developer: any person who converts undeveloped land into legally platted, buildable lots. The developer may or may not be the landowner or the builder of structures that occupy the lots.

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Easement: authorization by a property owner for the use by another property owner or the public for specific purposes for any designated part of his property.

Engineering Design Standards: the current engineering design standards for public improvements of the City of Watertown.

Flood Prone Area: a land area adjoining a river, creek, watercourse or lake which is likely to be flooded.

Frontage: that side of a lot abutting on a street regarded as the front of the lot.

H Lot: a lot created via a highway right-of-way plat.

Homeowner's Association: an association of property owners joined together for the purpose of maintaining an area held in common ownership.

Improvements: includes street grading, street surfacing, curb and gutter, water mains and lines, sanitary sewers, storm drainage facilities, culverts or other such installations as designated by the City Council.

Letter of Irrevocable Credit: a guaranteed letter from a bank or savings and loan association stating that if the said improvements are not completed by a developer, the money provided in the letter will be forwarded to the City to complete said improvements.

Lot: one unit of a recorded plat subdivision, or registered land survey having specific boundaries and which has been recorded in the Register of Deeds office, occupied or to be occupied by a building and its accessory buildings and including as a minimum such open spaces as are required under this ordinance and having frontage on a public street.

1. **Corner:** a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lots to the foremost points of the lot meet at an interior angle of less than one hundred thirty five (135) degrees.
2. **Interior:** a lot other than a corner lot with only one frontage on a street.
3. **Through:** a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Major Street Plan: the major street plan adopted through the comprehensive plan and as approved by the City Council.

Monument: a boundary marker of concrete, permanently planted and firmly fixed in the ground and placed so that the top of the monument is flush with natural ground.

Owner: the title holder of property, on file at the office of the County Register of Deeds.

Planning Commission: the Planning Commission of Watertown, South Dakota as duly appointed.

Plat: a map, or representation on paper of a piece of land subdivided into lots, parcels, tracts or blocks, including streets, commons and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedications and filed with the County Register of Deeds.

Preliminary Plan: a set of drawings, including all required information, for review by the Planning Commission.

Re-Plat: a change in a map of an approved or recorded subdivision plat which affects any road layout, area reserved for public use, or lot line.

Right-of-Way: a strip of land occupied by a street, railroad, transmission line, oil or gas pipeline, water lines, storm or sanitary sewer lines, pedestrian walkways or other special use. The use of the term right-of-way for platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way shall be dedicated to public use by the owner of the plat on which such right-of-way is

established.

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Street: a public way for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, arterial, lane, place or however otherwise designated. The width of a street is measured between right-of-way lines.

1. **Arterial:** a principle traffic artery, more or less continuous across the City, which acts as a principal connecting street with state and federal Highways and includes each street designated as an arterial street on the major street plan.
2. **Collector:** a street intended to move traffic from local streets to arterial streets and highways, including the principal entrance street of residential development and streets for circulation in such developments.
3. **Frontage:** a minor street which runs parallel or adjacent to arterial streets and highways and which serves to reduce the number of access points to arterial streets and highways.
4. **Local:** a street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for various utilities but not intended to be used for through traffic.
5. **Marginal Access:** a street used only for access to a very limited number of lots.
6. **Private:** one that has not been dedicated, but rather reserved as an access easement to property. The private street shall be owned and maintained by the property owners which it serves.

Storm Water Pollution Prevention Plan: in compliance with the State General Permit, the SWPPP is a document which identifies sources and activities at a particular construction site that may contribute pollutants to storm water and commits the operator to specific control measures and time frames to prevent or treat such pollutants.

Structure: anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, walls, fences and signs.

Subdivider: a person, corporation, partnership, association, or any group who prepares or causes to be prepared a subdivision plat.

Subdivision: the division of any tract or parcel of land into two or more lots platted for the purpose of transfer of ownership, or building development, whether future or immediate, or any division of land involving a new street or road regardless of parcel size or the number of parcels. (Ord 11-18; Add 11-4-11)

Chapter 24.97
INTERPRETATION, ABROGATION AND SEVERABILITY

24.9701: INTERPRETATION, ABROGATION AND SEVERABILITY [\(back to Title contents\)](#)

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health and general welfare. It is not the intent of this ordinance to repeal, abrogate or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail. ~~All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.~~ (Ord 11-18; Add 11-4-11)

Chapter 24.98
CROSS-REFERENCES

24.9801: CROSS-REFERENCES [\(back to Title contents\)](#)

Building Inspector, Bond	7.0903
Business Buildings Must Be Rat-Proof and Rat-Free	11.0502
Building Codes and Floodplain Regulations.....	Title 5
Electrical Regulations	Title 9
Plumbing	Title 15
Gas Regulations.....	Title 20
Utilities	Title 20
Zoning	Title 21

Chapter 24.99
PUNISHMENT

24.9901: PUNISHMENT [\(back to Title contents\)](#)

~~Unless stated otherwise under another chapter of this title, Any person-violation on any~~ of the provisions of this title shall, upon conviction thereof, be ~~a misdemeanor and punishable~~ by a fine of not more than ~~fivetwo~~ hundred dollars (\$~~5200~~) ~~per violation per day~~ or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment; and if such violation is of any provision involving a licensee, the City Council may revoke the license of any licensee so convicted.

~~Any violation of this title shall be a misdemeanor and punishable by a fine of not more than two hundred dollars (\$200).~~ In addition, when any work is done without a permit, the violator shall be required to return the premises to the natural condition and upon failure to do so within thirty (30) days after notice in writing, the City may return the premises to the natural condition and assess the cost thereof to the land owner. (E-299-2) (E-679) (Ord 11-18; Add 11-4-11)

Report and Recommendation of City Planning Commission

To the City Council of the City of Watertown, Codington County, South Dakota: The undersigned hereby certifies that the following is a true, correct and complete copy of an Ordinance introduced, fully discussed, and approved and adopted during the duly called meeting of the City Planning Commission held on the 20th day of March 2025:

ORDINANCE NO. 25-03

AN ORDINANCE AMENDING CHAPTER 24 SUBDIVISION OF LAND OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN

WHEREAS, The City of Watertown amends the provisions related to Title 24 Subdivision of Land Ordinance.

BE IT ORDAINED by the City of Watertown, South Dakota, that the following chapters be amended as follows:

TITLE 24

SUBDIVISION OF LAND

Chapter

[\(back to Table of Contents\)](#)

24.01	Title and Purpose
24.02	Legal Provisions
24.03	Subdivision Plans in General
24.04	Administration and Penalties
24.05	General Requirements and Design Standards
24.06	Subdivision Procedure
24.07	Final Plat Approval
24.08	Street Maintenance and Acceptance
24.09	Changes and Variances
24.10	Definitions
24.97	Interpretation, Abrogation and Severability
24.98	Cross-References
24.99	Punishment

Chapter 24.01
TITLE AND PURPOSE

[\(back to Title contents\)](#)

24.0101: TITLE

These regulations may be referred to as the 2011 Revised Subdivision Ordinance for the City of Watertown and its area of extraterritorial jurisdiction.

24.0102: PURPOSE

It is the purpose of this ordinance to regulate the subdivision of land so as to coordinate streets with other subdivisions and uses, to provide water and sanitation facilities, drainage and flood control, to foster efficient and orderly urban growth compatible with the natural environment, to minimize cut and fill operations, to prevent premature land subdivision and to conform with the Comprehensive Plan for the City of Watertown and its area of extraterritorial jurisdiction. (Ord 11-18; Add 11-4-11)

Chapter 24.02
LEGAL PROVISIONS

[\(back to Title contents\)](#)

24.0201: JURISDICTION

Pursuant to SDCL §11-6, these regulations shall govern the regulation of all subdivisions and the plats of all subdivisions within the corporate limits of the City, and any applicable extraterritorial area. (Ord 11-18; Add 11-4-11)

Chapter 24.03
SUBDIVISION PLANS IN GENERAL

[\(back to Title contents\)](#)

24.0301: RECORDING, USE AND SELLING

No person shall transfer or sell any parcel as part of a subdivision plan before a plat of such subdivision has been approved by the City of Watertown and recorded.

1. No person shall subdivide or layout such land in lots, unless by plat, in accordance with state law and the regulations contained herein. Subdivision of any parcel by metes and bound description for the purpose of sale, transfer, or lease with the intent of evading the terms of these regulations is prohibited.
2. No building permit shall be issued for the construction of any building or structure located on a lot subdivided or sold in violation of the provisions of these regulations.
3. No application for variance or conditional use shall be received by the City for any such lot subdivided or sold in violation of the provisions of these regulations. (Ord 11-18; Add 11-4-11)

Chapter 24.04
ADMINISTRATION AND PENALTIES

[\(back to Title contents\)](#)

24.0401: ADMINISTRATION

The City Engineer is hereby authorized to enforce these regulations, to interpret them, and to adopt and enforce rules and supplemental regulations in order to administer and clarify their provisions. Any appropriate action may be taken by law or in equity to prevent any violation thereof, to prevent unlawful construction, to recover damages, to correct or abate a violation or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to the penalties described below. (Ord 11-18; Add 11-4-11)

24.0402: PENALTIES

Any person violating any provision of this title shall be subject to the maximum penalty allowed by law. (Ord 11-18; Add 11-4-11)

Chapter 24.05
GENERAL REQUIREMENTS AND DESIGN STANDARDS

Section

[\(back to Title contents\)](#)

24.0501	General
24.0502	Design Standards
24.0503	Land Suitability
24.0504	Floodplain Management
24.0505	Conformity with Other Plans
24.0506	Relation to Adjoining Street Systems
24.0507	Street Names and Numbers
24.0508	Private Roads; Places
24.0509	Half Streets
24.0510	Sidewalks
24.0511	Blocks
24.0512	Lots
24.0513	Easements
24.0514	Permanent Property Markers
24.0515	Preservation of Natural Features and Amenities
24.0516	Parks, School Sites and other Public Areas
24.0517	Homeowner's and other Associations
24.0518	Drainage
24.0519	Areas Subject to Periodic Inundation
24.0520	Erosion
24.0521	Assurances for the Completion of Minimum Improvements

24.0501: GENERAL

[\(back to Chapter contents\)](#)

The Planning Commission shall require compliance with the following requirements to ensure the orderly development of all property within its platting jurisdiction. (Ord 11-18; Add 11-4-11)

24.0502: DESIGN STANDARDS

[\(back to Chapter contents\)](#)

All public improvements shall be designed in accordance with standard accepted engineering practices, designed in compliance with the Engineering Design Standards and subject to the approval of the City Engineer. (Ord 11-18; Add 11-4-11)

24.0503: LAND SUITABILITY

[\(back to Chapter contents\)](#)

The Planning Commission may find that land sought to be subdivided is unsuitable for development due to high agricultural productivity, flooding, poor drainage, steep slopes, rock formations or other conditions.

The Planning Commission may refuse to approve what it considers scattered or premature subdivision of land by reason of: lack of adequate water supply and sewage treatment, schools, proper drainage, good roads or other public services which would necessitate an excessive expenditure of public funds for the supply of such services. (Ord 11-18; Add 11-4-11)

24.0504: FLOODPLAIN MANAGEMENT

[\(back to Chapter contents\)](#)

Regulations pertaining to floodplain management are set forth in Title 5 of the Watertown Ordinances. (Ord 11-18; Add 11-4-11)

24.0505: CONFORMITY WITH OTHER PLANS

[\(back to Chapter contents\)](#)

1. All proposed subdivisions shall conform to the adopted Comprehensive Plan.
2. The densities established by the zoning ordinance shall be observed by the subdivider and developer.
3. All thoroughfares in the major street plan shown as crossing or as boundaries of a proposed subdivision are required to be provided in that location and at the right-of-way width designated thereon. (Ord 11-18; Add 11-4-11)

24.0506: RELATION TO ADJOINING STREET SYSTEMS

[\(back to Chapter contents\)](#)

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) in so far as they may be deemed necessary by the Planning Commission for public requirements. The width of such streets in new subdivisions shall not be less than the minimum width established in the Engineering Design Standards. The street and alley arrangement shall be such as not to cause a hardship to owners of the adjoining properties. In general, provisions should be made for through streets at intervals not exceeding one-half mile, and for street connections to future subdivisions at intervals not less than one quarter mile. Offset streets should be avoided. (Ord 11-18; Add 11-4-11)

24.0507: STREET NAMES AND NUMBERS

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1. Streets in line with existing streets shall bear the names of the existing streets.
2. No street names shall duplicate, contain the same spelling, or sound alike in pronunciation with any existing street. All street names should be kept as short as possible to permit signs to be no longer than thirty six (36) inches.
3. Each lot shall be assigned an address number in accordance with the numbering system now in effect in the City. Where possible, such address shall be established at the time of plat approval.
4. Street name suffixes shall be applied as follows:
 - a. Avenue: a road running east and west
 - b. Street: a road running north and south
 - c. Road: a road running east and west or north and south but which is not appropriate to name as a street or avenue
 - d. Lane: a road running northeast to southwest
 - e. Drive: a road running northwest to southeast
 - f. Trail: a road which wanders in different directions
 - g. Circle: all cul-de-sacs
 - h. Court: a road with two openings which enters and exits on the same road
 - i. Place: all private roads
 - j. Boulevard: a major road, usually an arterial or collector
5. When, due to topography, offsets caused by rectangular surveys, or other physical features, streets become interrupted, quarter line and section line streets shall retain the same name on either side of the irregularities. (Ord 11-18; Add 11-4-11)

24.0508: PRIVATE ROADS; PLACES

[\(back to Chapter contents\)](#)

The use of private roads shall be discouraged; however, in cases where a private road is allowed, it shall meet the following requirements:

1. Private streets shall be surfaced by the developer to a width of no less than twenty-seven (27) feet four (4) inches back of curb to back of curb and maintained in a passable condition. Greater width may be required when necessary. All private streets must provide a height clearance of fourteen (14) feet six (6) inches as a minimum and are subject to the same grade requirements as public streets.
2. A road maintenance agreement among property owners who will depend on said private street for access will be filed with the plat. This agreement shall affix the legal responsibilities for the repair and maintenance of any private streets and the required signs.
3. The Homeowner's Association shall place street signs on all private streets or pay the City to place street signs for private streets at the locations the City Engineer deems necessary for the safety and convenience of the public. Street signs shall be of such a style and material to render them easily readable at night as well as day and are subject to the approval of the City Engineer.
4. Buildings located adjacent to a private street shall be addressed and are subject to the approval of the City Engineer.
5. Private streets shall be indicated on the plat with broken lines. Any lots adjacent to a private street shall have their lot lines extended to include the area used for streets.

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REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

6. Any private street accepted by the City must provide permanent unobstructed public access to the area it serves.
7. Any plat presented for City approval which shows a private street as a means of access shall provide language in the Owner's Certificate reserving said private street as a permanent unobstructed access easement.
8. The City will not subsequently accept a private street for dedication unless and until it is brought up to City standards, providing adequate right-of-way without requiring variances for setbacks.
9. Alleys
 - a. Alleys are permitted in commercial and industrial districts, except where provision is made for service access, such as off-street loading, unloading and parking consistent with the requirement set forth in the Zoning Ordinance.
 - b. Alleys are permitted in residential districts when design standards and conditions warrant an alternative means of access as approved by the City Engineer. (Ord 11-18; Add 11-4-11)

24.0509: HALF STREETS

[\(back to Chapter contents\)](#)

1. Whenever an existing half street is adjacent to a tract being subdivided, the other half of the street shall be platted with said subdivision.
2. A preliminary plan of a subdivision may show half of a street adjoining property, which has not been subdivided, but no lot abutting on such half street shall have a building permit issued for it until such time as the other half street is dedicated. (Ord 11-18; Add 11-4-11)

24.0510: SIDEWALKS

[\(back to Chapter contents\)](#)

1. Concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with applicable standards and specifications of the City. Pedestrian ramps meeting the current American with Disabilities Act guidelines shall be installed with the street improvements.
2. The City may waive the installation of sidewalks in Industrial zoned districts.
3. The City may require the installation of sidewalks on lots, whether or not they contain any structure, when the adjacent lots have sidewalks, or when the City determines it is in the best interest of the public.
4. Alternative pedestrian routes may be considered by the Planning Commission in lieu of or in addition to sidewalks. (Ord 11-18; Add 11-4-11)

24.0511: BLOCKS

[\(back to Chapter contents\)](#)

1. The lengths, widths and shapes of blocks shall be determined with due regard to:
 - a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Need for convenient access, circulation, control and safety of street traffic and utilities.
 - c. Limitations and opportunities of topography.
2. Block lengths shall not exceed one thousand (1,000) feet and shall normally be wide enough to allow two tiers of lots of appropriate depth.
3. Pedestrian walks with a right-of-way not less than ten (10) feet wide, shall be required through blocks where it is deemed to be essential to provide circulation or access to schools, playgrounds, shopping centers and other community facilities. (Ord 11-18; Add 11-4-11)

24.0512: LOTS

[\(back to Chapter contents\)](#)

1. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide off-street parking and loading for the use contemplated.
3. Corner lots for residential use shall, to the extent possible, have extra width to permit appropriate building setbacks from both streets.

4. Each lot shall be provided with access to a public street or an officially approved place designated by the City Zoning Ordinance.
5. Double frontage lots shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. Along the property line of lots abutting any arterial street or other such disadvantageous feature, no right of access shall be permitted.
6. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.
7. All interior lot lines shall be a straight line or a series of straight lines. Curved interior lot lines shall be prohibited. (Ord 11-18; Add 11-4-11)

24.0513: EASEMENTS

[\(back to Chapter contents\)](#)

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall conform to the Engineering Design Standards.
2. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use, the width of which shall be determined by the City Engineer and approved by the Planning Commission.
3. All proposed lots of record shall provide:
 - a. A ten (10) foot utility easement along any side which abuts a public right-of-way;
 - b. A ten (10) foot rear yard utility easement whenever the rear yard abuts another lot; and
 - c. A five (5) foot utility easement for all other lot lines.

Said easements shall be measured starting from the lot line, then into the lot in question. Said easements shall be depicted on all official plans by broken lines and the particular purpose of the easement shall be clearly indicated thereon. (Ord 17-29; Rev 07-14-17)

4. Lots and easements shall be arranged in such a manner as to eliminate unnecessary jogs or off sets and to facilitate the use of easements for power distribution, telephone service, drainage and water and sewer services.
5. The property owners whose property is subject to such easements shall be responsible for its maintenance. The easements shall be kept clear of any structure, debris, trees, shrubs or landscaping whatsoever except lawn grass which shall be regularly mowed and annual vegetation may be grown thereon. Fences and minor landscaping are permitted obstructions, allowed at sufferance, within utility easements and are wholly prohibited in drainage easements. No utility whose facilities are currently sited, or are being installed, in a utility easement shall be liable for or responsible for the replacement of any portion of fence or minor landscaping that must be removed to accomplish necessary work on utility facilities. (Ord 11-18; Add 11-4-11) (Ord 17-29; Rev 07-14-17)

24.0514: PERMANENT PROPERTY MARKERS

[\(back to Chapter contents\)](#)

All subdivision boundary corners shall be marked with monuments to grade and noted on the subdivision plat. (Ord 11-18; Add 11-4-11)

24.0515: PRESERVATION OF NATURAL FEATURES AND AMENITIES

[\(back to Chapter contents\)](#)

1. Existing features which would add value to residential development or to the community as a whole, such as trees, water courses and similar irreplaceable assets, should be preserved in the design of the subdivision.
2. Sensitive environmental areas as shown on the Comprehensive Plan shall be reviewed with regard to the special character of the area taking into consideration harmonious design, environmental protection and topographical restraints. (Ord 11-18; Add 11-4-11)

24.0516: PARKS, SCHOOL SITES AND OTHER PUBLIC AREAS

[\(back to Chapter contents\)](#)

In conjunction with Title 14, when subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the official comprehensive plan, school board or park department plans. Any provisions for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be evaluated. (Ord 11-18; Add 11-4-11)

24.0517: HOMEOWNER'S AND OTHER ASSOCIATIONS

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Where the subdivision contains park areas, road maintenance systems or other facilities or services which are necessary to or desirable for the area, and which are of common use or benefit and which are not accepted for maintenance by an existing public agency, provisions shall be made by trust agreement for the proper and continuous maintenance and supervision of such facilities. A final and signed copy of said agreement shall be attached to each and every plat having a facility or service covered by such an agreement. (Ord 11-18; Add 11-4-11)

24.0518: DRAINAGE

[\(back to Chapter contents\)](#)

A drainage plan conforming to the City approved master drainage plan for the area, if any, shall be made for each subdivision by a licensed professional engineer. Provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision taking into account the ultimate development of the tributary area. The storm and sanitary sewer plans shall be made as part of the utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to gravity flow improvements as opposed to other utilities and improvements.

1. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel and shall be the responsibility of the developer.
2. Low areas subject to periodic inundation shall not be developed or subdivided unless and until the City Engineer establishes and the Planning Commission establish and/or approve the following:
 - a. The nature of the land use would not lend itself to damage by periodic flooding and inundation; or
 - b. The area may be filled or improved in such a manner as to prevent such periodic inundation; or
 - c. Minimum floor elevations may be established to prevent damage to buildings and structures. Standing water that would contribute to mosquito development is to be eliminated by suitable construction measures.
3. The City Engineer may require whatever additional engineering information deemed necessary to make a decision on subdivisions and other development.
4. Ponds and similar areas will be accepted for maintenance only if approved by the City Council. (Ord 11-18; Add 11-4-11)

24.0519: AREAS SUBJECT TO PERIODIC INUNDATION

[\(back to Chapter contents\)](#)

1. **Flood Zones.** Land areas of such elevation and location to be subject to periodic inundation by flood waters shall not be subdivided or developed except as provided below.
2. **Development Review in Flood Zones.** Proposed subdivisions and proposed new developments shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Any such proposals shall be reviewed to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

Source: (Ord 11-18; Add 11-4-11) (Ord 21-32; Rev 8-27-2021)

24.0520: EROSION

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Measures used to control erosion on a development site shall, as a minimum, meet the standards and specifications of the Codington County Soil and Water Conservation District and the Engineering Design Standards. Stripping of vegetation, re-grading and cut and fill operations should be kept to a minimum, as should the amount of land and the duration of exposure. Whenever feasible, development plans should be made in conformance with topography in order to create the least erosion potential. Similarly, as much as possible natural vegetation shall be retained, protected and supplemented. The City Engineer may require further measures if necessary to prevent erosion on building sites and developments from depositing wastes or sediments on public streets or other property. Every effort shall be made to retain the natural vegetation on all ditches and drainage ways. Ditches and drainage ways will not be disturbed without the approval of the City Engineer's office. (Ord 11-18; Add 11-4-11)

24.0521: ASSURANCES FOR THE COMPLETION OF MINIMUM IMPROVEMENTS

1. No plats of any subdivision shall be approved unless the improvements required by this ordinance have been installed prior to such approval or unless the developer has signed a development agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the City Council. Such period shall not exceed two (2) years for subdivisions containing one-half (1/2) linear mile or less of right-of-way development or three (3) years for subdivisions containing more than one-half (1/2) linear mile of right-of-way development. No subdivision shall contain more than one (1) linear mile of right-of-way development unless approved by the City Engineer. The development agreement shall be recorded with the register of deeds at the time of filing the plat. Extensions to the performance period of the development agreement may be granted at the discretion of the City Council in one (1) year increments. The first extension year shall not incur any fees, but all extensions thereafter shall require an administrative fee of one thousand five hundred (1,500) dollars per year to be paid to the City prior to issuance of the extension.
2. No building permits shall be issued until agreements have been filed, curb and gutter has been installed and sanitary sewer, storm sewer and water supply lines have been approved.. (Ord 11-18; Add 11-4-11).

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Chapter 24.06
SUBDIVISION PROCEDURE

Section

[\(back to Title contents\)](#)

24.0601	The Plat Approval Process
24.0602	Procedure
24.0603	Concept Plan
24.0604	Approval of Concept Plan
24.0605	Effective Period of Concept Plan/Amendments
24.0606	Preliminary Plan
24.0607	Additional Impact Requirements
24.0608	Approval of Preliminary Plan
24.0609	Effective Period of Preliminary Approval
24.0610	Amendments to Preliminary Plan
24.0611	Construction Plans
24.0612	Construction May Begin
24.0613	Inspections and Testing
24.0614	Shop Drawings
24.0615	Record or As-Built Drawings
24.0616	Plat

24.0601: THE PLAT APPROVAL PROCESS

[\(back to Chapter contents\)](#)

All proposed subdivision plats must be approved through a three phase development process. All plans and plats referred to in this section shall be prepared by a registered professional engineer and a registered land surveyor in conformity with requirements of state law.

Source: (Ord 11-18; Add 11-4-11)

24.0602: PROCEDURE

[\(back to Chapter contents\)](#)

The procedure for review and approval of a subdivision consists of the following phases:

1. Required preparation, submission and approval of a “Concept Plan”.
2. Required preparation, submission and approval of a “Preliminary Plan”.
3. Required preparation, submission and approval of the “Construction Plans” and “Plat”.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0603: CONCEPT PLAN

[\(back to Chapter contents\)](#)

The purpose of a Concept Plan is for the developer to receive approval from the Planning Commission regarding general requirements, minimum standards of design and required improvements as set forth in this ordinance. This plan includes the entire area the developer intends to subdivide and will show the development phases to be preliminary planned. This plan will aid the developer in preparing a more readily accepted Preliminary Plan for each phase and help prevent revisions in the layout and development of the subdivision. One (1) paper copy and electronic copies of the PDF, DWG and GIS shapefile of a Concept Plan shall be submitted to the Community Development Division to be distributed for review by the Design Review Team. A Concept Plan shall include the following information:

1. General

- a. The proposed name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision. These names shall be subject to the approval of the Administrative Official.
- b. Names of the additions and subdivisions within the city limits shall read as follows:

_____ Addition (Subdivision) to the Municipality of Watertown, in the County of Codington, South Dakota.
- c. Names of additions and subdivisions outside the city limits (within jurisdiction) shall read as follows:

_____ Addition (Subdivision) in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

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- d. Names of H Lots within the city limits shall read as follows (include Addition if available):

H - in _____ Addition, in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

- e. Names, addresses, and telephone numbers of the owner(s), developer(s) and engineer(s).
- f. Vicinity map to scale, showing the locations of the proposed subdivision and other property for at least six hundred sixty (660) feet in every direction.
- g. The legal description(s) and notations stating acreage, scale, north arrow and date of survey.
- h. The names of all adjoining subdivisions. Adjoining un-platted property shall be labeled as such.
- i. Un-platted//undeveloped property surrounding such property being developed shall be included showing connectivity to existing infrastructure: streets, sanitary sewer, water, drainage, or other public infrastructure as applicable within the quarter (1/4) section.
- j. The proposed zoning districts.
- k. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.
- l. Locations and widths of all existing and proposed easements.
- m. Locations and sizes of all public facilities, schools, libraries, fire stations, parks, tree masses and other significant natural features.
- n. Any expectations for City reimbursements.
- o. Proposed phasing for development with estimated timelines.
- p. Disclosure of proposed variances.

2. Streets

- a. The general layouts of streets and access points to arterial, collectors, and other adjacent street systems.
- b. The general layout of pedestrian connectivity.
- c. Rights-of-way widths.
- d. Proposed street names and widths from back of curb to back of curb including curb radius dimensions at intersections and cul-de-sacs.
- e. Typical street sections.

3. Sanitary Sewer

The general layout of the proposed sanitary sewer system including locations of gravity sewers and force mains, lift stations, and connection points to the existing system.

4. Water

The general layout of the proposed water main system including connection points to the existing system. Water systems shall be approved by the City of Watertown Municipal Utilities Department.

5. Drainage and Grading

The proposed drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Preliminary Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.4), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0604: APPROVAL OF CONCEPT PLAN

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After the Community Development Division and Design Review Team have reviewed and approved the Concept Plan, it shall be submitted to the Planning Commission for final approval. A public hearing will be held by the Planning Commission. The approved plan shall be kept on file with the Community Development Division. Approval of the Concept Plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the Concept Plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0605: EFFECTIVE PERIOD OF CONCEPT PLAN/AMENDMENTS

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The approved Concept Plan shall remain effective until all phases of the subdivision are complete. The Community Development Division may request an updated Concept Plan for administrative review and approval when minor changes to the plan are proposed. Minor changes may include, but are not limited to, the following: a change in local street pattern, street name, drainage ways or detention pond location, lot lines, development phases, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Concept Plan shall follow the procedures for approval of a Concept Plan as required in this section. Major changes may include, but are not limited to, the following: a change in arterial or collector street patterns, proposed variances, other public open space locations, an increase in density, or perimeter boundaries.

Source: (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0606: PRELIMINARY PLAN

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A Preliminary Plan for the specific phase of development as outlined by the approved Concept Plan shall be submitted to the Community Development Division to be reviewed and approved by the Design Review Team. One (1) copy on 11"x17" paper and electronic copies of the PDF, DWG and GIS shapefile of the Preliminary Plan shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to one hundred (100) feet (1":100'). The Community Development Division shall review the Preliminary Plan and provide recommendations, along with recommendations from the Design Review Team, to the applicant. Final consideration shall be made by the Community Development Manager within sixty (60) days following submittal.

The Preliminary Plan shall conform with the Engineering Design Standards and shall include all information from the approved Concept Plan as well as the following information:

1. General

- a. Engineer's certificate.
- b. Disclosure of any anticipated supplemental provisions to the General Conditions and Standard Specifications for Public Improvements and the currently adopted Engineering Design Standards.
- c. Adjacent property information: access points, rights-of-way, lot and block lines, easements, city limits, development plans, and any other pertinent information needed for review.
- d. Minimum setback requirements.
- e. Specify which phase shown on the Concept Plan is being developed.
- f. Mailbox collection point locations.

2. Street Plan

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- a. Compliance with the City's Major Street Plan in the currently adopted Comprehensive Land Use Plan.
- b. Access onto city streets shall be in accordance to the currently adopted Engineering Design Standards.
- c. The City has adopted an Access Plan for accesses to U.S. Highways 212 and 81 and South Dakota Highway 20 in conjunction with the State of South Dakota Department of Transportation (SDDOT). Any conflicts with this Plan will need to be first resolved with the SD DOT before they will be considered on a preliminary plan.
- d. Locations and widths of proposed easements.
- e. Identification of minor and major collectors with conformance to the currently adopted Engineering Design Standards.
- f. Transportation connectivity within the development as well as connectivity with the surrounding properties. This also includes pedestrian connectivity.
- g. Consideration of lots that front on an arterial or collector street and proposed access points.
- h. Note if access to the development is from a city street, county or state highway.
- i. Conformance to traffic calming practices shown in the currently adopted Engineering Design Standards.
- j. Top back of curb elevations at low end of lots.

3. Sanitary Sewer Plan

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- a. Compliance with the City's Wastewater Collection System Master Plan, Sanitary Sewer Manual, and Sewer Capacity Study.
- b. Major individual commercial or industrial occupants (if any).
 - (1) Type of sewage produced by major contributors identified above (if atypical).

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- (2) Volume of sewage produced by major contributors identified above (if atypical).
 - c. Provide geographic, gradient and capacity serviceability of the proposed development to the existing sewer system. The City Engineer will furnish the design engineer with sewer flows of the existing system upon written request.
 - d. Locations, material type, grade and size of proposed gravity sewers, force mains, manholes, lift stations and other sanitary sewer appurtenances.
 - e. Estimated flow in planned sewer and future upstream sites (cfs, mgd, or other units).
 - f. Type and capacity of proposed lift stations. The capacity of said lift stations shall accommodate adjacent future developments as indicated by the City Engineer.
 - g. Locations and widths of proposed easements.
 - h. Adequacy of receiving sewer system.
 - i. Manhole locations and spacing with manholes numbered.
 - j. Flow directions, connections to existing system and extensions to adjacent properties.
 - k. Extensions of sanitary sewer to the adjacent upstream users.
4. **Water Plan** [\(back to Chapter contents\)](#)
- a. Water systems shall be approved by the City of Watertown Municipal Utilities Department.
 - b. Show locations of valves, fire hydrants (including spacing), and other water main appurtenances.
 - c. Locations and widths of proposed easements.
 - d. Extensions of waterlines to perimeter of the development.
 - e. Proposed pipe sizes and materials.
5. **Drainage and Grading Plan** [\(back to Chapter contents\)](#)
- a. The drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Final Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.
 - b. Approximate ground water and lowest finished floor elevations shall be shown for buildings. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation. Test holes shall determine ground water elevation where applicable. Test hole results shall be provided to the City.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21) (Ord 22-01; Rev 3-4-22)

24.0607: ADDITIONAL IMPACT REQUIREMENTS [\(back to Chapter contents\)](#)

The City Engineer may require any or all of the following to be included in the Preliminary Plan:

1. Traffic studies in accordance to Chapter 5.1 of the currently adopted Engineering Design Standards.
2. Information on additional water and sewer loads created by the proposed subdivision including confirmation that existing facilities or proposed additions can accommodate the additional loads is required.
3. A Geotechnical Exploration Report in accordance to Chapter 6 of the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0608: APPROVAL OF PRELIMINARY PLAN [\(back to Chapter contents\)](#)

The preliminary plan shall be submitted to the Community Development Division for approval following review by the Design Review Team. The approved plan shall be kept on file with the Community Development Division. Approval of the preliminary plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the preliminary plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0609: EFFECTIVE PERIOD OF PRELIMINARY APPROVAL

[\(back to Chapter contents\)](#)

The approval of a Preliminary Plan shall be effective for a period of three (3) years, at the end of which time approval on the subdivision plat or a portion thereof must have been obtained from the City. Any preliminary plan which has not received approval for all or a portion thereof of it within the period of time set forth herein, would require re-submittal of a new plan for preliminary approval subject to any new subdivision regulations. However, before the initial three (3) years has ended, the Developer may, upon written request, receive a three (3) year extension from the Community Development Manager.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0610: AMENDMENTS TO PRELIMINARY PLAN

[\(back to Chapter contents\)](#)

Amendments to an approved Preliminary Plan may be made at the discretion of the Community Development Manager. The Community Development Manager may request an updated Preliminary Plan for review and approval when minor changes to the plan are proposed. Minor changes shall include, but are not limited to, a change in local street pattern, street name, lot lines, development phases, drainage ways or detention pond location, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Preliminary Plan shall follow the procedures for approval of a preliminary plan as required in this section. Major changes to an approved Preliminary Plan shall require a revised Concept Plan as detailed in Section 24.0603 and 24.0604. Major changes shall include, but are not limited to, a change in major street pattern, public open space location, or perimeter boundaries.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0611: CONSTRUCTION PLANS

[\(back to Chapter contents\)](#)

Construction Plans shall be submitted to the Community Development Division to be distributed for review and approval. One hard copy on 11"x17" paper and electronic copies of the PDF, DWG, and GIS shapefile shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to forty (40) feet (1":40'). Final consideration and issuance of a Permit to Construct shall be made by the City Engineer within sixty (60) days following submittal.

Construction Plans shall conform to all chapters of the currently adopted Engineering Design Standards. Plans shall include all information from the Preliminary Plan as well as the following:

1. **Final Site Grading Plan.** The drainage and grading plans shall show the existing and proposed contours with intervals of one (1) foot for land with a slope of one percent (1%) or less, intervals to two (2) feet for a slope between one and one-tenth (1.1%) and nine and nine-tenths (9.9%) percent and contours of five (5) feet for land with a slope exceeding ten percent (10%) referenced to City of Watertown datum (established by the NAVD 1988 USGS). The site grading plan shall also show the top-of-foundation elevation and drainage arrows for each lot with lot corner elevations shown. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation.
2. **Final Street Grading Plan.** The street grading plan shall show finished street grades shown to an accuracy of one hundredth of a foot (1/100), showing existing conditions and proposed curb grades, and a detailed design for all intersections. Where the developer owns only half the property which makes up a street, and he/she is the first person to request development along said street, he/she shall be responsible for establishing the street grades for said street for approval by the City.
3. **Final Drainage Plan.** The final drainage plan shall include detailed data for all runoff within the proposed development phase in accordance with the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards. *(Same requirements as the Drainage and Grading Plan for the Preliminary Plan referenced in Section 24.0606 5.)*
4. **Final Utility Plan.** The utility plan shall show the final storm sewer system and sanitary sewer layout, showing the direction of flow, the manhole locations and their approximate depth to a scale approved by the City Engineer. The utility plan shall also show the final water system layout showing the location of existing water lines and the proposed pipe sizes.
5. **Final Erosion Control Plan.** The erosion control plan must show all proposed land disturbance including areas of excavation, grading, filling, removal and destruction of topsoil and spreading of earth material. Provisions for erosion control during construction must be in accordance with the adopted Erosion and Sediment Control Best Management Practices including a copy of the NOI and SWPPP, as applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21)

24.0612: WHEN CONSTRUCTION MAY BEGIN

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Grading of the proposed subdivision may begin only after a Grading Permit has been issued by the Engineering Division in accordance to Title 5 of the Revised Ordinances of the City of Watertown. A Grading Permit may be issued if a Preliminary Plan for the area has been approved. If the project disturbs one acre or more, a Storm Water Pollution Prevention Plan must be submitted to and approved by the Engineering Division. A copy of the Notice of Intent (NOI) issued by the South Dakota Department of Environment and Natural Resources must also be submitted to the City Engineer prior to Grading Permit issuance.

The installation of water, sanitary sewer and storm sewer lines and the construction of street and drainage requirements may not begin until after Construction Plans have been approved by the City Engineer and a permit to construct has been issued.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0613: INSPECTIONS AND TESTING

[\(back to Chapter contents\)](#)

Inspections and testing shall be required as written in the currently adopted Engineering Design Standards. It is the responsibility of the developer to schedule all required testing and to notify the Office of the City Engineer when work is ready for inspections. Density tests must be submitted to the City Engineering Division for review prior to paving the final lift. In the event that the required specifications are not met, construction on the project shall cease until the items that are out of compliance are resolved. Failure to comply with the City's standards may result in a moratorium of building permits and/or other penalties as provided under law.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0614: SHOP DRAWINGS

[\(back to Chapter contents\)](#)

Shop drawings shall be submitted in accordance with the currently adopted Engineering Design Standards. Drawings shall be reviewed and approved by the Developer's Engineer prior to submittal to the City Engineer. The attached cover page shall include contact information for the Developer's Engineer in addition to those listed in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0615: RECORD OR AS-BUILT DRAWINGS

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Record drawings shall be prepared and submitted in accordance with the currently adopted Engineering Design Standards. Electronic copies of the PDF, DWG and GIS shapefile shall be submitted. On projects where city-maintained utilities are being constructed, the developer shall be responsible for locating the utilities until record drawings have been approved. Once approved, the City shall assume locating responsibilities.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0616: PLAT

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A Plat shall be submitted to the Community Development Division to be distributed for review. One (1) mylar, two (2) paper copies, and electronic copies of the PDF, DWG and GIS shapefile shall be submitted. Final consideration shall be made by the City Engineer within sixty (60) days following submittal. Copies of the approved plat shall be submitted in accordance with the currently adopted Engineering Design Standards and this chapter.

The Plat shall conform substantially to the Preliminary Plan as approved and may constitute only a portion of the Preliminary Plan, which the developer proposed to record and develop. Plats shall comply with state statutes and shall include the following information:

1. Compliance with the Preliminary Plan for layout of lot, block, right-of-way, and easements.
2. The name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision.
3. Site location map, north arrow, and basis of bearings.
4. The date, title, scale (minimum scale of one hundred (100) feet to one (1) inch within the city limits, minimum scale of two hundred (200) feet to one (1) inch outside the city limits), north point and legal description of the proposed subdivision, location by quarter section, section, township and range required on plats outside the city limits.

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5. The names of all adjacent subdivisions and streets, all previously platted lots to include dimensions and block lines, type of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such.
6. All easements shall be shown indicating size and purpose on new subdivision.
7. A systematic lot and block numbering pattern corresponding to that existing in the City. Lot lines, road names, and the square footage or acreage of all lots shall be included.
8. The location and width of all proposed and existing right-of-way, alleys, and easements, as well as the location of any parks, dedicated drainage ways and railroad right-of-way.
9. The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest sector corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat.
10. Accurate location of all permanent monuments, control points and survey pins, either set or located.
11. An accurate description of any portions of the property intended to be dedicated or granted for public use, labeled as lot and block or tract.
12. For properties within the Special Flood Hazard Area (SFHA), reference the effective Flood Insurance Rate Map (FIRM) date, community and panel number.
13. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets, alleys, easements, and any other area for public or private use. Linear dimensions are to be given to the nearest one one-hundredth (1/100) of a foot.
14. All property lines shall show chords, lengths and radii to the nearest minute and second.
15. Appropriate certifications as required by State statute.
16. Acknowledgment of the owner(s) of the Plat of any restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.
17. All formal irrevocable offers of dedication for all streets, alleys, parks and other uses as required.
18. Certificates of approval for endorsement by City Engineer and Finance Officer.
19. Development agreements shall be approved by the City Council.
20. Access agreements shall be approved by the City Engineer and SD Department of Transportation, where applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

Chapter 24.07
FINAL PLAT APPROVAL

Section

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- [24.0701 Plat Approval](#)
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- [24.0703 Plat Exemptions](#)
- [24.0704 Additional Requirements](#)

24.0701: PLAT APPROVAL

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1. The Plat shall be considered for final approval only after the City has assurances from the developer fixing responsibility for required improvements. All plats are approved separately by the Planning Commission and City Council, except as noted below.
2. Pursuant to the authority granted in SDCL §11-3-6 and as authorized by the City Council, the City Engineer may approve plats in lieu of approval by the governing body subject to the following regulations:
 - a. A Preliminary Plan of the subdivision has been approved by the Planning Commission and the plat is in conformance with the same.
 - b. Lot line revisions so long as the lots created conform to the density requirements of the applicable zoning district.
3. In the event the City Engineer determines that Subsections 1 or 2 have not been complied with, the plat shall be submitted to the Planning Commission and the City Council for review and approval.
4. When the plat has been approved, the mylar and accompanying documents will be recorded with the Register of Deeds office. All recording fees will be billed to the applicant. (Ord 11-18; Add11-4-11)

24.0702: SUBDIVISION PROCESS EXEMPTIONS

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To ensure timely review of minor plats and replats (including plats for transfer of ownership) that do not discernibly impact surrounding properties, environmental resources, or public facilities, no concept plan, preliminary plan, or construction plans will be required. Minor plats and replats can be administratively approved by the City Engineer and must comply with all requirements of a plat.

