

ARTICLE 1

GENERAL PROVISIONS

Chapter 1.01 TITLE AND APPLICATION

1.01.01 Title. This ordinance shall be known and referred to as "The Zoning Ordinance of the City of Sherman, South Dakota." This ordinance shall include any and all provisions of the document titled Zoning Regulations, which is adopted by reference as a part of this ordinance.

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

1.01.03 Intent. This ordinance has been prepared in accordance with a Comprehensive Plan for the City and is designed to coordinate physical development of the community with needs for public services and facilities, and to conserve the value of real estate by encouraging the most appropriate use of land.

Chapter 1.02 ORDINANCE PROVISIONS

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

1.02.02 Penalties for Violation. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violations of conditions established in the granting of Variances or Conditional Uses, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction be subject to the penalties established by South Dakota Law. Each day such violation continues shall be considered a separate offense. The owner or tenant of any building, structure or premises, any architect, builder, contractor, agent or other person who commits, maintains, assists in or participates in such violation may be found guilty of a separate offense and suffer the penalties provided.

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

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

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

Chapter 1.03 OFFICIAL ZONING MAP

1.03.01 Adoption of Official Zoning Map. The Official Zoning Map for the City of Sherman, on record with the Zoning Administrator and the Finance Officer, is hereby adopted by reference and declared to be a part of this ordinance.

1.03.02 Changes to Official Zoning Map. Changes to or replacement of the Official Zoning Map shall require amendment of these regulations by ordinance, as provided for in 4.04.04 of these regulations.

1.03.03 Annexations. Subsequent to the effective date of these regulations, any land annexed into the municipal boundaries of the City of Sherman shall be automatically placed into the A: Agricultural zoning district, unless and until such time as the area is rezoned by amendment of these regulations by ordinance, as provided for in 4.04.04 of these regulations.