

1st Reading: 04/02/13
2nd Reading: 04/09/13
Date Adopted: 04/09/13
Date Published: 04/13/13
Effective Date: 05/03/13

ORDINANCE NO. 22-13

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY EXPANDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER NAMING FACILITIES.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 30.060 of the Code of Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

NAMING FACILITIES

§ 30.060 PURPOSE.

- (a) The purpose of this subchapter is to provide the procedure and criteria for the naming, renaming, or commemoration of city properties including park properties, library facilities, and other buildings, structures, facilities, or other properties owned by the city. The naming of interior rooms of city-owned facilities, smaller areas within a park, and other “fixtures” on city-owned land is also covered by this subchapter. A “fixture” shall include an improvement located on identifiable city property such as a wall or a monument on a park, a plaza in front of a city building, or an interior room or rooms in a building. A “fixture” shall include those items affixed to the land or building. Specifically exempted from this subchapter are gardens, walks, fields, or other landscaped areas of less than permanent duration, park benches, donor plaques, engraved pavers, golf hole sponsorships, sports fields, batting cages, vehicles (i.e., Zamboni), or library shelves or a library collection.
- (b) All requests for proposals or individual applications for the naming or renaming of city properties and fixtures shall be reviewed by one of the following boards, depending on the nature of the item to be named or renamed:
 - (1) The Parks Board shall review and provide a recommendation on the proposed naming or renaming of park property, including the Great Plains Zoo and Delbridge Museum;

- (2) The Library Board shall review and provide a recommendation on the proposed naming or renaming of any library property;
- (3) The Street Naming Committee shall review and provide a recommendation on the proposed naming or renaming of any city street. If a street is proposed to be renamed, each owner of property abutting the relevant street shall be sent written advance notice of the public hearing before the city council on the application for the proposed renaming of that street.
- (4) In all other instances, the City Naming Committee shall review and provide a recommendation on the application.

Section 2. That Section 30.061 of the Code of Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

§ 30.061 CITY NAMING COMMITTEE.

A city naming committee is hereby established to review and provide recommendations regarding the proposed naming or renaming of city property as provided in this subchapter. The city naming committee shall consist of the following nine members:

- (a) Planning director (who shall serve as chairperson);
- (b) Public works director;
- (c) Police chief;
- (d) Fire chief;
- (e) Parks and recreation director;
- (f) Library director;
- (g) Three representatives of the public at large.

The three representatives of the public at large shall be appointed with staggered terms by the mayor with the advice and consent of the city council. Following the initial appointments, the representatives of the public shall serve for a term of three years. The city naming committee shall meet at such times and places as deemed necessary to address requests under this subchapter. A quorum of at least five members shall be required to be present for the city naming committee to conduct business. The planning department shall provide administrative assistance to the city naming committee.

Section 3. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.062 to read:

§ 30.062 APPLICATION.

The city may request proposals or any person may submit an application for the naming or renaming of city properties covered by this subchapter. Any application shall be filed with the planning department on a form provided by the planning department. Such application shall include:

- (a) A description and significance of the proposed naming or renaming, addressing the applicable criteria under this subchapter.
- (b) If the application is for the renaming of a public street, a petition signed by at least 60 percent of the number of owners of properties abutting the portion of the street to be renamed;
- (c) All terms and conditions of proposed naming or renaming, including all financial and other relevant terms, must be disclosed.

Section 4. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.063 to read:

§ 30.063 PLANNING DEPARTMENT REVIEW.

Upon filing, the planning director shall review the application for compliance with this subchapter. An application is not complete until it includes all the necessary information as provided by this subchapter.

Section 5. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.064 to read:

§ 30.064 CITY NAMING COMMITTEE REVIEW.

The planning director shall forward the complete application and all recommendations to the respective board or committee responsible for review under this subchapter. Based on such review and input received, the respective board or committee shall prepare a written recommendation regarding the application. The recommendation shall include a summary of any known opposition to the proposal or, absent any known opposition, a discussion of any potential disadvantages of the proposed naming or renaming.

Section 6. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.065 to read:

§ 30.065 CITY COUNCIL DISPOSITION.

After review and recommendation by the applicable board or committee, the application and all recommendations shall be forwarded to the city council. The city council shall review and hold a public hearing on the application. The city council shall thereafter by ordinance approve, deny, or approve with conditions, the application. If the application is approved by the city council, the planning department shall notify all affected city departments of the naming or renaming. If a street is proposed to be named or renamed to a name not already authorized nor listed under this code, such naming or renaming shall not become effective until the adoption of an ordinance to amend the street lists or other provisions of such subchapter in conformity therewith.