1. Minor Plat Requirements: A minor plat is a plat containing not more than five (5) lots and must meet **ALL OF** the following requirements:
 - a. Does not require the dedication of right-of-way or construction of new streets, except that arterial roadways identified on the Major Street Plan will be required to dedicate the necessary right-of- way;
 - b. Does not create any public improvements other than sidewalks;
 - c. Does not landlock or otherwise impair convenient ingress or egress to or from the rear side of the subject tract or any adjacent property;
 - d. Does not change the grades from the grading plan which was submitted and approved with the original plat or, if the grades are going to be changed, then a grading plan shall be submitted and approved for the minor plat or replat;
 - e. Does not significantly change any plans that have been prepared for the placement of any other utilities in the subdivision;
 - f. Does not adversely affect the remainder of the parcel or adjoining property; and
 - g. Does not conflict with any provision or portion of the growth management plan, official map, zoning ordinance, or these regulations.
 - h. No property involved or created by a minor plat shall be involved in a subsequent minor plat procedure for a period of three (3) years from the date of filing of the original minor plat procedure.
2. Replat: A replat includes all the requirements of a minor plat and shall also include the minor vacation of existing platted lines to achieve either a reconfiguration of the existing recorded plat or change the number of recorded lots in the subdivision only where the perimeter of the tract being replatted is not altered by the replat. Also, a replat shall certify that the platting vacates the existing plat. (Ord 11-18; Add 11-4-11)

24.0703: PLAT EXEMPTIONS

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This section is intended to provide exemptions to city platting rules and regulations. However, exemption of city platting rules and regulations does not exempt the platting requirements of the register of deeds, title company and state law. The following exemptions exist:

1. Cemetery gravesite plats or plots do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections, blocks, lots, individual grave spaces, avenues, walks, and streets, thereby platting or making a map which shall be filed and maintained as a permanent cemetery record. However, all platting requirements of the county register of deeds and state law are still applicable.
2. Government owned parcels. In order to facilitate the transfer of ownership from one owner to a government entity for the use of a public land or facility (e.g., school, park, drainage way, H lots), plats may be exempted by the City Engineer.
3. Boundary line adjustments. The purpose is to provide procedures and criteria for the review and approval of minor adjustments to boundary lines of legal lots or building sites in order to rectify defects in legal descriptions, to allow minor enlargement or reduction of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, and to correct situations where an established use is located across a lot line, or for other similar purposes. When an application is made for building permits, if the description given for the lots on the building permit application shows the property lines to be different from the platted lot lines, a boundary line adjustment or replat will be required for those lots. A boundary line adjustment shall include a surveyed site plan including all information required for a plat. The survey shall be submitted to the planning office with a title report of the entire parcel. A development lot agreement may also be required to officially join parcels to comply with zoning requirements. If the legal description given does not meet the requirements listed below for a boundary line adjustment, other applicable subdivision ordinance provisions shall be followed.

A boundary line adjustment application:

- a. Shall not result in the creation of an additional lot, parcel, or building site,
 - b. Shall not result in a lot that does not qualify as a building site pursuant to this title;
 - c. Shall not relocate an entire lot from one lot of record to another lot of record;
 - d. Shall not reduce the overall area in a plat or parcel devoted to open space;
 - e. Shall not be inconsistent with any restrictions or conditions of approval for a recorded plat;
 - f. Shall not involve lots which do not have a common boundary;
 - g. Shall not result in the required minimum lot sizes that do not meet the zoning ordinance requirements;
 - h. Shall not result in the creation of a nonconforming setback for any existing building; and
 - i. Shall meet all transfer and recording requirements of the county register of deeds. (Ord 11-18; Add 11-4-11)
4. Condo plats do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections or units and the following requirements are met. If all of the requirements are met then the condo plat can be administratively approved. If not ALL of the requirements are met then the condo plat must be approved separately by the Planning Commission and City Council.
 - a. That a Master Deed or Lease has been prepared in accordance with SDCL §43-15A-4,
 - b. The name of the plat must include the word “condominium” (ex: “Plat of Pine Knoll Condominium” or “Plat of Windhaven, a Condominium”),
 - c. The plat cannot create public streets, alleys or dedicate any area to the public,
 - d. The plat cannot alter any area previously dedicated to the public, nor modify or remove any easements, restrictions, or other encumbrances on the land.
 - e. The construction of the building(s) must meet the International Building Code and the International Fire Code, and
 - f. That the primary structure meets the required setbacks of the proposed zoning designation. (Ord 15-15; Add 06-12-15)

24.0704: ADDITIONAL REQUIREMENTS

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Additionally, building permits will not be issued on any tract or lot in the subdivision until, where applicable:

1. A Final Plat has been approved.
2. Construction Plans have been approved.
3. The Park Fee is paid or park land donated.
4. The property to receive a permit is platted and officially recorded.
5. Final zoning has been approved. (Ord 11-18; Add 11-4-11)

Chapter 24.08
STREET MAINTENANCE AND ACCEPTANCE

Section

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[24.0801 Maintenance of Gravel Streets under Development](#)

[24.0802 Completion of Final Lift on Street](#)

[24.0803 Final Acceptance of Improvements](#)

[24.0804 Developers Warranty Responsibilities](#)

24.0801: MAINTENANCE OF STREETS UNDER DEVELOPMENT

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For streets under construction the City will provide minimum maintenance and snow removal on gravel and asphalt streets to provide minimum vehicular passage and provide minimum street sweeping on asphalt streets. If there is any damage to manholes, valves, curb and gutter, valley gutters or other appurtenances, repairs shall be done at the developer's expense. Gravel streets will be allowed through one winter season only. (Ord 11-18; Add 11-4-11)

24.0802: COMPLETION OF FINAL LIFT ON STREET

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Both the sanitary sewer and storm sewer must be televised and accepted by the City prior to paving the final lift. Any corrections needed for either sewer system must also be made prior to paving the final lift. Any disturbance to the paving section for any reason will be the responsibility of the developer to repair.

No sooner than one year after the first lift has been applied or at any time when requested by the City, the developer shall place the final lift of asphalt on the street. Prior to this action, the developer will notify the City and state its intentions. The City Engineering Division will inspect the improvements and make an inspection report to the developer as to the necessary work needed for the project to meet City specifications. This inspection report will encompass all aspects of the water, sanitary sewer, storm sewer, curb and gutter, valley or any other part of the construction as provided for in the preliminary plan as approved. Adjustments or repairs will be the responsibility of the developer and shall be made prior to the placement of the final lift. (Ord 11-18; Add 11-4-11)

24.0803: FINAL ACCEPTANCE OF IMPROVEMENTS

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After the developer deems that all the street and utility improvements have been completed and has placed the final lift of asphalt, the developer will notify the City in writing that the street is completed. The City Engineering Division will then inspect all the improvements and inform the developer of any deficiencies. Any deficiencies shall be remedied by the developer at the developer's expense. The City Engineer will then issue a Certificate of Completion noting any deficiencies and setting a date as to when the one (1) year warranty will end. (Ord 11-18; Add 11-4-11)

24.0804: DEVELOPERS WARRANTY RESPONSIBILITIES

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The developer shall warranty the water, sewer, storm sewer, curb and gutter, valley or any other part of the construction specified in the preliminary plan for a period of one year from the date as stated in the Certificate of Completion.

Prior to the end of the one (1) year warranty period the City Engineer will inspect the improvements and report findings to the City Council. The City Council shall by resolution confirm or reject the Certificate of Acceptance. If confirmed, the developer's responsibility for the improvements end, and the improvements become the responsibility of the City. If any portion is rejected, the developer will repair or replace the rejected portion and a one (1) year warranty period will begin again on the rejected portion and the developer shall again comply with the provisions as stated in this ordinance. (Ord 11-18; Add 11-4-11)

Chapter 24.09
CHANGES AND VARIANCES

Section

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[24.0901 Changes or Modifications of Plans](#)

[24.0902 Variances](#)

24.0901: CHANGES OR MODIFICATIONS OF PLANS

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All modifications to the approved construction plans shall be approved by the City Engineer. The Planning Commission reserves the right to require that any changes or modifications to approved plans that they deem to be major changes or modifications shall require the developer to re-submit the modified plan for review and adoption as herein provided. (Ord 11-18; Add 11-4-11)

24.0902: VARIANCES

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Requests for variances must be submitted to the Planning Commission and/or the City Council under the procedures set forth in Watertown Ordinances. (Ord 11-18; Add 11-4-11)

Chapter 24.10
DEFINITIONS

24.1001: DEFINITIONS

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For the purpose of this title 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.

Access Control Easement: an easement on property adjacent to a street right-of-way prohibiting vehicular access or street curb cuts to such designated property.

Alley: a public or private right-of-way which affords a secondary means of access to property.

Block: a tract of land bounded by streets or by a combination of streets, public parks, railroad right-of-ways, shoreline of waterways or municipal boundaries.

Building: any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind. When separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Building Setback Line: a line parallel or approximately parallel to the lot lines at a specified distance therefrom, marking the minimum distance from the lot line that the building may be erected.

Certificate of Acceptance: a certificate issued as acceptance of improvements in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.

Certificate of Completion: a certificate issued as approval of improvements in developments that will, after approval by the City Engineer, constitute the start of a one (1) year warranty period.

City Engineer: the person designated by the City Council to furnish engineering assistance for the administration of these regulations.

City, City of Watertown: the City of Watertown, South Dakota.

City Council: the City Council of Watertown, South Dakota, as duly elected.

Condo Plat: a plat detailing the location of a structure(s) which is encumbered by a declaration of condominium covenants or condominium form of ownership.

Construction Standards: construction specifications approved by the City for infrastructure construction.

Comprehensive Plan: the master plan or general plan for the development and improvement of Watertown, South Dakota as adopted by the City Council.

Concept Plan: a basic set of plans indicating the proposed layout of the subdivision to be submitted for approval.

Construction Plan: a set of detailed engineering plans to be used for construction of public infrastructure based on the City's Engineering Design Standards.

Contractor: the person who contracts with an individual or the developer to construct a building on a parcel of land prepared by the developer.

Corner Lot: a lot at the junction of, and fronting on, two or more intersecting streets.

Covenants: those declarations prepared by the developer and intended to be recorded along with the Plat, which may provide for restrictions and controls of land use and development within the subdivision and which shall include a method whereby all private roadways within the subdivision shall be improved and maintained until such time as the obligation thereof may be accepted by the City or another governmental unit.

Cul-de-Sac: a local street with only one outlet having an appropriate terminal for safe and convenient reversal of traffic movement.

Curb Cut: a cut in the curb allowing access to a public street.

Dedicated: a grant of land to the public for perpetual use.

Design Review Team: a group of representatives from each city department, SD DOT, 1st District, Focus Watertown and others affected by the proposed plan.

Developer: any person who converts undeveloped land into legally platted, buildable lots. The developer may or may

not be the landowner or the builder of structures that occupy the lots.

[\(back to Title contents\)](#)

Easement: authorization by a property owner for the use by another property owner or the public for specific purposes for any designated part of his property.

Engineering Design Standards: the current engineering design standards for public improvements of the City of Watertown.

Flood Prone Area: a land area adjoining a river, creek, watercourse or lake which is likely to be flooded.

Frontage: that side of a lot abutting on a street regarded as the front of the lot.

H Lot: a lot created via a highway right-of-way plat.

Homeowner's Association: an association of property owners joined together for the purpose of maintaining an area held in common ownership.

Improvements: includes street grading, street surfacing, curb and gutter, water mains and lines, sanitary sewers, storm drainage facilities, culverts or other such installations as designated by the City Council.

Letter of Irrevocable Credit: a guaranteed letter from a bank or savings and loan association stating that if the said improvements are not completed by a developer, the money provided in the letter will be forwarded to the City to complete said improvements.

Lot: one unit of a recorded plat subdivision, or registered land survey having specific boundaries and which has been recorded in the Register of Deeds office, occupied or to be occupied by a building and its accessory buildings and including as a minimum such open spaces as are required under this ordinance and having frontage on a public street.

1. **Corner:** a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lots to the foremost points of the lot meet at an interior angle of less than one hundred thirty five (135) degrees.
2. **Interior:** a lot other than a corner lot with only one frontage on a street.
3. **Through:** a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Major Street Plan: the major street plan adopted through the comprehensive plan and as approved by the City Council.

Monument: a boundary marker of concrete, permanently planted and firmly fixed in the ground and placed so that the top of the monument is flush with natural ground.

Owner: the title holder of property, on file at the office of the County Register of Deeds.

Planning Commission: the Planning Commission of Watertown, South Dakota as duly appointed.

Plat: a map, or representation on paper of a piece of land subdivided into lots, parcels, tracts or blocks, including streets, commons and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedications and filed with the County Register of Deeds.

Preliminary Plan: a set of drawings, including all required information, for review by the Planning Commission.

Re-Plat: a change in a map of an approved or recorded subdivision plat which affects any road layout, area reserved for public use, or lot line.

Right-of-Way: a strip of land occupied by a street, railroad, transmission line, oil or gas pipeline, water lines, storm or sanitary sewer lines, pedestrian walkways or other special use. The use of the term right-of-way for platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way shall be dedicated to public use by the owner of the plat on which such right-of-way is established.

Street: a public way for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, arterial, lane, place or however otherwise designated. The width of a street is measured between right-of-way lines.

1. **Arterial:** a principle traffic artery, more or less continuous across the City, which acts as a principal connecting street with state and federal Highways and includes each street designated as an arterial street on the major street plan.
2. **Collector:** a street intended to move traffic from local streets to arterial streets and highways, including the principal entrance street of residential development and streets for circulation in such developments.
3. **Frontage:** a minor street which runs parallel or adjacent to arterial streets and highways and which serves to reduce the number of access points to arterial streets and highways.
4. **Local:** a street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for various utilities but not intended to be used for through traffic.
5. **Marginal Access:** a street used only for access to a very limited number of lots.
6. **Private:** one that has not been dedicated, but rather reserved as an access easement to property. The private street shall be owned and maintained by the property owners which it serves.

Storm Water Pollution Prevention Plan: in compliance with the State General Permit, the SWPPP is a document which identifies sources and activities at a particular construction site that may contribute pollutants to storm water and commits the operator to specific control measures and time frames to prevent or treat such pollutants.

Structure: anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, walls, fences and signs.

Subdivider: a person, corporation, partnership, association, or any group who prepares or causes to be prepared a subdivision plat.

Subdivision: the division of any tract or parcel of land into two or more lots platted for the purpose of transfer of ownership, or building development, whether future or immediate, or any division of land involving a new street or road regardless of parcel size or the number of parcels. (Ord 11-18; Add 11-4-11)

Chapter 24.97
INTERPRETATION, ABROGATION AND SEVERABILITY

24.9701: INTERPRETATION, ABROGATION AND SEVERABILITY [\(back to Title contents\)](#)

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health and general welfare. It is not the intent of this ordinance to repeal, abrogate or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.. (Ord 11-18; Add 11-4-11)

Chapter 24.98
CROSS-REFERENCES

24.9801: CROSS-REFERENCES [\(back to Title contents\)](#)

Building Inspector, Bond	7.0903
Business Buildings Must Be Rat-Proof and Rat-Free	11.0502
Building Codes and Floodplain Regulations.....	Title 5
Electrical Regulations	Title 9
Plumbing	Title 15
Gas Regulations.....	Title 20
Utilities	Title 20
Zoning	Title 21

Chapter 24.99
PUNISHMENT

24.9901: PUNISHMENT [\(back to Title contents\)](#)

Unless stated otherwise under another chapter of this title, any violation of the provisions of this title shall, upon conviction thereof, be a misdemeanor and punishable by a fine of not more than five hundred dollars (\$500) per violation per day or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment; and if such violation is of any provision involving a licensee, the City Council may revoke the license of any licensee so convicted.

In addition, when any work is done without a permit, the violator shall be required to return the premises to the natural condition and upon failure to do so within thirty (30) days after notice in writing, the City may return the premises to the natural condition and assess the cost thereof to the land owner. (E-299-2) (E-679) (Ord 11-18; Add 11-4-11)

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 25-03 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2025.

Kristen Bobzien, Chief Financial Officer

First Reading: April 7, 2025
Second Reading: April 21, 2025
Published: April 26, 2025

Effective: May 20, 2025

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor



City Council

Agenda Item

Subject: Application for a transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Video Lottery license from River Card Casino & Westside Laundromat LLC, d/b/a River Card Casino & West Side Laundromat LLC, 7 8th Street SW, The South 27.5' of the East half of Lot 3 and the South 27.5' of the West 11.5' of Lot 2, Block 49 to Rodney Parent d/b/a River Card Casino at the same location.

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Fees have been paid and the Notice of Hearing has been published on 03/29/2025.

FINANCIAL CONSIDERATIONS:

Applicant has paid transfer fees of \$75.00 to the City of Watertown and a one time \$50.00 notice of hearing fee.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the application for a transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Video Lottery license from River Card Casino & Westside Laundromat LLC, d/b/a River Card Casino & West Side Laundromat LLC, 7 8th Street SW, The South 27.5' of the East half of Lot 3 and the South 27.5' of the West 11.5' of Lot 2, Block 49 to Rodney Parent d/b/a River Card Casino at the same location.

ATTACHMENT(S):

[Rivercard Casino](#)

Agenda Item 11.(a) Application for a transfer of ownership of a Retail (...)

Date Received _____
Date Issued _____

License No. RB-3269

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

Rodney J Parent
7 8th ST. SW
Watertown SD.

B. Business Name and Address

River card Casino
7 8th ST SW
Watertown SD 57201-3326

Owner's Telephone #: 605-924-1644

Business Telephone #: _____

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- ☐ Retail (on-sale) Liquor
☐ Retail (on-sale) Liquor - Restaurant
☐ Convention Center (on-sale) Liquor
☐ Package (off-sale) Liquor
☐ Retail (on-off sale) Wine and Cider
☒ Retail (on-off sale) Malt Beverage & SD Farm Wine
☐ Package Delivery
☐ Hunting Preserve
☐ Other _____

Place of business is located in a municipality? ☒ Yes ☐ No

County: Codington

Do you own or lease this property? ☒ Own ☐ Lease

Are real property taxes paid to date? ☒ Yes ☐ No

D. Legal description of licensed premise:

South 27.5' of the East Half of
Lot 3 and the South 27.5' of
the West 11.5' of Lot 2, Block 49

Is this license in active use? ☒ Yes ☐ No

Have you ever been convicted of a felony? ☐ Yes ☒ No

Do you or any officers, directors, partners, or stockholders
hold any other alcohol retail, manufacturing, or
wholesaler licenses?

E. State Sales Tax Number 1036-8771-ST

☐ Yes ☐ No If Yes, please list on the back page.

F. New license ☐ Transfer? (\$150) ☒ Re-issuance ☐

G. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date 03-05-2025 Print Name Rodney Parent Signature Rodney Parent

H. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on 3/29/25. Public hearing on the application was held 4/7/25, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Renewal - no public hearing held ☐

Amount of fee collected with application \$ 200.00

Amount of fee retained \$ 125.00 #1229,1230

Forwarded with application \$ 75.00 #1228

For Local Government Use

Transferred (State Use)

(Seal) _____
Mayor or Chairman

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL _____ REVIEW _____

If disapproved, endorse reason thereon and return to applicant

Please complete the reverse side if applicable

Agenda Item 11.(a) Application for a transfer of ownership of a Retail (...)

Company supplement information
(For corporate/partnership/LP/LLC applicants)

Name of corporation/partnership/LP LLC _____

Address of office and principal place of business of corporation/partnership/LP/LLC _____

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony? ☐ Yes ☐ No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other alcoholic beverage license:

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
_____	_____
_____	_____
_____	_____

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

Date



Video Lottery License Application

Licensing Year:

License Information:

Applicant/Owner Name (as it will appear on license)	Rodney Parent
Business Name (as it will appear on license)	Rivercard Casino
Business Address	7 8 th St SW
City, State, Zip	Watertown SD 57201
License #	RB-3269
Phone Number	605-924-1644
Email Address	Rodney Parent 2005 @ yahoo.com
Number of Video Lottery Machines	10 9
License Fee (\$50.00 per machine/per year)	

Rodney Parent
Applicant/Owner Signature

03/05/2025
Date

TO BE COMPLETED BY CITY OF WATERTOWN	
Fee Paid: _____	City Council Approved On _____
Receipt Number: _____ Dated: _____	
License or Permit Number: _____	City Manager _____
	Finance Officer _____

Submit completed application to: City Finance Office, Attn: Records/Licensing Manager, PO Box 910, Watertown SD 57201

Phone# (605) 882-6203 • Fax# (605) 882-6218 • licenses@watertownsd.us

License fee is not refundable.

