

**CITY OF BOX ELDER, SOUTH DAKOTA
APPEAL TO ADMINISTRATIVE CITATION**

*If you wish to appeal the Administrative Citation, please send this form with payment to City of Box Elder, City Finance Office. This must be accomplished no later than twenty (20) calendar days from the date the Administrative Citation was issued. **You must pay, as a deposit, the full amount of the citation, at the time you file the appeal.***

Amount of Appeal: _____

CITATION ISSUED TO:

Name: _____

Mailing Address: _____

Daytime Phone: _____

CITATION ISSUED BY: _____

Dated: _____

Citation Number: _____

Property location: _____

Section 99.04 of the Box Elder Municipal Code states that the request for appeal shall consist of a **detailed written explanation as to why the specific sections on the citation are being contested**. In the area provided below, give a *detailed* account of why you are contesting this citation. Please note that without being specific as to why you contest the charges, your appeal will be sent back to you to re-write and return by the codified time frame of twenty (20) days from date of issuance. You may attach extra sheets of paper as needed.

Appealed by: _____
(Signature)

(Date)

CITY OF BOX ELDER
CODE ENFORCEMENT DIVISION
420 Villa Drive, Box Elder, SD 57719 (605) 923-1404 Fax: (605) 923-4264

ADMINISTRATIVE CITATIONS

City of Box Elder Municipal Title 99 provides for the issuance of Administrative Citations for Municipal Code Violations. There are three levels of citations that can be issued progressively for a violation. As indicated on the citation, there are different levels of fines pending on the type of violation. The fines are per violation and are cumulative. An administrative citation will be issued when a case has reached the point where it is clear that voluntary abatement is not going to be obtained.

RIGHTS OF APPEAL

You have the right to appeal an administrative citation **no later than Twenty (20) calendar days** from the date of issuance of the citation. An appeal must be made in writing and submitted with payment to **City of Box Elder, City Finance Office, 420 Villa Drive, Box Elder, SD 57719**. In order to appeal, **the total amount of fine listed on the citation must be paid.**

An appeal will result in an administrative hearing. Administrative hearing forms can be requested from the Code Enforcement Division by calling (605) 923-1404, by mail or in person. The administrative hearing will follow the procedures set forth in Title 99 of the Box Elder Municipal Code.

Failure of the responsible person to properly file a written appeal within the above stated Twenty (20) calendar days shall constitute a failure to exhaust his or her administrative remedies.

HOW TO PAY FINE

The amount of the fine is indicated on the front of the administrative citation. The total amount of the fine shall be paid to the City of Box Elder within Twenty (20) calendar days from the date of issuance of the administrative citation. Make your check or money order payable to **City of Box Elder** and mail to **City of Box Elder, 420 Villa Drive, Box Elder, SD 57719** or **paid in person at the Finance Office**. An additional charge will be added for returned checks. Please write the **Citation number** (example: **PL- 0000**) on your check or money order. A late payment fee of twenty dollars (\$ 20.00) shall be charged if the fine is not paid within twenty (20) days from the date of issuance of the administrative citation. Payment of the fine shall not excuse or discharge any continuation or repeated occurrence of the city code violation(s) that is the subject of the administrative citation.

CONSEQUENCES OF FAILURE TO PAY THE FINE

The failure of the responsible person to pay the fine assessed by the administrative citation will result in the City using all available legal means to collect any past due fines and other related costs.

CONSEQUENCES OF FAILURE TO CORRECT VIOLATION(S)

If the violation(s) is/are not corrected within the time frame specified on the administrative citation, another administrative citation may be issued to you for the same or increased amount, a criminal citation may be issued or a nuisance abatement action may be taken against you.

If you need further clarification about payment of the citation, please call **(605) 923-1404**. If you need further clarification about the violation(s) and/or how to comply, please call Code Enforcement Division at (605) 923- 1404.