AFFIDAVIT

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF CODINGTON)

David Joseph Hedman, being first duly sworn on oath deposes and says: That on the ____ day of March, 2025, he was the owner of the license / business / stock of River Card Casino situated on:

The South 94.67 feet of Lots 1 and 2 and the South 94.67 feet of the East Half (E 1/2) of Lot 3 in Block 49 of West Watertown in the City of Watertown, Codington County, South Dakota, according to the recorded plat thereof.

in the city of Watertown, Codington County, South Dakota and that on the said date he made a transfer / sale of said license operated under an alcoholic beverage license to Rodney Parent of Milbank, South Dakota.

SIGNATURE AND ACKNOWLEDGEMENT ON SECOND PAGE

Dated this date, March 6, 2025



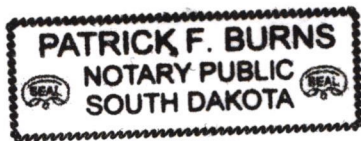
David Joseph Hedman
Owner

Subscribed and sworn before me this date, March 6, 2025.



Notary Public
State of South Dakota
My Commission Expires: 9/28/2028

(SEAL)





City Council

Agenda Item

Subject: Second Reading of Ordinance No. 25-02, Zoning Text Amendments to Chapter 21.29 C-L Lake Commercial District, Chapter 21.30 C-L1 Lake Adjacent Commercial District (New District), Chapter 21.31 C-L2 Lake Proximity Commercial District (New District), and Chapter 21.58 C-LX Lake District Overlay (New District), Chapter 21.05 Establishment of Districts, Chapter 21.10 Summary of District Regulations, and Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The C-L District Committee was tasked with addressing long standing concerns with the current C-L Commercial Lake District, Chapter 21.29. The committee's goal has been to create a framework for responsible commercial development within existing residential properties around Lake Kampeska. To achieve this the group has been working to identify specific areas where certain types of commercial development could occur as well as set specific design criteria for those uses to help alleviate ambiguity for developers and those residing around and near the lake.

The following amendments have been made:

- The C-L Lake Commercial District will remain unchanged, and the uses and conditional uses will revert to those in place when the three (3) properties currently zoned C-L were first adopted. This district will be closed to new development.
- Three (3) new districts will be established:
 - The C-L1 Lake Adjacent Commercial District
 - C-L2 Lake Proximity Commercial District
 - C-LX Lake Commercial Overlay District
- Each district is defined by its proximity to the lake. The C-LX district will be available to properties zoned C-L1 or C-L2 and allows for additional uses, bars/taverns and hotels/motels that are typically considered intrusive when surrounded primarily by residential districts.
- Other changes include adjustments to minimum lot areas and minimum lot widths, changes to the design standards and modifications to the boundary maps. The updates to the boundary maps will define the areas where each lake commercial zone can be designated and establish a projected boundary for future land use.

The process for rezoning is not being altered so the adoption of these ordinances would not change the current zoning designation of properties on or in close proximity to the lake.

Amendments were made at the Planning Commission meeting to change C-LA and C-LP to C-L1 and C-L2 and to define Permitted Special Uses in Title 21. The Planning Commission recommended approval to City Council (7-0) at the February 20, 2025, meeting.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Brandi Hanten, Community Development Manager

Carla Heuer, Planner

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of Ordinance No. 25-02 through the following motion:

I move to approve Ordinance No. 25-02, Zoning Text Amendments to Chapter 21.29 C-L Lake Commercial District, Chapter 21.30 C-L1 Lake Adjacent Commercial District (New District), Chapter 21.31 C-L2 Lake Proximity Commercial District (New District), and Chapter 21.58 C-LX Lake District Overlay (New District), Chapter 21.05 Establishment of Districts, Chapter 21.10 Summary of District Regulations, and Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown.

ATTACHMENT(S):

[Illustration](#)

[Ordinance No. 25-02](#)

FOR ILLUSTRATION PURPOSES FOR ORDINANCE NO. 25-02

**CHAPTER 21.29
C-L LAKE COMMERCIAL DISTRICT (CLOSED)**

Section

[\(back to Title contents\)](#)

21.2901	Purpose
21.2902	Permitted Uses
21.2903	Conditional Uses
21.2904	Area and Bulk Requirements
21.2905	Design Standards
21.2906	Boundary Map for Lake Kampeska
21.2907	Boundary Map for Lake Pelican

21.2901: PURPOSE

[\(back to Chapter contents\)](#)

1. To establish appropriate locations within the C-L Lake Commercial Boundary Map in Section 21.2906 and 21.2907 to Lake Kampeska and Lake Pelican that are conducive to lake commercial activity.
- ~~2.~~ To permit development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska and Lake Pelican as shown in the Comprehensive Land Use Plan.
- ~~2.3.~~ This district is closed but will allow the continuation of existing properties zoned C-L to perpetuate and use the listed uses, either permitted or conditional granted by the Board of Adjustment.

Source: (Ord 20-10; Eff 5-1-2020)

21.2902: PERMITTED USES

[\(back to Chapter contents\)](#)

1. Retail establishments.
2. Service Establishments.
3. Restaurants.
4. Recreational Use.
5. Recreation Facility.
- ~~6.~~ Religious Institutions.
- ~~7.~~ Campground.
- ~~8.~~ Storage Shops.
- ~~9.~~ Apartment House or Complex.
- ~~6-10.~~ Dwelling unit(s) in the same structure as non-residential uses.

Source: (Ord 20-10; Eff 5-1-2020) (Ord 21-31; Rev 8-13-21)

21.2903: CONDITIONAL USES

[\(back to Chapter contents\)](#)

- ~~1.~~ Campground.
- ~~2.~~ Storage Shops.
- ~~3.~~ Apartment House or Complex.
- ~~4.~~ Dwelling unit(s) in the same structure as non-residential uses.
- ~~5-1.~~ Car Wash (automatic or semi-automatic).
- ~~6-2.~~ Motels and Hotels.
- ~~7-3.~~ Automobile parking lot.
- ~~8-4.~~ Storage Units.
- ~~9-5.~~ Office (Building).
- ~~10-6.~~ Bar or Tavern.
- ~~11-7.~~ Transit Station.

Source: (Ord 20-10; Eff 5-1-2020)

21.2904: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking."](#)

Source: (Ord 20-10; Eff 5-1-2020)

21.2905: DESIGN STANDARDS

[\(back to Chapter contents\)](#)

1. Structure

- a. Lot coverage shall not exceed fifty (50) percent of the total lot area.
- b. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:
 - i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block
 - iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
- c. The exterior of the building shall have varied and interesting detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.

2. Outside Storage Display and Screening

- a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
- b. Outside storage or display shall not be allowed on any regular parking spaces.
- c. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.
- d. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.

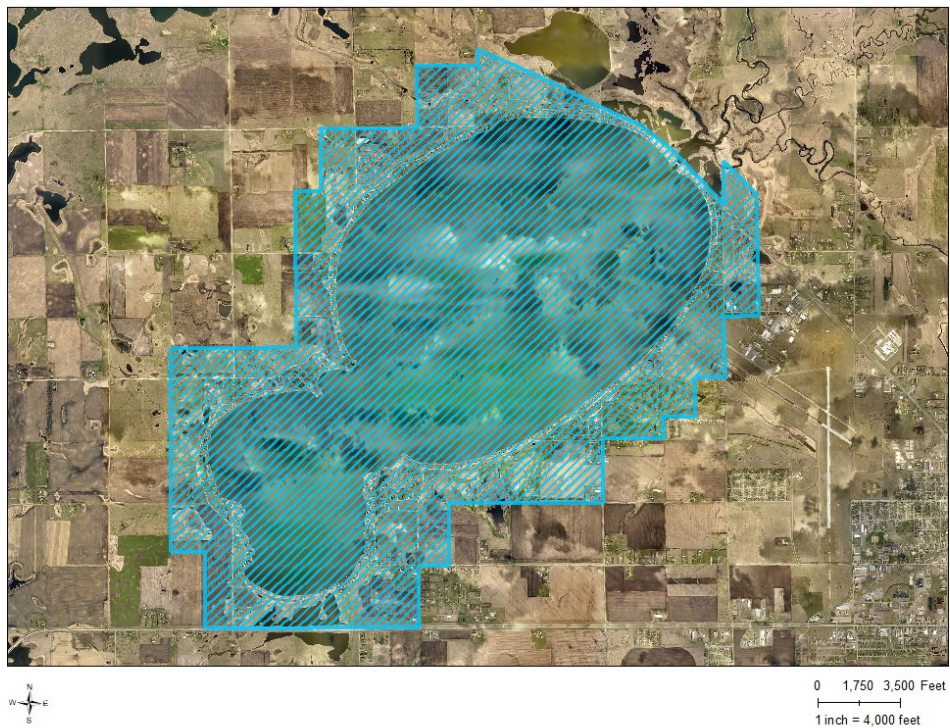
3. Transitional Yards

- a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
- b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.

Source: (Ord 20-10; Eff 5-1-2020) (Ord 20-30; Rev 10-02-20)

21.2906: BOUNDARY MAP FOR LAKE KAMPESKA

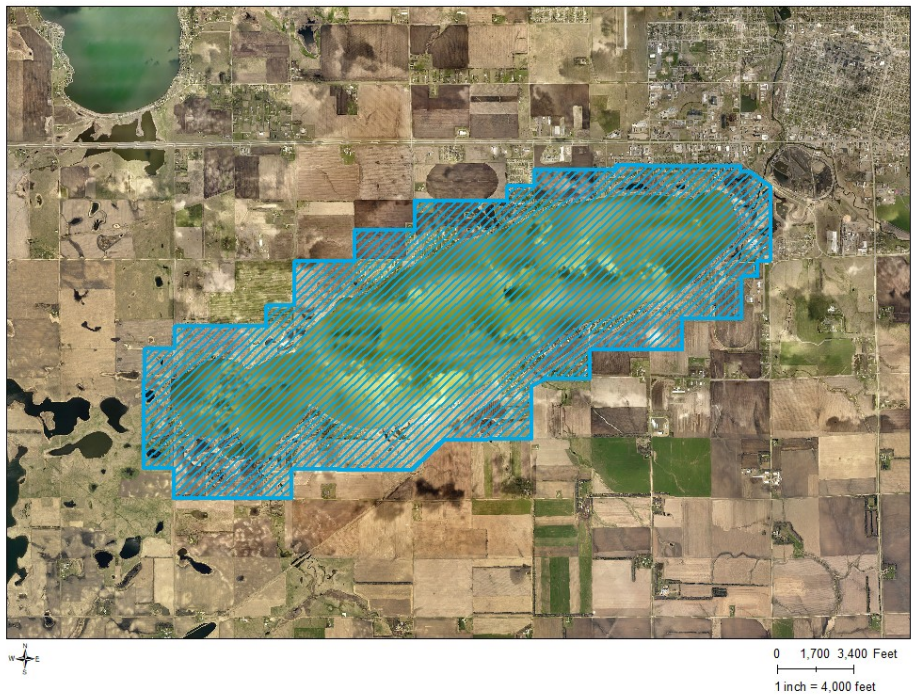
[\(back to Chapter contents\)](#)



Source: (Ord 20-10; Eff 5-1-2020)

21.2907: BOUNDARY MAP FOR LAKE PELICAN

[\(back to Chapter contents\)](#)



**C-~~LA-L1~~ LAKE ADJACENT
COMMERCIAL DISTRICT**

Section

[\(back to Title contents\)](#)

- [21.3001 Purpose](#)
- [21.3002 Definitions](#)
- [21.3003 ~~Lake-Adjacent~~ Permitted and Special Permitted Uses](#)
- [21.3004 Restaurants Special Permitted Use Provisions](#)
- [21.3005 Reserved](#)
- [21.3006 Area and Bulk Requirements](#)
- [21.3007 Design Requirements](#)
- [21.3008 Boundary Map for Lake Kampeska](#)
- [21.3009 ~~Boundary Map for Lake Pelican~~](#)

21.3001: PURPOSE

[\(back to Chapter contents\)](#)

1. To establish appropriate locations within the C-~~LA~~^{A2} Lake ~~Adjacent~~ Commercial Boundary Map in Section 21.~~2906-3008~~ and ~~21.2907~~^{21.3009} to Lake Kampeska ~~and Lake Pelican~~ that are conducive to lake commercial activity.
2. To permit the development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska ~~and Lake Pelican~~ as shown in the Comprehensive Land Use Plan.

21.3002: ~~DEFINITIONS~~ DEFINITIONS

[\(back to Chapter contents\)](#)

Only applicable to Chapter 21.30. All other uses are as defined in Chapter 21.90

1. **Lake-Adjacent:** Any property that directly abuts the shoreline of Lake Kampeska ~~or Lake Pelican~~ as shown on the boundary maps.
2. **Lake Retail and Service Establishments:** A business that operates within the vicinity of a lake and provides products, services, or experiences directly related to leisure, recreation, and tourism. These businesses primarily serve individuals or groups engaged in activities centered around water and outdoor recreation.
3. **Mixed Use Structures:** A commercial building where the upper floors of the same structure are used for residential units.

21.3003: ~~LAKE-ADJACENT~~ PERMITTED AND ~~SPECIAL PERMITTED~~ PERMITTED SPECIAL USES

[\(back to Chapter contents\)](#)

1. Lake Retail and Service Establishments.
2. Restaurants in accordance with 21.3004.
3. Recreational Use (Public).
4. Religious Institutions.
5. Mixed Use Structures.

21.3004: RESTAURANTS SPECIAL PERMITTED USE PROVISIONS

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

21.3005: RESERVED

21.~~3006~~²⁹⁰⁶: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking,"](#)

21.~~2907~~³⁰⁰⁷: DESIGN REQUIREMENTS

[\(back to Chapter contents\)](#)

1. Structure

- a. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:
 - i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block
 - iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
- b. The exterior of the building shall have varied detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.

2. Transitional Yards

- a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
- b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.

3. Outside Storage Display and Screening

- a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
- b. Outside storage or display shall not be allowed on any regular parking spaces or in the required transitional yard.
- c. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.
- d. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.
- e. A six-foot (6) privacy fence with less than ten (10) percent transparency is required along property lines immediately adjacent to residentially zoned properties.

4. Signage

- a. Freestanding signs and electronic message centers are prohibited in the yard adjacent to the lakeshore of Lake Kampeska and Lake Pelican.

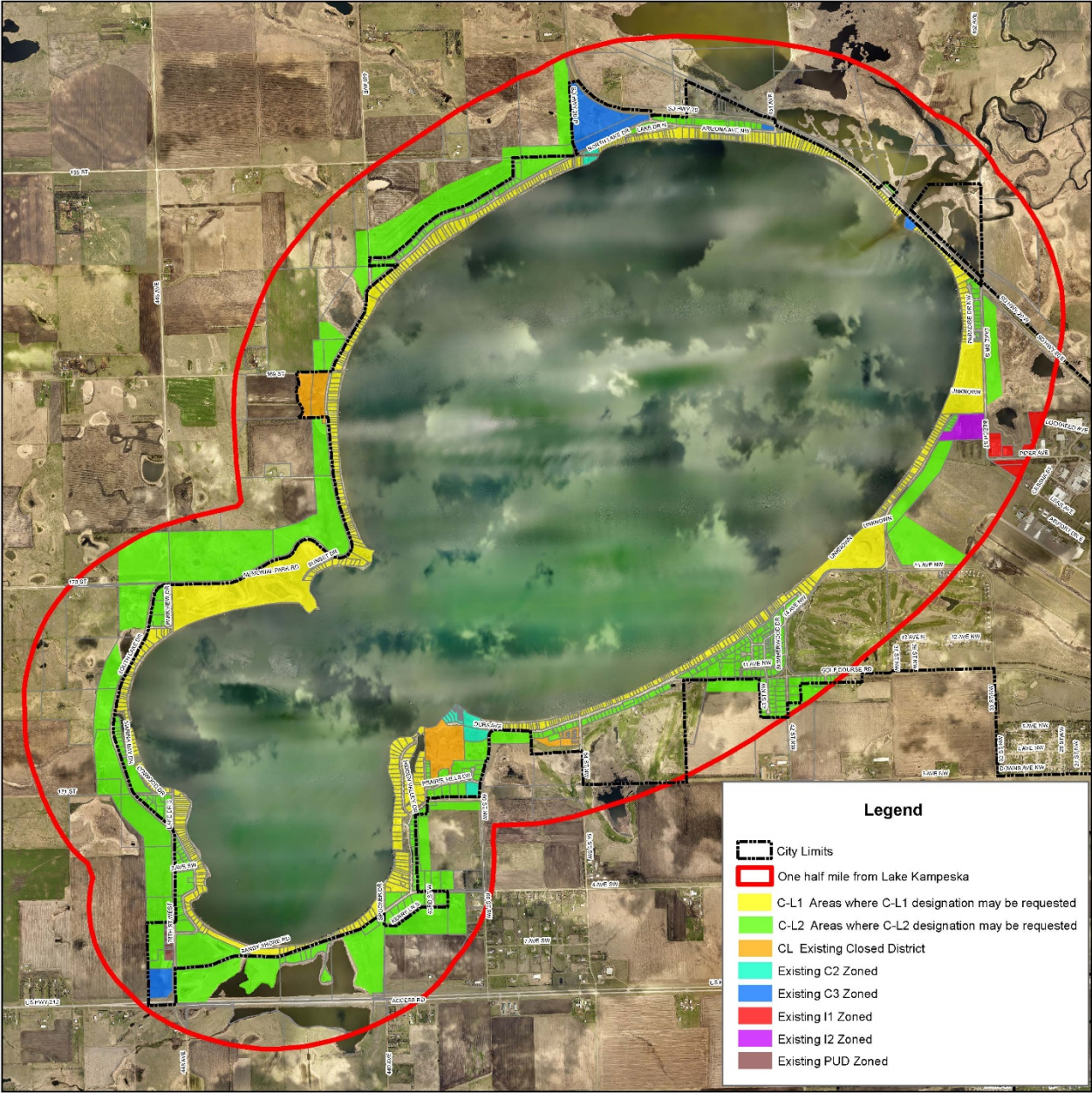
5. Lighting

- a. Structures and properties shall be illuminated so as not to emit lighting directly on any adjoining property. No use shall include a source of illumination that produces glare clearly visible beyond a property line.

6. Outdoor Music Events

- a. Events utilizing a Special Alcoholic Beverage License shall follow § 2.0118.
- b. Outdoor Music Events require a Lake Use Special Event Permit issued by the Community Development Division.
 - i. The annual limit on outdoor music events shall not exceed four (4) events per any calendar year. Additional events in excess of four in one calendar year shall be approved by the Board of Adjustment.
 - ii. Events must be concluded by 12:00 AM (midnight) on the day the event is held.

21.3008: BOUNDARY MAP FOR LAKE KAMPESKA



21.3009: BOUNDARY MAP FOR LAKE PELICAN

Chapter 21.31
C-L~~P2-2~~ OPPOSITE ADJACENT LAKE
PROXIMITY COMMERCIAL DISTRICT

Section

[\(back to Title contents\)](#)

[21.3101 Purpose](#)

[21.3102 Definitions](#)

[21.3103 ~~Opposite Adjacent Lake~~ Permitted and Special Permitted Uses](#)

[21.3104 Restaurants Special Permitted Use Provisions](#)

[21.3106 Area and Bulk Requirements](#)

[21.3107 Design Requirements](#)

[21.3108 Boundary Map for Lake Kampeska](#)

[21.3109 ~~Boundary Map for Lake Pelican~~](#)

21.3101: PURPOSE

[\(back to Chapter contents\)](#)

~~3.1.~~ To establish appropriate locations within the C-L~~2~~ Lake Proximity Commercial Boundary Map in Section 21.~~3108~~~~2906~~ and 21.~~3109~~~~2907~~ to Lake Kampeska ~~and Lake Pelican~~ that are conducive to lake commercial activity.

~~4.2.~~ To permit the development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska ~~and Lake Pelican~~ as shown in the Comprehensive Land Use Plan.

21.3102: ~~DEFINITIONS~~DEFINITIONS

[\(back to Chapter contents\)](#)

Only applicable to Chapter 21.3~~10~~. All other uses are as defined in Chapter 21.90

~~4.1. Opposite Lake Adjacent Lake Proximity~~: Any property that does not directly abut the shoreline but is located across the right-of-way from lakefront properties ~~and included in the boundary maps.~~

~~2. Lake Retail and Service Establishments~~ A business that operates within the vicinity of a lake and provides products, services, or experiences directly related to leisure, recreation, and tourism. These businesses primarily serve individuals or groups engaged in activities centered around water and outdoor recreation.

~~5.3. Mixed Use Structures~~: A commercial building where the upper floors of the same structure are used for ~~residential units.~~

21.3103: ~~OPPOSITE LAKE ADJACENT~~ PERMITTED USES AND ~~SPECIAL PERMITTED~~ PERMITTED SPECIAL USES
[\(back to Chapter contents\)](#)

1. Lake Retail and Service Establishments.
2. Restaurants in accordance with 21.~~2907~~3104.
3. Recreational Use (Public).
4. Recreational Use (Private).
5. Religious Institutions.
6. Mixed Use Structure.

21.3104: RESTAURANTS SPECIAL ~~PERMITTED~~ USE PROVISIONS

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

21.3106: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking."](#)

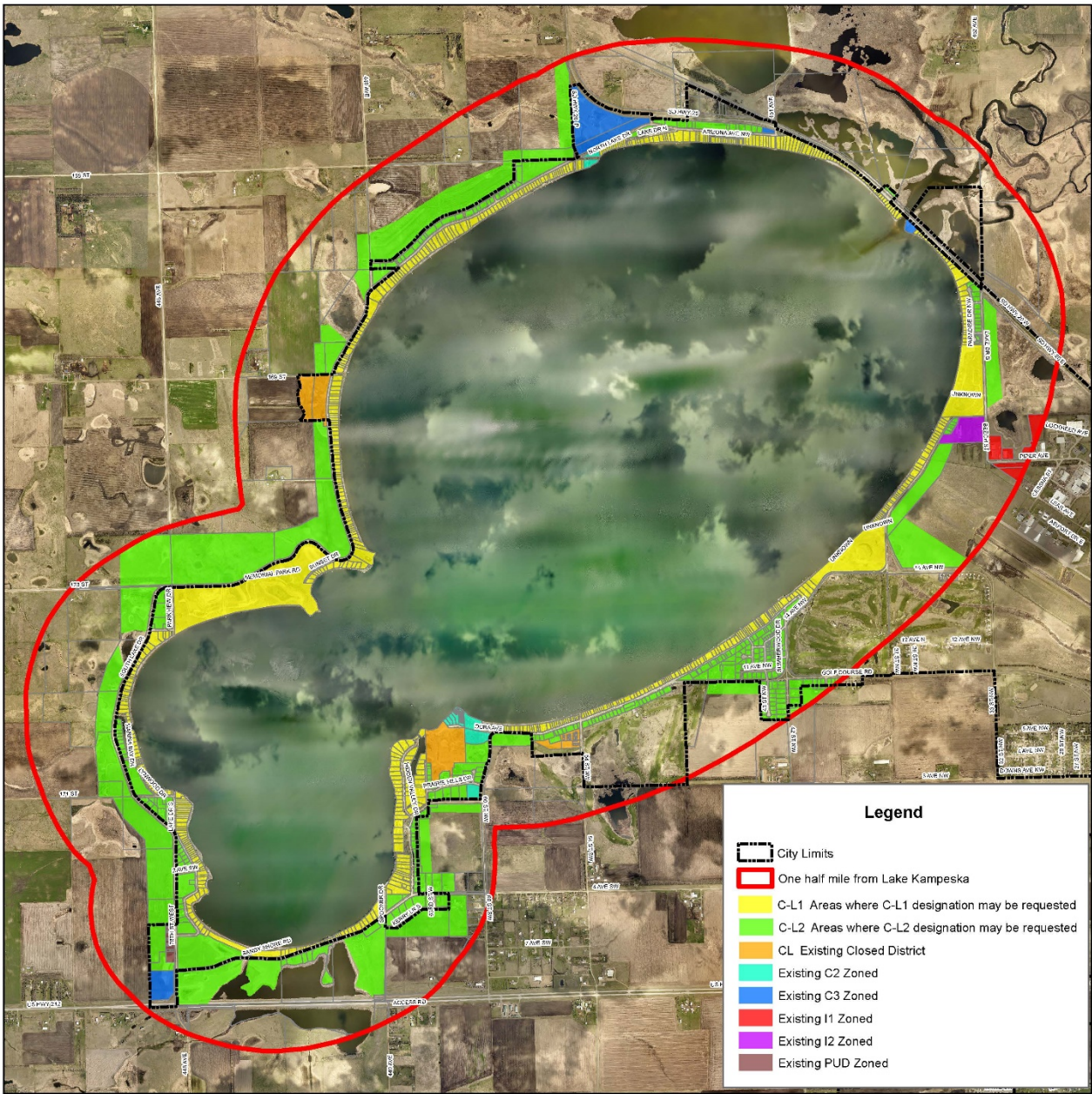
21.3107: DESIGN REQUIREMENTS

[\(back to Chapter contents\)](#)

1. Structure
 - a. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:

- i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block
 - iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
 - b. The exterior of the building shall have varied and interesting detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.
 - ~~c. Roof types shall be pitched or gable style consistent with the surrounding primary residential structures.~~
2. Transitional Yards
- a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
 - b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.
3. Outside Storage Display and Screening
- a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
 - b. Outside storage or display shall not be allowed on any regular parking spaces or in the required transitional yard. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.
 - c. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.
 - d. A six-foot (6) privacy fence with less than ten (10) percent transparency is required along property lines immediately adjacent to residentially zoned properties.
4. Lighting
- a. Structures and properties shall be illuminated so as not to emit lighting directly on any adjoining property. No use shall include a source of illumination that produces glare clearly visible beyond a property line.
5. Outdoor Music Events
- a. Events utilizing a Special Alcoholic Beverage License shall follow § 2.0118.
 - b. Outdoor Music Events require a Lake Use Special Event Permit issued by the Community Development Division.
 - i. The annual limit on outdoor music events shall not exceed four (4) events per any calendar year. Additional events in excess of four in one calendar year shall be approved by the Board of Adjustment.
 - ii. Events must be concluded by 12:00 AM (midnight) on the day the event is held.

21.3108: BOUNDARY MAP FOR LAKE KAMPESKA



21.3109: BOUNDARY MAP FOR LAKE PELICAN

Chapter 21.587
~~"X"~~C-LX LAKE COMMERCIAL
OVERLAY DISTRICT

Section

[\(back to Title contents\)](#)

[21.5801: Purpose And Intent](#)

[21.5802: Establishment](#)

[21.5803: Applicability](#)

[21.5804: Special Permitted Uses](#)

[21.5805: Bar or Tavern Special Use Provisions](#)

[21.5801: PURPOSE AND INTENT](#)

It is the purpose and intent of the Watertown City Council and Watertown Planning Commission to establish a district within the Commercial Lake Boundary Map, aimed at integrating a broader range of complementary commercial uses into the existing commercial zone. These uses may be more intrusive than those typically permitted but have additional design standards enhance the overall commercial environment while minimizing negative impacts on surrounding areas.

[21.5802: ESTABLISHMENT](#)

This overlay district is only allowed to be applied for following the zoning process if the underlying zoning district is C-LA Lake Adjacent Commercial District or C-LP Lake Proximity Commercial District.

[21.5803: APPLICABILITY](#)

1. The provisions of this chapter shall apply to the zoning designations of C-LA Lake Adjacent Commercial District or C-LP Lake Proximity Commercial District.
2. Where the provisions of Chapter 21.58 conflict with other provisions of this title, the provisions of Chapter 21.58 shall prevail.
3. Standards, uses, and regulations not addressed in Chapter 21.58 shall be regulated elsewhere in this title and conform to the underlying zoning district.

[21.5804: PERMITTED USES AND PERMITTED SPECIAL ~~PERMITTED~~ USES](#)

1. Bar or Tavern in accordance with 21.5805
2. Motels and Hotels

[21.5805: BAR OR TAVERN SPECIAL USE PROVISIONS](#)

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

-

Chapter 21.05
ESTABLISHMENT OF DISTRICTS

[\(back to Title contents\)](#)

21.0501: ESTABLISHMENT OF DISTRICTS

[\(back to Chapter contents\)](#)

For the purpose of this ordinance, the City is divided into the following districts:

- A-1 Agricultural District
- R-1 Single Family Residential District
- R-2 Single Family Attached Residential District
- R-2A Single Family Attached Residential District
- R-3 Multiple Family Residential District
- R-4 Manufactured Home Residential
- R-G Residential Garage District
- C-1 Community Commercial District
- C-2 Local Commercial District
- C-3 Highway Service Commercial District
- C-L Lake Commercial District (~~closed district~~)
- ~~C-LA1~~ Lake Adjacent Commercial District
- ~~C-LP2~~ Lake Proximity Commercial District
- BP Business Park District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- PUD Planned Unit Development District

21.0502: ESTABLISHMENT OF OVERLAY DISTRICTS

[\(back to Chapter contents\)](#)

For the purpose of this ordinance, each overlay district contains additional requirements which shall be included in, and take precedence over, underlying district regulations except for C-LX Lake Commercial District which shall be approved through the zoning process to be applicable.

- AP Aquifer Protection District
- WE Wind Energy District
- GT-1 Gateway District
- DT Downtown District
- ~~C-LX~~ Lake Commercial

Chapter 21.10
SUMMARY OF DISTRICT REGULATIONS

[\(back to Title contents\)](#)

21.1003: NON-RESIDENTIAL HEIGHT AND PLACEMENT REGULATIONS [\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in this ordinance, no development, use or structure shall exceed the limits specified below. (Ord 18-02; Rev 04-27-18)

		Minimum Density (SF/d.u.) ^a	Minimum Lot Area (SF)	Minimum Required Lot Width	Minimum Required Front Yard	Minimum Required Side Yard	Minimum Required Rear Yard	Maximum Mean Height b
C-L Districts	No New Dev.	NA	10,000	100'	30	30'	30'	35'
C-L Districts (structures greater than 35' in height)	No New Dev	NA	10,000	150'	30'	25'	30'	60'
C-LA1 Districts		NA	15,000	150'	30'	30'	30'	35'
C-LP2 Districts		NA	15,000	150'	30'	30'	30'	35'
C-LA1 and C-LP2 Districts (structures greater than 35' in height)		NA	15,000	200'	30'	35'	30'	60'

21.1004: NON-RESIDENTIAL HEIGHT & PLACEMENT REGULATIONS FOR ACCESSORY STRUCTURES

[\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in the ordinance, accessory uses shall meet the standards specified below.

	Maximum Height	Minimum Setbacks		
		Front	Side	Rear
A-1 Districts	40'	30'	10'	20'
C-1 Districts	30'	0'	0'	0'
C-2 Districts	30'	40'	10'	10'
C-3 Districts	30'	40'	10'	10'
C-L Districts	30'	30'	10'	10' ^a
C-LA-1 Districts	30'	30'	15'	10'^a
C-LP Districts	30'	30'	15'	10'^a
C-L2 Districts	30'	30'	15'	10'^a
I-1 District	40'	40'	10'	10'
I-2 Districts	40'	75'	20'	20'
BP Districts	20'	50'	20'	20'

a. For properties with lake frontage, the ~~rear yard~~ setback shall be thirty feet (30').

TITLE 21

ZONING

Chapter

[\(back to Table of Contents\)](#)

21.01	Purpose
21.02	Administration and Enforcement
21.03	General Provisions
21.04	Nonconformities
21.05	Establishment of Districts
21.10	Summary of District Regulations
21.12	A-1 Agricultural District
21.14	R-1 Single Family Residential District
21.15	R-1C Compact Single Family Residential District
21.16	R-2 Single Family Attached Residential District
21.18	R-2A Single Family Attached Residential District
21.20	R-3 Multi-Family Residential District
21.22	R-4 Manufactured Home Residential District
21.23	R-G Residential Garage District
21.24	R-S Residential Storage District
21.25	C-1 Community Commercial District
21.26	C-2 Local Commercial District
21.28	C-3 Highway Commercial District
21.29	C-L Lake Commercial District
21.30	C-L1A Lake Adjacent Commercial District
21.31	C-L2P Lake Proximity Commercial District
21.320	BP Business Park District
21.342	I-1 Light Industrial District
21.36	I-2 Heavy Industrial District
21.38	PUD Planned Unit Development
21.50	Overlay District – A-P Aquifer Protection
21.52	Overlay District – W-E Wind Energy
21.54	Overlay District – GT-1 Gateway
21.56	Overlay District – D-T Downtown
21.58	Overlay District – CL-X Lake
21.60	Required Yards and Open Space
21.61	Fences, Walls and Hedges
21.62	All Lots and Buildings to Front on Public or Approved Private Street
21.63	Off-Street Parking and Loading Requirements (All Districts)
21.64	Performance Standards
21.65	Outside Storage and Display Requirements for Specific Uses
21.70	Modular Home Provisions
21.71	Manufactured and Mobile Home Provisions
21.72	Microwave Antennas
21.73	21.67 Landscape and Lighting Standards
21.74	Specific Use Office Building
21.75	Bed and Breakfast
21.76	Campgrounds
21.77	Wireless Telecommunications Towers
21.78	Communal Living
21.79	Swimming Pools
21.80	Signs and Outdoor Advertising
21.81	Firework Activities
21.82	Home Occupations
21.83	Day Care, Home
21.90	Definitions
21.97	Interpretation, Abrogation and Severability
21.98	Cross References
21.99	Punishment

DEFINITIONS

[\(back to Title contents\)](#)

Parking Space: a space for parking of automobiles which complies with the Engineering Design Standards.

Pedestrian Signs: a sign directed to pedestrians.

Pennant: any lightweight plastic, fabric, or other material, whether or not containing a message, suspended from a rope, wire, or string, usually in series.

Permanent Foundation: any structural system for transporting loads from a structure to the earth at a depth below the established frostline without exceeding the safe bearing capacity of the supporting soil.

Permanent Perimeter Enclosure: a permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground.

Permanent Sign: a sign permanently attached to framing, or a sign with a support member at or below the frost line or attached to a building or other structure by direct attachment to a rigid wall, frame or structure.

Permitted Use: any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Permitted Special Use: a use allowed in a zoning district, subject to specific conditions for that use and the restrictions applicable to that zoning district.

Persons: any individual, partnership, corporation, company, association or body politic including trustees, receivers, assignees or other representatives.

Petroleum Sales: establishments that provide for the retail sales of petroleum products.

Planned Unit Development (PUD): A procedure for planning a tract of land as a unit under single of unified ownership or control.

Pole sign: a freestanding sign wholly supported by one or more poles.

Political Signs: are signs that indicate or promote a political candidate, political issue, or political message.

Portable Sign: any sign not permanently attached to the ground or other permanent structure designed to be transported from structure to structure or site to site at periodic intervals. Portable signs include signs attached to or painted on vehicles, unless said vehicle is used in the normal day-to-day operations of the business. Portable signs are temporary signs.

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 25-02 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2025.

Kristen Bobzien, Chief Financial Officer

First Reading: March 3, 2025
Second Reading: March 17, 2025
Published: March 22, 2025
Effective: April 16, 2025

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor

ORDINANCE NO. 25-02

AN ORDINANCE AMENDING CHAPTER 21.29 C-L LAKE COMMERCIAL DISTRICT, CHAPTER 21.30 C-L1 LAKE ADJACENT COMMERCIAL DISTRICT (NEW DISTRICT), CHAPTER 21.31 C-L2 LAKE PROXIMITY COMMERCIAL DISTRICT (NEW DISTRICT), CHAPTER 21.58 C-LX LAKE DISTRICT OVERLAY (NEW DISTRICT) CHAPTER 21.05 ESTABLISHMENT OF DISTRICTS, CHAPTER 21.10 SUMMARY, AND CHAPTER 21.90 DEFINITIONS OF DISTRICT REGULATIONS OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN

WHEREAS, The City of Watertown amends the provisions related lake commercial zoning of Title 21 Zoning Ordinance.

BE IT ORDAINED by the City of Watertown, South Dakota, that the following chapters be amended as follows:

CHAPTER 21.29 C-L LAKE COMMERCIAL DISTRICT (CLOSED)

Section		(back to Title contents)
21.2901	Purpose	
21.2902	Permitted Uses	
21.2903	Conditional Uses	
21.2904	Area and Bulk Requirements	
21.2905	Design Standards	
21.2906	Boundary Map for Lake Kampeska	
21.2907	Boundary Map for Lake Pelican	

21.2901: PURPOSE [\(back to Chapter contents\)](#)

1. To establish appropriate locations within the C-L Lake Commercial Boundary Map in Section 21.2906 and 21.2907 to Lake Kampeska and Lake Pelican that are conducive to lake commercial activity.
2. To permit development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska and Lake Pelican as shown in the Comprehensive Land Use Plan.
3. This district is closed but will allow the continuation of existing properties zoned C-L to perpetuate and use the listed uses, either permitted or conditional granted by the Board of Adjustment.

Source: (Ord 20-10; Eff 5-1-2020)

21.2902: PERMITTED USES [\(back to Chapter contents\)](#)

1. Retail establishments.
2. Service Establishments.
3. Restaurants.
4. Recreational Use.
5. Recreation Facility.
6. Religious Institutions.
7. Campground.
8. Storage Shops.
9. Apartment House or Complex.
10. Dwelling unit(s) in the same structure as non-residential uses.

Source: (Ord 20-10; Eff 5-1-2020) (Ord 21-31; Rev 8-13-21)

21.2903: CONDITIONAL USES

[\(back to Chapter contents\)](#)

1. Car Wash (automatic or semi-automatic).
2. Motels and Hotels.
3. Automobile parking lot.
4. Storage Units.
5. Office (Building).
6. Bar or Tavern.
7. Transit Station.

Source: (Ord 20-10; Eff 5-1-2020)

21.2904: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking."](#)

Source: (Ord 20-10; Eff 5-1-2020)

21.2905: DESIGN STANDARDS

[\(back to Chapter contents\)](#)

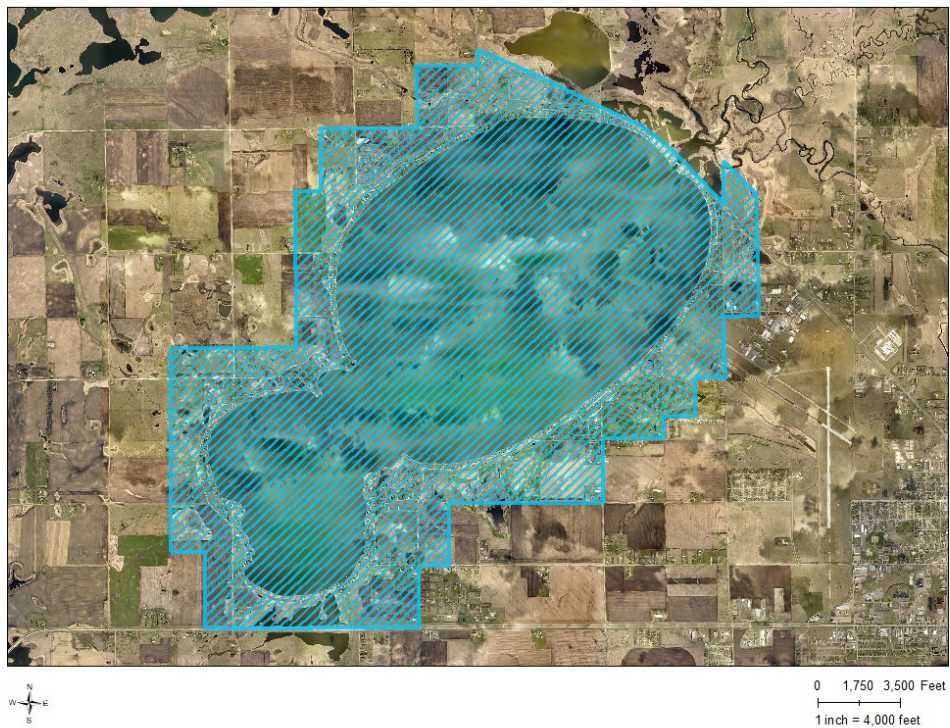
1. Structure
 - a. Lot coverage shall not exceed fifty (50) percent of the total lot area.
 - b. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:
 - i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block
 - iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
 - c. The exterior of the building shall have varied and interesting detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.
2. Outside Storage Display and Screening
 - a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
 - b. Outside storage or display shall not be allowed on any regular parking spaces.
 - c. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.

- d. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.
- 3. Transitional Yards
 - a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
 - b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.

Source: (Ord 20-10; Eff 5-1-2020) (Ord 20-30; Rev 10-02-20)

21.2906: BOUNDARY MAP FOR LAKE KAMPESKA

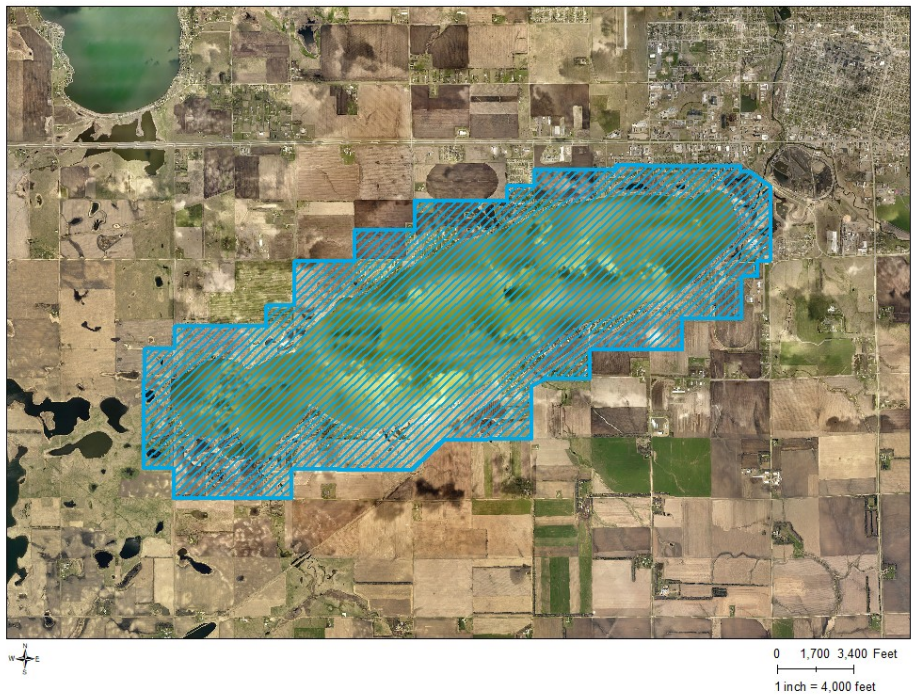
[\(back to Chapter contents\)](#)



Source: (Ord 20-10; Eff 5-1-2020)

21.2907: BOUNDARY MAP FOR LAKE PELICAN

[\(back to Chapter contents\)](#)



C-L1 LAKE ADJACENT COMMERCIAL DISTRICT

Section

[\(back to Title contents\)](#)

- [21.3001 Purpose](#)
- [21.3002 Definitions](#)
- [21.3003 Permitted and Special Permitted Uses](#)
- [21.3004 Restaurants Special Permitted Use Provisions](#)
- [21.3005 Reserved](#)
- [21.3006 Area and Bulk Requirements](#)
- [21.3007 Design Requirements](#)
- [21.3008 Boundary Map for Lake Kampeska](#)

21.3001: PURPOSE

[\(back to Chapter contents\)](#)

1. To establish appropriate locations within the C-L2 Lake Adjacent Commercial Boundary Map in Section 21.3008 and 21.3009 to Lake Kampeska that are conducive to lake commercial activity.
2. To permit the development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska as shown in the Comprehensive Land Use Plan.

21.3002: DEFINITIONS

[\(back to Chapter contents\)](#)

Only applicable to Chapter 21.30. All other uses are as defined in Chapter 21.90

1. **Lake-Adjacent:** Any property that directly abuts the shoreline of Lake Kampeska as shown on the boundary maps.
2. **Lake Retail and Service Establishments:** A business that operates within the vicinity of a lake and provides products, services, or experiences directly related to leisure, recreation, and tourism. These businesses primarily serve individuals or groups engaged in activities centered around water and outdoor recreation.
3. **Mixed Use Structures:** A commercial building where the upper floors of the same structure are used for residential units.

21.3003: PERMITTED AND PERMITTED SPECIAL USES

[\(back to Chapter contents\)](#)

1. Lake Retail and Service Establishments.
2. Restaurants in accordance with 21.3004.
3. Recreational Use (Public).
4. Religious Institutions.
5. Mixed Use Structures.

21.3004: RESTAURANTS SPECIAL USE PROVISIONS

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

21.3005: RESERVED

21.3006: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking."](#)

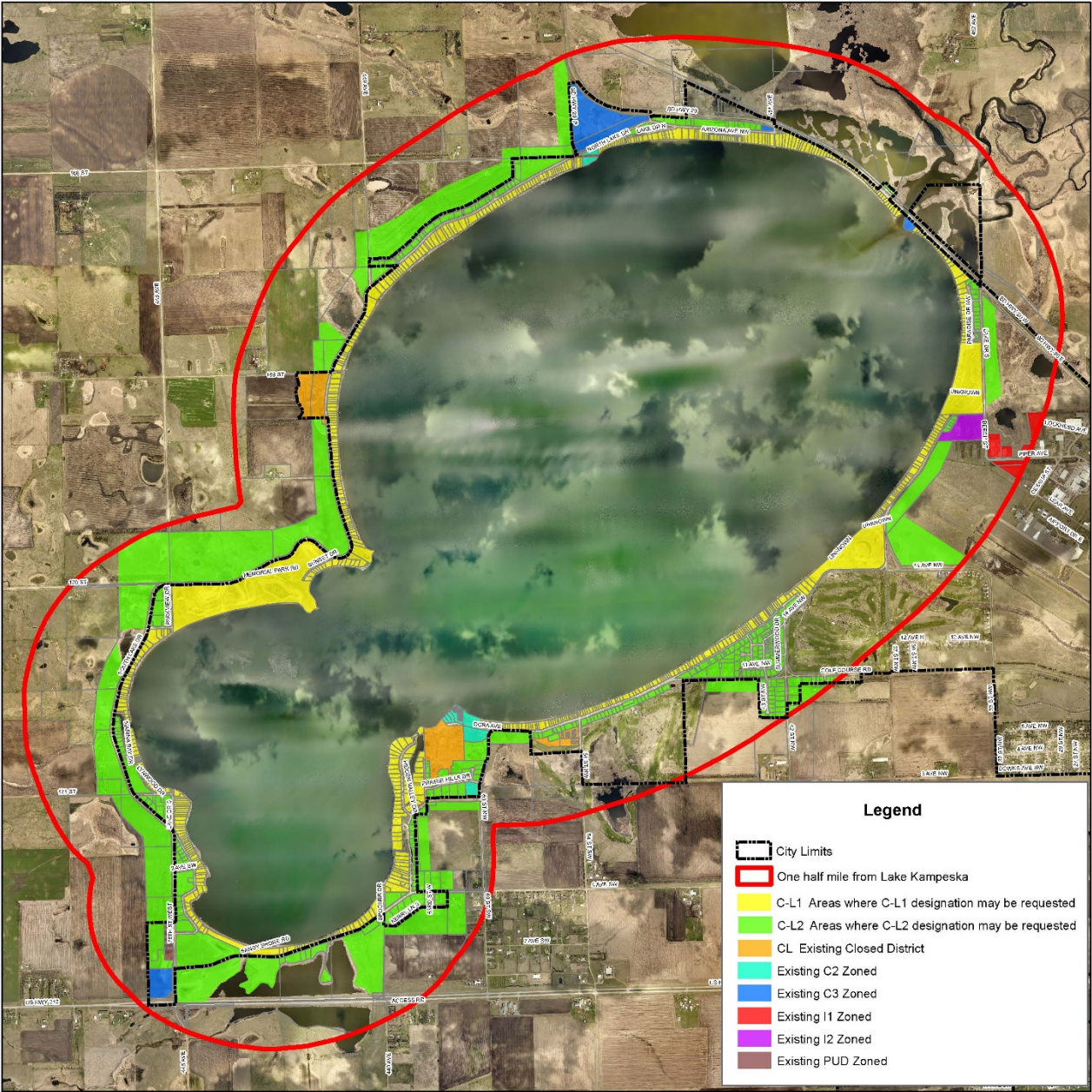
21.3007: DESIGN REQUIREMENTS

[\(back to Chapter contents\)](#)

1. Structure
 - a. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:
 - i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block

- iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
 - b. The exterior of the building shall have varied detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.
2. Transitional Yards
- a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
 - b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.
3. Outside Storage Display and Screening
- a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
 - b. Outside storage or display shall not be allowed on any regular parking spaces or in the required transitional yard.
 - c. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.
 - d. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.
 - e. A six-foot (6) privacy fence with less than ten (10) percent transparency is required along property lines immediately adjacent to residentially zoned properties.
4. Signage
- a. Freestanding signs and electronic message centers are prohibited in the yard adjacent to the lakeshore of Lake Kampeska
5. Lighting
- a. Structures and properties shall be illuminated so as not to emit lighting directly on any adjoining property. No use shall include a source of illumination that produces glare clearly visible beyond a property line.
6. Outdoor Music Events
- a. Events utilizing a Special Alcoholic Beverage License shall follow § 2.0118.
 - b. Outdoor Music Events require a Lake Use Special Event Permit issued by the Community Development Division.
 - i. The annual limit on outdoor music events shall not exceed four (4) events per any calendar year. Additional events in excess of four in one calendar year shall be approved by the Board of Adjustment.
 - ii. Events must be concluded by 12:00 AM (midnight) on the day the event is held.

21.3008: BOUNDARY MAP FOR LAKE KAMPESKA



Chapter 21.31
C-L2 LAKE PROXIMITY COMMERCIAL
DISTRICT

Section

[\(back to Title contents\)](#)

- [21.3101 Purpose](#)
- [21.3102 Definitions](#)
- [21.3103 Permitted and Special Permitted Uses](#)
- [21.3104 Restaurants Special Permitted Use Provisions](#)
- [21.3106 Area and Bulk Requirements](#)
- [21.3107 Design Requirements](#)
- [21.3108 Boundary Map for Lake Kampeska](#)

21.3101: PURPOSE

[\(back to Chapter contents\)](#)

1. To establish appropriate locations within the C-L2 Lake Proximity Commercial Boundary Map in Section 21.3108 and 21.3109 to Lake Kampeska that are conducive to lake commercial activity.
2. To permit the development of service/retail centers complimentary to lake recreation and living adjacent to Lake Kampeska as shown in the Comprehensive Land Use Plan.

21.3102: DEFINITIONS

[\(back to Chapter contents\)](#)

Only applicable to Chapter 21.31. All other uses are as defined in Chapter 21.90

1. **Lake Proximity:** Any property that does not directly abut the shoreline but is located across the right-of-way from lakefront properties and included in the boundary maps.
2. **Lake Retail and Service Establishments** A business that operates within the vicinity of a lake and provides products, services, or experiences directly related to leisure, recreation, and tourism. These businesses primarily serve individuals or groups engaged in activities centered around water and outdoor recreation.
3. **Mixed Use Structures:** A commercial building where the upper floors of the same structure are used for residential units.

21.3103: PERMITTED USES AND PERMITTED SPECIAL USES [\(back to Chapter contents\)](#)

1. Lake Retail and Service Establishments.
2. Restaurants in accordance with 21.3104.
3. Recreational Use (Public).
4. Recreational Use (Private).
5. Religious Institutions.
6. Mixed Use Structure.

21.3104: RESTAURANTS SPECIAL USE PROVISIONS

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

21.3106: AREA AND BULK REQUIREMENTS

[\(back to Chapter contents\)](#)

See [21.10, "Summary of District Regulations,"](#) limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and maximum density permitted, and providing minimum lot requirements; and [21.6301, "Off-Street Parking."](#)

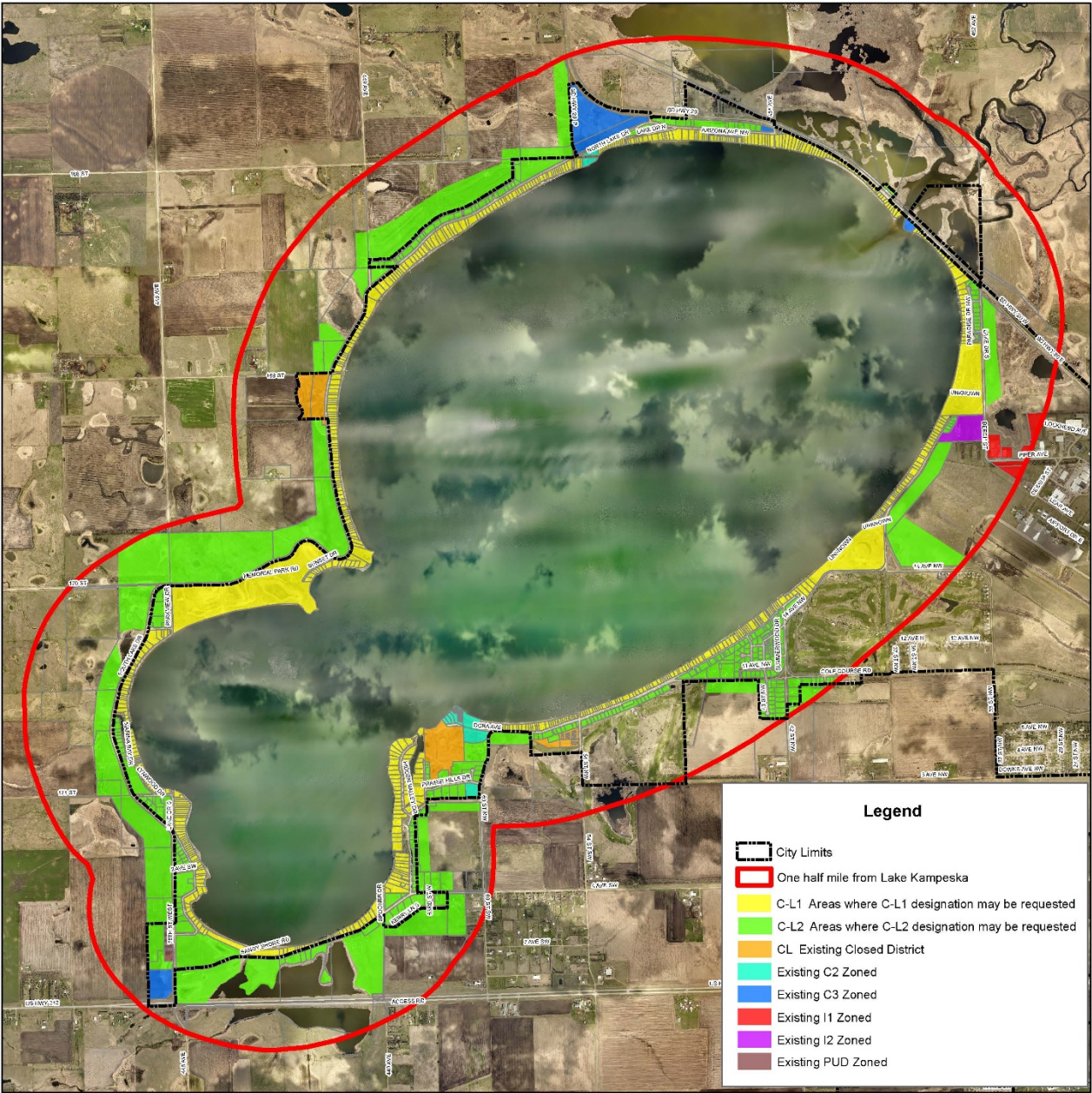
21.3107: DESIGN REQUIREMENTS

[\(back to Chapter contents\)](#)

1. Structure
 - a. All exterior walls facing and immediately adjacent to a property zoned R-1 Single Family Residential shall be finished with the following materials or similar faux material, or a combination of:
 - i. Face brick
 - ii. Natural stone; Manufactured stone provided it replicate the appearance of natural stone, not concrete block
 - iii. Tile (masonry, stone or clay)
 - iv. Precast concrete panels or units, the surfaces of which have been integrally treated with an

- applied decorative material or texture
 - v. Stucco or similar cement based material
 - vi. Architectural metal panels which cover a wall- i.e., copper, aluminum composite metal panels (ACM), metal plate wall panels
 - vii. Transparent glass/spandrel glass
 - viii. Wood, consisting of horizontal lap siding, rain screen siding or wood shakes; surfaces must be painted or finished
 - ix. Decorative block
 - x. Metal siding – i.e., lap seam metal panels or sheet or corrugated panels are allowed if used as an accent to include not more than twenty (20) percent of said wall.
 - b. The exterior of the building shall have varied and interesting detailing. Large unadorned walls shall be prohibited (50' or more in length) when facing a public right-of-way, the lake, or residentially zoned property. Such large walls must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass and scale of the wall.
2. Transitional Yards
- a. Properties adjacent to Residential Zoning Districts shall maintain fifteen (15) feet of grass on the side yards to extend the entire length of the property boundaries.
 - b. Landscaping and screening devices, including fences, are allowed to be placed within the transitional yard.
3. Outside Storage Display and Screening
- a. Storage or display of items outside is limited to those items related to the nature of the business occurring within the primary structure.
 - b. Outside storage or display shall not be allowed on any regular parking spaces or in the required transitional yard. Storage of excess inventory shall be screened by means of an opaque fence, plant materials, walls or earth berms.
 - c. Where groupings of conifers and deciduous shade trees are utilized for screening, in order to provide year-round screening, a minimum of fifty (50) percent of the trees shall be coniferous.
 - d. A six-foot (6) privacy fence with less than ten (10) percent transparency is required along property lines immediately adjacent to residentially zoned properties.
4. Lighting
- a. Structures and properties shall be illuminated so as not to emit lighting directly on any adjoining property. No use shall include a source of illumination that produces glare clearly visible beyond a property line.
5. Outdoor Music Events
- a. Events utilizing a Special Alcoholic Beverage License shall follow § 2.0118.
 - b. Outdoor Music Events require a Lake Use Special Event Permit issued by the Community Development Division.
 - i. The annual limit on outdoor music events shall not exceed four (4) events per any calendar year. Additional events in excess of four in one calendar year shall be approved by the Board of Adjustment.
 - ii. Events must be concluded by 12:00 AM (midnight) on the day the event is held.

21.3108: BOUNDARY MAP FOR LAKE KAMPESKA



Chapter 21.58
C-LX LAKE COMMERCIAL OVERLAY
DISTRICT

Section

[\(back to Title contents\)](#)

[21.5801: Purpose And Intent](#)

[21.5802: Establishment](#)

[21.5803: Applicability](#)

[21.5804: Special Permitted Uses](#)

[21.5805: Bar or Tavern Special Use Provisions](#)

21.5801: PURPOSE AND INTENT

It is the purpose and intent of the Watertown City Council and Watertown Planning Commission to establish a district within the Commercial Lake Boundary Map, aimed at integrating a broader range of complementary commercial uses into the existing commercial zone. These uses may be more intrusive than those typically permitted but have additional design standards enhance the overall commercial environment while minimizing negative impacts on surrounding areas.

21.5802: ESTABLISHMENT

This overlay district is only allowed to be applied for following the zoning process if the underlying zoning district is C-LA Lake Adjacent Commercial District or C-LP Lake Proximity Commercial District.

21.5803: APPLICABILITY

1. The provisions of this chapter shall apply to the zoning designations of C-LA Lake Adjacent Commercial District or C-LP Lake Proximity Commercial District.
2. Where the provisions of Chapter 21.58 conflict with other provisions of this title, the provisions of Chapter 21.58 shall prevail.
3. Standards, uses, and regulations not addressed in Chapter 21.58 shall be regulated elsewhere in this title and conform to the underlying zoning district.

21.5804: PERMITTED USES AND PERMITTED SPECIAL USES

1. Bar or Tavern in accordance with 21.5805
2. Motels and Hotels

21.5805: BAR OR TAVERN SPECIAL USE PROVISIONS

1. Outdoor Seating
 - a. All outdoor seating shall be prohibited within the required side yard setbacks of the primary structure
 - b. Establishments shall operate outdoor seating areas within the hours of 10:00 AM to 12:00AM.

-

Chapter 21.05
ESTABLISHMENT OF DISTRICTS

[\(back to Title contents\)](#)

21.0501: ESTABLISHMENT OF DISTRICTS

[\(back to Chapter contents\)](#)

For the purpose of this ordinance, the City is divided into the following districts:

A-1	Agricultural District
R-1	Single Family Residential District
R-2	Single Family Attached Residential District
R-2A	Single Family Attached Residential District
R-3	Multiple Family Residential District
R-4	Manufactured Home Residential
R-G	Residential Garage District
C-1	Community Commercial District
C-2	Local Commercial District
C-3	Highway Service Commercial District
C-L	Lake Commercial District (closed district)
C-L1	Lake Adjacent Commercial District
C-L2	Lake Proximity Commercial District
BP	Business Park District
I-1	Light Industrial District
I-2	Heavy Industrial District
PUD	Planned Unit Development District

21.0502: ESTABLISHMENT OF OVERLAY DISTRICTS

[\(back to Chapter contents\)](#)

For the purpose of this ordinance, each overlay district contains additional requirements which shall be included in, and take precedence over, underlying district regulations except for C-LX Lake Commercial District which shall be approved through the zoning process to be applicable.

AP	Aquifer Protection District
WE	Wind Energy District
GT-1	Gateway District
DT	Downtown District
C-LX	Lake Commercial

Chapter 21.10
SUMMARY OF DISTRICT REGULATIONS

[\(back to Title contents\)](#)

21.1003: NON-RESIDENTIAL HEIGHT AND PLACEMENT REGULATIONS [\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in this ordinance, no development, use or structure shall exceed the limits specified below. (Ord 18-02; Rev 04-27-18)

		Minimum Density (SF/d.u.) ^a	Minimum Lot Area (SF)	Minimum Required Lot Width	Minimum Required Front Yard	Minimum Required Side Yard	Minimum Required Rear Yard	Maximum Mean Height ^b
C-L Districts	No New Dev.	NA	10,000	100'	30	30'	30'	35'
C-L Districts (structures greater than 35' in height)	No New Dev	NA	10,000	150'	30'	25'	30'	60'
C-L1 Districts		NA	15,000	150'	30'	30'	30'	35'
C-L2 Districts		NA	15,000	150'	30'	30'	30'	35'
C-L1 and C-L2 Districts (structures greater than 35' in height)		NA	15,000	200'	30'	35'	30'	60'

21.1004: NON-RESIDENTIAL HEIGHT & PLACEMENT REGULATIONS FOR ACCESSORY STRUCTURES

[\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in the ordinance, accessory uses shall meet the standards specified below.

	Maximum Height	Minimum Setbacks		
		Front	Side	Rear
A-1 Districts	40'	30'	10'	20'
C-1 Districts	30'	0'	0'	0'
C-2 Districts	30'	40'	10'	10'
C-3 Districts	30'	40'	10'	10'
C-L Districts	30'	30'	10'	10' ^a
C-L1 Districts	30'	30'	15'	10' ^a
C-L2 Districts	30'	30'	15'	10' ^a
I-1 District	40'	40'	10'	10'
I-2 Districts	40'	75'	20'	20'
BP Districts	20'	50'	20'	20'

a. For properties with lake frontage, the setback shall be thirty feet (30').

TITLE 21

ZONING

Chapter

[\(back to Table of Contents\)](#)

21.01	Purpose
21.02	Administration and Enforcement
21.03	General Provisions
21.04	Nonconformities
21.05	Establishment of Districts
21.10	Summary of District Regulations
21.12	A-1 Agricultural District
21.14	R-1 Single Family Residential District
21.15	R-1C Compact Single Family Residential District
21.16	R-2 Single Family Attached Residential District
21.18	R-2A Single Family Attached Residential District
21.20	R-3 Multi-Family Residential District
21.22	R-4 Manufactured Home Residential District
21.23	R-G Residential Garage District
21.24	R-S Residential Storage District
21.25	C-1 Community Commercial District
21.26	C-2 Local Commercial District
21.28	C-3 Highway Commercial District
21.29	C-L Lake Commercial District
21.30	C-L1 Lake Adjacent Commercial District
21.31	C-L2 Lake Proximity Commercial District
21.32	BP Business Park District
21.34	I-1 Light Industrial District
21.36	I-2 Heavy Industrial District
21.38	PUD Planned Unit Development
21.50	Overlay District – A-P Aquifer Protection
21.52	Overlay District – W-E Wind Energy
21.54	Overlay District – GT-1 Gateway
21.56	Overlay District – D-T Downtown
21.58	Overlay District – CL-X Lake
21.60	Required Yards and Open Space
21.61	Fences, Walls and Hedges
21.62	All Lots and Buildings to Front on Public or Approved Private Street
21.63	Off-Street Parking and Loading Requirements (All Districts)
21.64	Performance Standards
21.65	Outside Storage and Display Requirements for Specific Uses
21.70	Modular Home Provisions
21.71	Manufactured and Mobile Home Provisions
21.72	Microwave Antennas
21.73	Landscape and Lighting Standards
21.74	Specific Use Office Building
21.75	Bed and Breakfast
21.76	Campgrounds
21.77	Wireless Telecommunications Towers
21.78	Communal Living
21.79	Swimming Pools
21.80	Signs and Outdoor Advertising
21.81	Firework Activities
21.82	Home Occupations
21.83	Day Care, Home
21.90	Definitions
21.97	Interpretation, Abrogation and Severability
21.98	Cross References
21.99	Punishment

**CHAPTER 21.90
DEFINITIONS**

[\(back to Title contents\)](#)

Parking Space: a space for parking of automobiles which complies with the Engineering Design Standards.

Pedestrian Signs: a sign directed to pedestrians.

Pennant: any lightweight plastic, fabric, or other material, whether or not containing a message, suspended from a rope, wire, or string, usually in series.

Permanent Foundation: any structural system for transporting loads from a structure to the earth at a depth below the established frostline without exceeding the safe bearing capacity of the supporting soil.

Permanent Perimeter Enclosure: a permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground.

Permanent Sign: a sign permanently attached to framing, or a sign with a support member at or below the frost line or attached to a building or other structure by direct attachment to a rigid wall, frame or structure.

Permitted Use: any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Permitted Special Use: a use allowed in a zoning district subject to specific conditions for that use and the restrictions applicable to that zoning district.

Persons: any individual, partnership, corporation, company, association or body politic including trustees, receivers, assignees or other representatives.

Petroleum Sales: establishments that provide for the retail sales of petroleum products.

Planned Unit Development (PUD): A procedure for planning a tract of land as a unit under single of unified ownership or control.

Pole sign: a freestanding sign wholly supported by one or more poles.

Political Signs: are signs that indicate or promote a political candidate, political issue, or political message.

Portable Sign: any sign not permanently attached to the ground or other permanent structure designed to be transported from structure to structure or site to site at periodic intervals. Portable signs include signs attached to or painted on vehicles, unless said vehicle is used in the normal day-to-day operations of the business. Portable signs are temporary signs.

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 25-02 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2025.

Kristen Bobzien, Chief Financial Officer

First Reading: March 3, 2025

Second Reading: April 7, 2025

Published: April 12, 2025

Effective: May 7, 2025

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor



City Council

Agenda Item

Subject: Approval of Resolution No. 25-11, for Repeal or Carryover of Capital Outlay Appropriations from the 2024 Fiscal Year.

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Per Home Rule Charter:

Section 5.07. *Lapse of appropriations. Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until expended, revised or repealed; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from, or encumbrance of, the appropriation.*

FINANCIAL CONSIDERATIONS:

Capital expenditures have been budgeted for in previous years.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve Resolution No. 25-11, for repeal or carryover of capital outlay appropriations from the 2024 fiscal year.

ATTACHMENT(S):

[Capital Carryover Res 2025](#)

RESOLUTION NO. 25-11

A RESOLUTION PROVIDING FOR THE REPEAL OF CERTAIN CAPITAL EXPENDITURE APPROPRIATIONS AND ALLOWING FOR THE CARRY-OVER OF OTHER CAPITAL EXPENDITURE APPROPRIATIONS FROM THE 2024 FISCAL YEAR BUDGET AS AUTHORIZED BY THE HOME RULE CHARTER.

WHEREAS, Section 5.07 of the Home Rule Charter provides, in part, that: “Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of a fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until expended, revised or repealed”; and,

WHEREAS, certain 2024 capital expenditure appropriations remain unexpended and unencumbered for projects that have been completed or are otherwise no longer deemed necessary; and,

WHEREAS, certain other 2024 capital expenditure appropriations remain unexpended and unencumbered for projects that have not been completed and are expected to be carried forward during the 2025 fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watertown, that the 2024 capital expenditure appropriations for the accounts and in the amounts set out below be hereby carried over and shall remain in full force and effect for the accounts indicated for the 2025 fiscal year:

General Fund:

101-42220-43600	\$	28,000	Fire Truck – misc. equipment
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Parks, Recreation and Forestry Fund:

201-45123-43201	\$	5,500	Fieldhouse Awning
201-45134-43300	\$	4,500	Zoo Animals - Wolves
201-45142-43900	\$	15,000	Pollinator Area – ADA sidewalk project

Capital Improvement Fund:

212-42084-43213	\$	16,350	Training Center Improvements - Fire
212-42085-43813	\$	152,690	Brush Fire Truck
212-43015-43800	\$	80,580	Street – Sign & Signal Pickup
212-43180-43662	\$	1,000	Bridge Inspections
212-43180-43912	\$	40,000	Church Alley
212-43180-43919	\$	47,000	5 th Ave. Design
212-43180-43922	\$	3,830	14 th Ave. Bridge – City portion
212-43280-43965	\$	165,000	Flood Study
212-45110-43600	\$	43,000	Turf Vac – Parks System
212-45182-43705	\$	25,000	River Ridge Sidewalk & Parking Access
212-45182-43948	\$	413,000	Pelican View – <i>River Ridge Parks</i>
212-45182-43962	\$	130,000	Bike Trail Improv. – Lake 3A & 3B/Olive Place
212-45182-43981	\$	265,000	Park Signage Project – Nelson Park Project
212-45182-43990	\$	15,000	Golf Course – Clubhouse patio railing
212-45182-43992	\$	35,000	Aquatic Center – Chem. Storage Bldg.
212-45182-43993	\$	272,030	Wolf Exhibit
212-45182-43999	\$	10,000	PLWC – Fitness Equipment – delayed delivery
212-46583-43201	\$	5,000	Event Center – HVAC retainage

Capital Projects Fund (505):

505-45603-43202	\$ 177,940	City Hall
505-45603-43733	\$ 5,572,540	Street Facility

Capital Projects Fund (506):

506-45604-43218	\$ 527,850	Ice Arena
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Sewer Fund (604):

604-43252-43987	\$ 9,000,000	WWTP & Collection Improvements
604-43256-43987	\$ 42,709,220	WWTP & Collection Improvements

Solid Waste Fund:

605-43230-43808	\$ 255,500	Refuse Truck
605-43245-43808	\$ 400,000	Refuse Truck

Airport Fund:

606-43503-43905	\$ 190,000	Ag Spray & Taxiway D
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BE IT FURTHER RESOLVED, that all 2024 appropriations for capital expenditures not previously expended or encumbered or set out above shall be expressly repealed.

Dated at Watertown, South Dakota this 7th day of April, 2025.

ATTEST:

City of Watertown

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor



City Council

Agenda Item

Subject: Approval of Resolution No. 25-12, a resolution authorizing the conveyance of real estate property located within Block 4 of East Acres Addition to Watertown Development Company and Authorizing the Interim City Manager to enter into a Sanitary Sewer Utility Easement Agreement with Kampeska Builders, LLC

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The Watertown Development Company (WDC) will facilitate the purchase of the city owned property following this conveyance with Jesse Kiihl of Kampeska Builders, LLC. The 3.08 Acre property described as LOT 3 & THE WEST 189.9 FEET LOT 2 BLK 4 EAST ACRES shall be conveyed to WDC for the purpose of economic development. The undeveloped city property adjacent to the improved right of ways of 14th Avenue SE and 14th Street SE is proposed to be developed as contractor shops consistent with other properties within this area. The property is zoned C-3 Highway Commercial District which requires a conditional use for contractor shops & storage yards be granted by the Board of Adjustment to be determined at the April 10th Board of Adjustment meeting.

With this action, the City is allowing a 20' sanitary sewer utility easement agreement on city property to the south along the west property boundary as shown on the attached easement document to allow for sanitary sewer connection. The sanitary sewer is currently only available for this property within 17th Avenue SE which requires connection through the property to the south. The cost of connecting the property to the sanitary sewer and any infrastructure improvements is the responsibility of the developer, Jesse Kiihl. The property is over 200' from the sanitary sewer main so the developer can decide if he wants to connect or install sealed holding tanks until the sanitary sewer main is within 200' of the property which would require him to connect with 60 days once available. The easement allows him the option to connect to the sanitary sewer.

FINANCIAL CONSIDERATIONS:

Sale price of \$175,000 (~\$1.30 per square foot)

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve Resolution 25-12 Authorizing the conveyance of real estate property located within Block 4 of East Acres Addition to Watertown Development Company and Authorizing the Interim City Manager to enter into a Sanitary Sewer Utility Easement Agreement with Kampeska Builders, LLC

ATTACHMENT(S):

Agenda Item 12.(b) Approval of Resolution No. 25-12, a resolution author...

[Purchase Agreement CITY to WDC](#)

[Vicinity Map](#)

[Resolution No 25-12](#)

[Sanitary Sewer Easement Kampeska Builders](#)

REAL ESTATE PURCHASE AGREEMENT

The undersigned, WATERTOWN DEVELOPMENT COMPANY (the “Purchaser”) hereby agrees to purchase from the CITY OF WATERTOWN (the “Seller”), together the “Parties,” the real property situated in Watertown, Codington County, South Dakota, and being generally described as:

**LOT 3 & THE WEST 189.9 FEET LOT 2 BLK 4 EAST ACRES,
CODINGTON COUNTY, SOUTH DAKOTA**

subject to any recorded or visible easements and reservations of record (the “Property”), according to the terms and conditions contained in this Agreement. As a condition of this offer, the legal description of the Property is subject to confirmation and, if necessary, confirmation to the actual legal description upon surveying of the Property as contained in a commitment for title insurance on the Property, which commitment is further described below.

Seller hereby agrees to sell the Property to Purchaser for the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) and other good and valuable consideration, subject to the following:

1. This Purchase Agreement is being entered into pursuant to *SDCL §9-27-36*, which authorizes Seller to sell, on a negotiated basis, and to convey, any of its real property to Purchaser, a nonprofit local industrial development corporation as defined by *SDCL §9-27-37*, to be used by Purchaser for an economic development related purpose as enumerated in *SDCL §9-54-1*.
2. This Purchase Agreement has been authorized according to its terms and in the manner provided by the duly adopted motion of the Watertown City Council. The Parties anticipate that as soon as possible after Seller conveys title in fee to Purchaser, Purchaser, as Seller, will thereafter convey the above-described property to Kampeska Builders, LLC “Buyer”, according to the Real Estate Purchase Agreement substantially in the form of Exhibit 1 attached hereto and, by this reference, incorporated herein.
3. Purchaser and Seller understand and agree that the Buyer’s intended purpose for the property consists of the development of contractor shops and storage facilities in Watertown, South Dakota, and Buyer’s future ability to sell and/or rent said units and any other purpose in accordance with all applicable zoning regulations and other applicable city ordinances. The transfer and ultimate purchase by Buyer is contingent upon Buyer

obtaining a conditional use permit from the City for the Buyer’s intended development of the real estate and a sanitary sewer easement from the City to access the lift station. Any fees associated with any required approvals under the applicable zoning regulations and other applicable ordinances shall be at Buyer’s cost and expense.

- 4. If the transaction described in the attached Exhibit 1 is not closed and is terminated for any reason, then the Seller herein is permitted to reacquire from the Purchaser herein upon the payment of \$1.00 by the Seller herein to the Purchaser herein along with any funds already paid by Purchaser related to title work, closing fees, transfer fees and reasonable attorney fees incurred by WDC.
- 5. WDC, as Purchaser, has no additional obligations to provide funding or assistance with this project to Seller or Buyer.
- 6. This Purchase Agreement is not based upon any inspections having been made of the Property, nor is this Purchase Agreement based upon any representations made by Seller to the Purchaser. Purchaser is buying the Property “AS IS.” Seller shall convey the Property by Quit Claim Deed.

The closing date of this transaction will be on or before May 31, 2025. Purchaser shall remit the compensation from land sale proceeds to Purchaser less itemized closing costs, including reasonable attorney’s fees and title work associated with the transaction that are borne by Purchaser pursuant to the terms of the Real Estate Purchase Agreement attached as Exhibit 1.

Dated this ____ day of _____, 2025.

PURCHASER:

SELLER:

WATERTOWN DEVELOPMENT COMPANY

CITY OF WATERTOWN

By: _____
Christopher Clifton
Executive Director

By: _____
Kristen Bobzien
Interim City Manager

ATTEST:

Jennifer Collins
Records and Licensing Manager

EXHIBIT 1

THIS DOCUMENT PREPARED BY:
LISA CARRICO, CITY ATTORNEY
23 2ND STREET NE
WATERTOWN, SD 57201
PHONE: 605-886-6200

REAL ESTATE PURCHASE AGREEMENT

1. **PARTIES:**

The parties to this contract are WATERTOWN DEVELOPMENT COMPANY, of 1 East Kemp, PO Box 332, Watertown, South Dakota 57201, "Seller, or Sellers," and KAMPESKA BUILDERS LLC, a South Dakota limited liability company, at 813 2nd Street NW, Watertown, South Dakota 57201, "BUYER."

2. **PURPOSE:**

The purpose of this contract is to fix the terms and conditions under which the Seller agrees to sell, and the Buyer agrees to buy the real property described in Section 3.

3. **PROPERTY:**

The property to be covered by this contract is commercial property located in Codington County, South Dakota. The Property to be purchased is that area outlined in blue in the attached Exhibit A, consisting of approximately 3.08 acres of commercial real property with the following legal description:

**LOT 3 & THE WEST 189.9 FEET LOT 2 BLK 4 EAST ACRES, CODINGTON
COUNTY, SOUTH DAKOTA**

4. **EARNEST MONEY DEPOSIT:**

Buyer shall deposit with Codington County Title within five business days following Seller's acceptance of Buyer's offer herein, earnest money in the sum of \$2,000.00. The earnest money shall be applied to the

purchase price at the closing or, if the purchase fails to close for any reason, the earnest money shall be immediately refunded to the Buyer.

5. CONSIDERATION:

As total consideration for the property described in Section 3, the Buyer agrees to pay the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) for the Property purchased pursuant to Section 3 above, to be paid in cash, a bank cashier's check, or wire-transferred funds at closing.

6. POSSESSION:

The Buyer shall be entitled to possession of the Property at the completion of the closing.

7. TAXES:

Real estate taxes and special assessments shall be prorated to date of closing, with the Seller paying the unpaid real estate taxes for the period prior to closing, and any special assessments due and payable prior to closing, if any. Buyer shall be responsible to pay all real estate taxes for the period commencing on the date of closing, and any special assessments due and payable after the date of closing, if any. The real estate tax payment shall be settled by allowing the Buyer a credit, if any, based upon the amount of the real estate taxes for the year in which closing occurs, at the time of closing.

8. TITLE:

Subject to Section 10(C), the Seller warrants that it has good and marketable title to the property described in Section 3 hereof. Buyer will order an owner's title insurance commitment in the amount of the purchase price and the Seller will promptly take proper steps to overcome any legal and valid objections to the title. The Seller, shall deliver to Buyer written notice that either (1) Seller will, at its cost and expense, attempt to remove the exceptions to which Buyer has reasonably objected on or before the closing or (2) Seller is unwilling or unable to remove any such exception to title or correct other matters; provided, however, the Seller shall not have any election rights with respect to any lien or judgment securing an indebtedness of any ascertainable amount created or permitted by Seller, and Seller, in such event shall cause any such lien or judgment to be released at or prior to the final payment from Buyer. If Seller is unable or unwilling to remove any of Buyer's objections to the status of the title described in the commitment for title insurance, Buyer may either (1) purchase the Property subject to such objection(s) or (2) terminate this Agreement. The title insurance commitment shall show insurable title of record in the name of the Seller, free and clear of all liens and encumbrances, subject to recorded or visible easements and reservations of record provided said easements and reservations do not conflict with the existing use of the property as commercial property, if any. Seller shall convey to Buyer good and marketable title to the property to enable the Buyer's title insurance

company to issue a full coverage, standard, revised ALTA Owner's Policy of Title Insurance in the face amount of the purchase price, subject to its standard exceptions and any further exceptions and encumbrances which do not interfere with or restrict the existing use of the property, and subject to liens or encumbrances suffered by the Buyer. The cost of the title insurance will be paid one-half by the Seller and one-half by the Buyer. The cost of a lender's endorsement on the policy, if applicable, will be paid by Buyer.

9. CLOSING:

A closing shall be held on or before May 31, 2025, unless the parties agree, in writing, to a delay or there are title issues preventing a timely closing. At the closing, the Buyer shall pay to the Seller the purchase price, and the Seller shall deliver a Warranty Deed with any applicable transfer fee paid. The closing will be held at Codington County Title in Watertown, South Dakota. The closing fee charged by Codington County Title will be paid one-half by the Seller and one-half by the Buyer. The Buyer is responsible for the deed recording costs and any surveying costs, if applicable, or required by Buyer's lender.

10. CONTINGENCY:

THIS REAL ESTATE PURCHASE AGREEMENT IS CONTINGENT ON THE FOLLOWING:

- A. The closing is contingent on the Buyer obtaining sufficient financing to purchase the Property. If an appraisal is required, the Buyer is responsible for scheduling said appraisal and the costs associated therewith.
- B. The Buyer obtaining a sanitary sewer easement and a conditional use permit for the desired use of the property before the appropriate regulatory authority for the City of Watertown.
- C. The closing is contingent upon Seller acquiring fee simple ownership of the Property listed in Section 3 above from the City of Watertown. If the City of Watertown does not convey title to the Seller for purposes of this Agreement, this Agreement shall be deemed to be null and void.

11. ACKNOWLEDGMENT OF PURPOSE.

The Parties herein agree and understand that the purpose of this purchase is for Buyer to develop contractor shops and storage units which may later be sold or rented. Buyer has the obligation of obtaining a conditional use permit from the City of Watertown for Buyer's intended use. The

Watertown Development Company, by signing this Agreement, does not guarantee or represent that the construction of storage facilities is consistent with applicable zoning regulations, or other rules or ordinances, enforced by the City of Watertown. Watertown Development Company has no additional obligations to provide funding or assistance with this project to Buyer.

12. DISCLAIMER BY SELLER

Seller makes no representations or warranties about the Property except those that may be expressly stated herein. Except for any Seller representations and warranties contained in this Agreement, the Property is sold “AS IS”.

13. DEFAULT:

In the event of default in the performance of any of the covenants of this agreement by either of the parties hereto, either party may adopt any remedy allowed by law for the cancellation or the enforcement of this agreement and any of the obligations thereof. If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys’ fees, costs and necessary disbursements in addition to any other relief to which such party may be entitled.

14. MISCELLANEOUS:

- A. With regard to all dates and time periods set forth or referred to in this Agreement, time is of the essence.
- B. This agreement shall be governed by and construed under the laws of the State of South Dakota.
- C. Each of the parties hereto covenants and agrees to pay all fees, commissions, costs and expenses relating to such party’s use of any broker, financial adviser, finder, agent, attorney, or other persons or entities employed in connection with this Agreement. Buyer, Kampeska Builders LLC, is owned by Jesse Kiihl who is also a real estate agent.
- D. This agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. Signatures of the parties transmitted by email or facsimile shall be deemed to be their original signatures for all purposes.

E. All of the covenants, warranties and agreements contained in this Real Estate Purchase Agreement shall extend to and be obligatory upon the heirs, devisees, personal representatives and assigns of the respective parties.

F. This Agreement (together with the other agreements and documents being delivered pursuant to or in connection with this Agreement) constitute the entire agreement of the parties hereto with respect to the subject matter hereof and thereof and supersede all prior agreements and understandings of the parties, oral and written, with respect to the subject matter hereof.

SELLER
Watertown Development Company

By: Christopher Clifton, its President

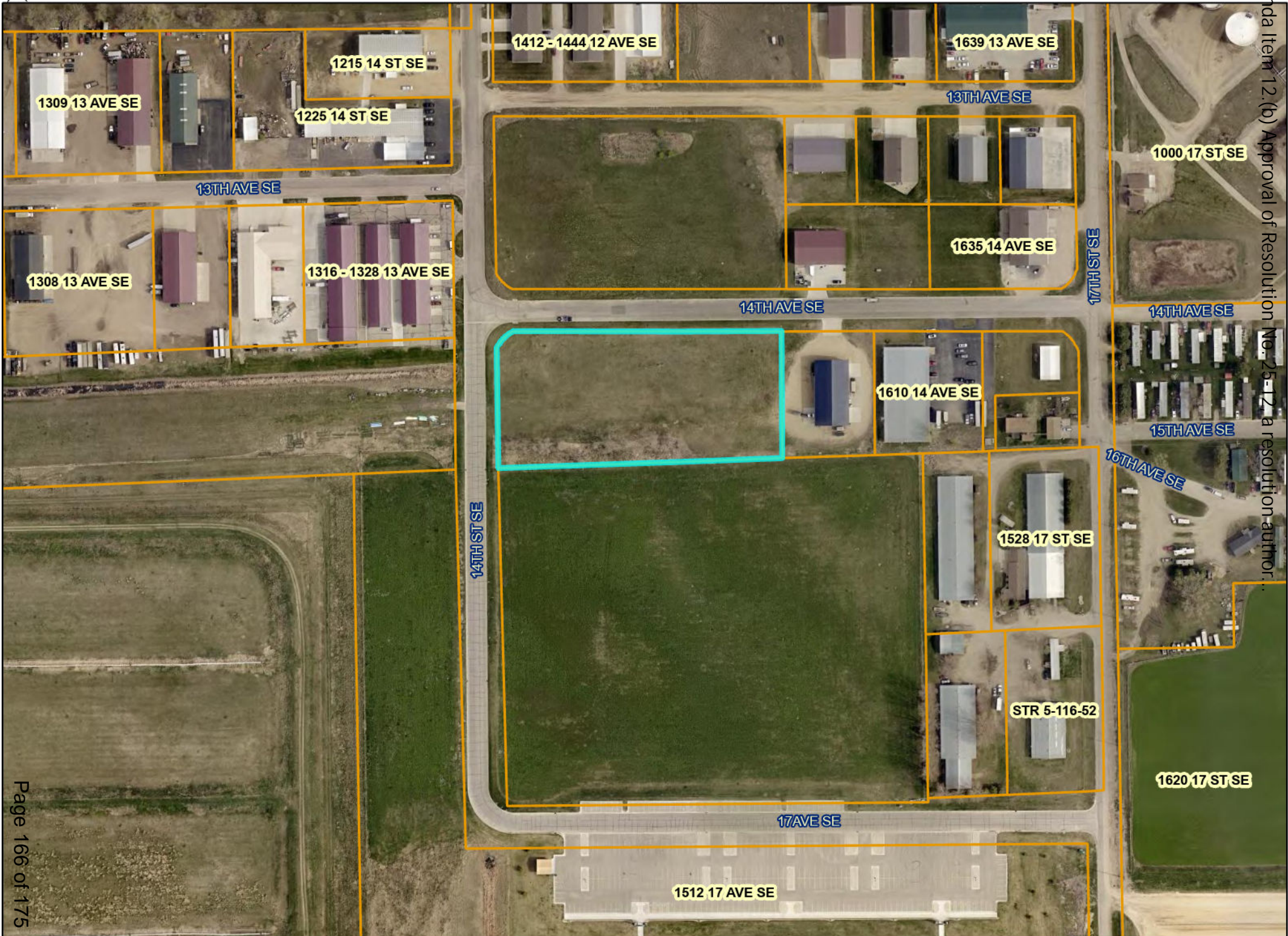
Date: _____

BUYER
Kampeska Builders

Jesse Kiihl, Sole Member

Date: _____

EXHIBIT A



Resolution No. 25-12

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY
LOCATED AT LOT 3 & THE WEST 189.9 FEET LOT 2 BLK 4 EAST ACRES,
CODINGTON COUNTY, SOUTH DAKOTA
TO WATERTOWN DEVELOPMENT COMPANY**

WHEREAS, the City of Watertown owns certain real property located near Premier Fields along the corner of 14th Street SE and 14th Avenue SE, in Watertown, described as that area outlined in blue on the attached Exhibit A, consisting of approximately 3.08 acres, of commercial real property legally described as LOT 3 AND THE WEST 189.9 FEET LOT 2 BLOCK 4 EAST ACRES, CODINGTON COUNTY, SOUTH DAKOTA; and

WHEREAS, the City Council has determined that the designation of the property as surplus and conveyance of said property to the Watertown Development Corporation (WDC) will promote economic development and benefit the community; and

WHEREAS, the terms of the conveyance have been agreed upon, including a sale price of \$175,000; resulting in approximately \$1.30 per square foot, and the property will be used for the development of storage units and contractor shops to be sold and/or rented;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watertown, South Dakota, that the conveyance of that portion of land along the corner of 14th Street SE and 14th Avenue SE is hereby approved under the following terms and conditions:

1. The property described as LOT 3 AND THE WEST 189.9 FEET LOT 2 BLOCK 4 EAST ACRES, CODINGTON COUNTY, SOUTH DAKOTA that as laid out in the attached Exhibit A shall be conveyed to WDC for the purpose of economic development in the addition of storage units and contractor shops and any other applicable commercial use.
2. The sale price shall be \$175,000, payable under the terms agreed upon by both parties.

BE IT FURTHER RESOLVED that the Interim City Manager is hereby authorized to execute all necessary documents to complete the conveyance of the property to Watertown Development Company.

Adopted this 7th day of April, 2025

Ried Holien, Mayor

ATTEST:

Jennifer Collins, Licensing and Records Manager

Document prepared by:
Community Development Division
City of Watertown
23 2nd Street NE
Watertown, SD 57201
(605) 882-6202

STATE OF SOUTH DAKOTA)
) SS. **SANITARY SEWER UTILITY**
COUNTY OF CODINGTON) **EASEMENT AGREEMENT**

This Sanitary Sewer Utility Easement Agreement (this “Agreement”), dated ____ day of _____, 2025 is between the City of Watertown, South Dakota, a South Dakota municipal corporation (“Grantor”), and Jesse Kiihl, owner of Kampeska Builders, LLC (“Grantee”).

Recitals

A. Grantor is the owner of the real property legally described as:

Lot 1 Block 1 of Watertown Sport Complex First Subdivision to the Municipality of Watertown in the SE1/4 of Section 5-T116N-R52W of the 5th P.M., Codington County, South Dakota

B. Grantee will develop “Lot 3 & W189.9’ Lot 2 Block 4 of East Acres Addition” to be known as “the Property” directly north of the Grantor’s property.

C. In connection with the development of the Property, Grantee agrees to provide sanitary sewer service to the Property and Grantor agrees to grant an easement to Grantee for such purposes, subject to the terms and conditions set forth below.

In consideration of the mutual covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

Terms and Conditions

1. Grant of Easement. Grantor hereby grants to the Grantee a non-exclusive, perpetual 20-foot-wide easement on, under, over and across the portion of the Property identified in Exhibit A and legally described as:

The W20' and S20' of Lot 1 Block 1 of Watertown Sport Complex First Subdivision to the Municipality of Watertown in the SE1/4 of Section 5-T116N-R52W of the 5th P.M., Codington County, South Dakota

(the “Easement Area”),

For purposes of installing, constructing, operating, maintaining, inspecting, repairing, removing, and replacing a sanitary sewer service line, together with the right to ingress and egress over, across, and along the Easement Area to the extent reasonably necessary for persons, vehicles, equipment to access for the purposes specified herein.

2. **Reservation of Rights.** Grantor may use, occupy and enjoy the Easement Area for any purpose, including a roadway, that does not unreasonably interfere with Grantee's use of the Easement Area for the purposes specified in Section 1.

3. **Prohibited Use.** Grantee shall not use the Property for storage, except for materials, construction equipment and vehicles directly associated with construction or maintenance of the sanitary sewer service line.

4. **Standard of Work.** Grantee shall perform all work in connection with the easement granted under this Agreement in a workmanlike manner and with a minimum of inconvenience to the Grantor.

- 5. **Restoration of Property.** If Grantee damages or disturbs any portion of the Property, including the Easement Area, while exercising its easement rights under this Agreement, Grantee shall promptly repair and restore the Property to the condition in which it existed immediately before the damage or disturbance.
- 6. **Indemnification.** Grantee shall defend, indemnify and hold Grantor harmless for, from and against any claims losses, liabilities, damages, costs or expenses, including reasonable attorney fees, (a) for physical damage to property and for physical injuries of death, to the extent caused by the negligence or willful misconduct of Grantee or persons on the Property with Grantee’s permissions; (b) arising out of or related to Grantee’s breach of this Agreement; and (c) any violation by Grantee of by persons on the Property with Grantee’s permission of any federal, state or local law, ordinance or regulation relating to the generation, manufacture, production, use, storage, release or threatened release, discharge, disposal, transportation or presence of any hazardous materials on or under the Property.
- 7. **Termination of Abandonment.** If Grantee terminates or abandons its use of the sanitary sewer service line for a period of twenty-four (24) consecutive months, this Agreement and all easement rights granted under this Agreement will terminate, except that Section 6 will survive any termination of this Agreement, and at the request of the Grantor, Grantee shall execute and deliver to Grantor a recordable quit claim deed conveying all Grantee’s right, title and interest to the Property of part thereof.
- 8. **Relocation.** Grantor may from time to time in the future, request that the Easement Area, or any part thereof, be relocated to accommodate the development of the Property. Upon such request, Grantee shall permit Grantor to relocate the Easement Area, or any part thereof, if (1) the proposed relocation does not degrade the operational efficiencies of degrade Grantee’s access, (b) Grantor grants to Grantee a substitute easement in substantially the same form and content as this Agreement, and (c) Grantee pay the actual cost of relocating the sanitary sewer service line to the new Easement Area. After Grantor has satisfied these conditions, Grantee shall promptly vacate the Easement Area, or part thereof, and execute and deliver any documents that may be necessary to extinguish and release its right, title and interest in the Easement Area of part thereof.
- 9. **Binding Effect.** The easements and covenants in this Agreement are appurtenance to, and run with, the land, and they are binding upon, and inure to the benefit of, each party and its successors and assigns.
- 10. **Waiver.** A party’s waiver of enforcement of any term or condition of this Agreement will be effective only if in writing. A party’s specific waiver will not constitute a waiver by that party of any earlier, concurrent or later breach or default.
- 11. **Entire Agreement.** This Agreement contains the entire agreement between the parties.
- 12. **Modification.** This Agreement may not be modified, restated, amended, or changed except by a written instrument signed by each party.
- 13. **Governing Law.** This Agreement is governed by and must be construed in accordance with the laws of the State of South Dakota.

[Signature Page Follows]

Dated this ____ day of _____, 2025.

GRANTOR:

GRANTEE:

Kristen Bobzien, Interim City Manager
City of Watertown

Jesse Kiihl, Owner
Kampeska Builders LLC

ATTEST:

Jennifer Collins
Records/Licensing Manager

(SEAL)

State of South Dakota)
) SS.
County of Codington)

On this the ____ day of _____, 2025, before me, the undersigned officer, personally appeared Jesse Kiihl, owner of Kampeska Builders, LLC known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

(SEAL)

My commission expires:

State of South Dakota)
)SS:
County of Codington)

On this the ____ day of _____, 2025, before me, the undersigned officer, personally appeared Kristen Bobzien and Jennifer Collins, who acknowledged themselves to be the Interim City Manager and Records/Licensing Manager, respectively, of the City of Watertown, a municipal corporation, and that they as such Interim City Manager and Records/Licensing Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Watertown by themselves as Interim City Manager and Records/Licensing Manager.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

(SEAL)

My Commission Expires:

EXHIBIT A





City Council

Agenda Item

Subject: Approval to allow a Patrol Officer to live .7 miles outside the 15-mile residency restriction

Meeting: City Council - Apr 07 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Resolution 20-25 requires patrol officers to live within 15 miles of Watertown. It further states, "Any Department Head seeking to allow an exception to this policy shall request such exception from the City Council on a case-by-case basis." A new patrol officer is requesting to purchase a house in Henry, SD, which is 15.7 miles from the airport terminal. I approve of the request and seek permission from the Mayor and City Council to allow the exception. The residency requirement map and Resolution 20-25 are attached

FINANCIAL CONSIDERATIONS:

There are no financial considerations

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the request to allow the patrol officer to live approximately .7 miles beyond the 15-mile residency requirement.

ATTACHMENT(S):

[Resolution No. 20-25](#)

[Residency Map Watertown 11-2015](#)

RESOLUTION 20-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERTOWN AMENDING THE PERSONNEL POLICY & PROCEDURE MANUAL TO REMOVE THE 35-MILE RESIDENCY REQUIREMENT AND CLARIFY THE CATEGORIES OF EMPLOYEES SUBJECT TO THE 15-MILE RESIDENCY REQUIREMENT

WHEREAS the City of Watertown desires to remove the 35-mile residency requirement for City employees in order to allow departments more flexibility to hire and retain critical employees; and

WHEREAS the City of Watertown acknowledges that certain employees are required to reside closer to the City in order to fully perform their job function; and

WHEREAS the City of Watertown desires to amend the City's Personnel Policy & Procedure Manual to reflect the lifting of the 35-mile residency requirement for employees and to provide more specificity regarding the categories of employees who are required to reside within 15 miles of the City;

NOW, THEREFORE, BE IT RESOLVED that Section 4.01 C. of the City of Watertown Personnel Policy & Procedure Manual is hereby deleted and replaced with the following:

The following categories of employees shall be required to reside within 15 miles of the Watertown Regional Airport terminal:

- All Airport Division Staff
- All Fire Rescue Department Staff
- All Information Technology (IT) Department Staff
- All Police Department Staff
- Street Division Operators and Foremen
- Wastewater Division Plant Operators and Collections Staff

New employees in the above categories shall be allowed up to six (6) months to obtain the appropriate residence. Any Department Head seeking to allow an exception to this policy shall request such exception from the City Council on a case-by-case basis.

The residency requirement applies to all existing full-time and new full-time employees of the City of Watertown. Existing employees who were not previously subject to the 15-mile residency requirement, and are currently unable to meet such requirement, are exempt from this policy. Any employee in violation of this policy may be subject to immediate termination.

BE IT FURTHER RESOLVED that the foregoing policy shall remain in effect until superseding action regarding the subject matter of this policy is taken by the City Council. It is the present intention of the City Council that this policy be incorporated into the City's Personnel Policy & Procedure Manual upon the next revision and readoption of the Manual.

Dated at Watertown, South Dakota this ____ day of May, 2020.

CITY OF WATERTOWN

ATTEST

Kristen Bobzien
Finance Officer

Sarah Caron, PE, CFM
Mayor

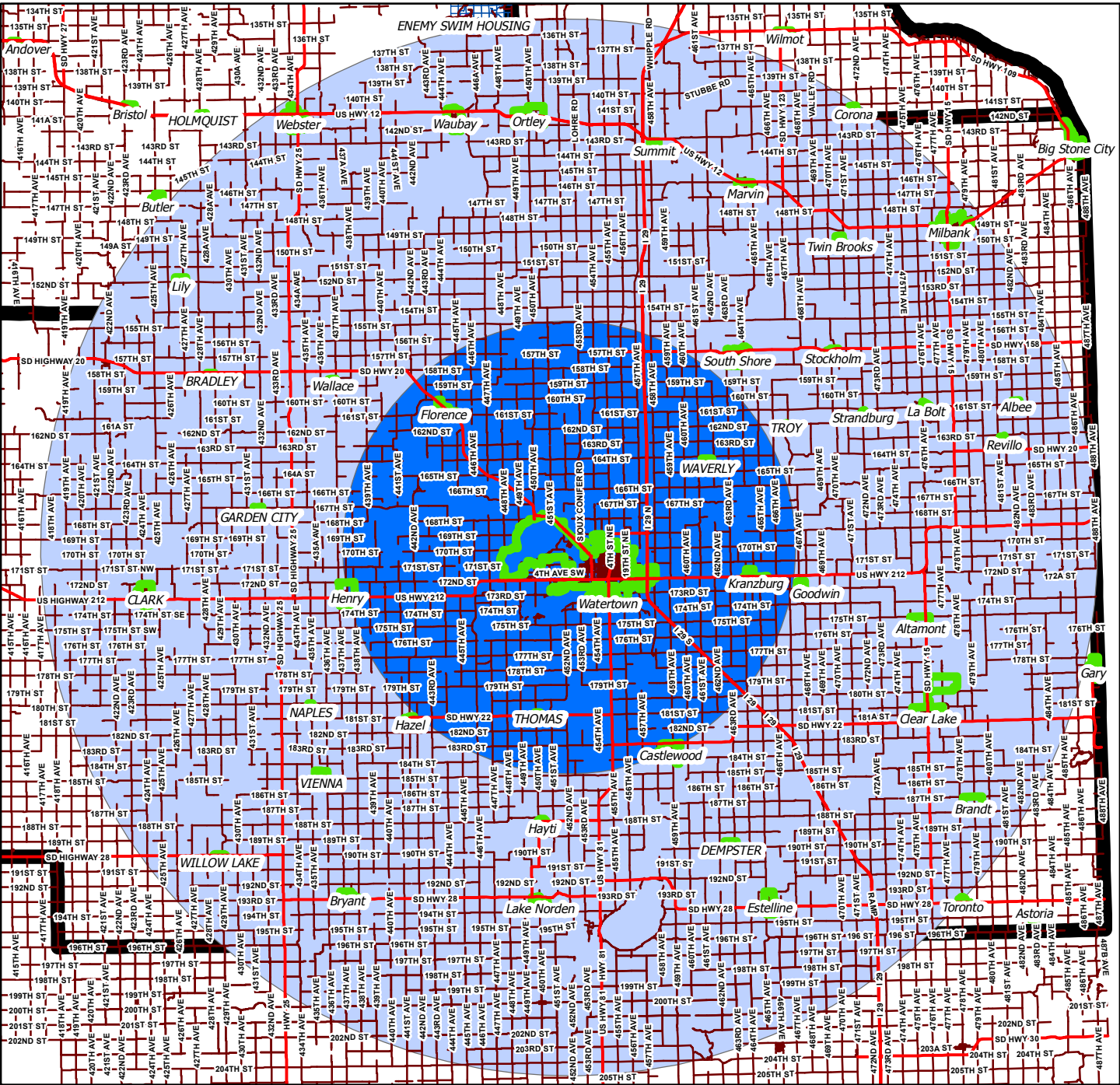
The above and foregoing resolution was moved for adoption by Alderperson _____,
Seconded by Alderperson _____, and upon voice vote motion carried, whereupon the
Mayor declared the resolution to be duly passed and adopted.

I hereby certify that Resolution 20-25 was published in the Watertown Public Opinion, the
official newspaper of the City, on the ____ day of May, 2020.

Kristen Bobzien

City of Watertown

15 and 35 Mile Residence Area



Legend

- 15 Mile Area
- 35 Mile Area