Section 7. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.066 to read:

§ 30.066 COMMEMORATIVE RENAMING.

A street, building, or other city property may be given a commemorative designation. Such a commemorative designation shall not change the official name of the street, building, or other city property, but shall allow for placement of commemorative signs, plaques, or other items to be placed on the building or property, or below the existing street signs. The procedure for a commemorative designation shall be as follows:

- (a) An applicant may file an application for a commemorative name with the planning department, using a form to be provided by the planning department. The application shall include a description of the proposed naming, the significance of the proposed name, and shall show how the criteria under this article are met by the proposed application.
- (b) Upon completion of the application, the planning director shall review and make a written recommendation on the application.
- (c) The application and recommendations shall be forwarded to the city council for public hearing and disposition. The city clerk shall send notice of the date of the public hearing, to the applicant. Following public hearing, the city council shall by resolution approve, deny, or approve with conditions, the proposed commemorative designation.
- (d) If a commemorative designation of a street, building, or other city property is approved by the city council, the applicant shall contact the appropriate city department to determine the number of commemorative signs, plaques, or other items to be posted, and the cost to be paid by the applicant to make and install the said signs, plaques, or other items, unless otherwise authorized by the city council. The said signs, plaques, or other items shall not be made and installed until payment for the same is received from the applicant.

Section 8. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.067 to read:

§ 30.067 CRITERIA—STREET RENAMING.

Upon an application for the proposed renaming of a street, all persons and bodies reviewing, providing a recommendation on, or disposing of such application shall take into consideration the following criteria:

- (a) Consideration shall be primarily given to the following purposes: to honor and commemorate noteworthy persons associated with the city; to celebrate local history, places, events, or culture; to strengthen neighborhood identity; or to recognize native wildlife, flora, fauna, or natural features related to the community and the city.
- (b) If an application is made to rename a street after an individual, this person shall have:
 - (1) Demonstrated excellence of contributions to the city's development, community service, personal sacrifice for public service or national defense, or efforts to foster equality among the citizens of the city; or
 - (2) Historical significance locally, nationally, or globally with significant local or regional ties.
- (c) Denial of an application may be appropriate if the proposed renaming may tend to bring disrepute upon the community for any reason, or would not be looked upon favorably by a majority of city residents.
- (d) In the case of renaming a street after any person, such renaming shall be prohibited until the person has been deceased for a period of at least five years, unless the application receives unanimous votes of approval by the street naming committee and the city council.
- (e) A street (or segment of a street), originally named after an individual, cannot be renamed unless historical context clearly indicates that such renaming is appropriate.
- (f) Titles, rank, or religious designations shall not be allowed on a street named for an individual. A nickname shall not be allowed in a street name, unless such person is best known by that nickname.
- (g) An unbroken, continuous street shall maintain the same name throughout the entire section.
- (h) A proposed street name should not duplicate (written or phonetically) an existing street name within the city of Sioux Falls or create confusion or problems for the city's emergency services.

- (i) Street names shall not be longer than can be produced by the standard sign manufacturing capability of the public works department.
- (j) If a proposed street name is not included in the lists of street names authorized under this code, the proposed renaming to such street name shall not take effect until the council by ordinance amends such subchapter to so authorize such street name.

Section 9. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.068 to read:

§ 30.068 SAME—PARK PROPERTY.

Upon an application for a naming or renaming of a park property, any person or body reviewing, providing a recommendation on, or disposing of such an application shall take into consideration the following criteria:

- (a) In naming or renaming city park property, consideration shall be primarily given to the following purposes: to honor and commemorate noteworthy persons associated with the city; to celebrate local history, places, events, or culture; to strengthen neighborhood identity; or to recognize native wildlife, flora, fauna or natural features related to the community and the city.
- (b) If an application is made to name or rename public park property after an individual, this person shall have:
 - (1) Demonstrated excellence of contributions to the city's development, community service, personal sacrifice for public service or national defense, or efforts to foster equality among the citizens of the city.
 - (2) Historical significance locally, nationally, or globally with significant local or regional ties.
- (c) Denial of an application may be appropriate if such naming or renaming may tend to bring disrepute upon the community for any reason, or would not be looked upon favorably by a majority of city residents.
- (d) Titles, rank, or religious designations shall not be allowed on a public park property named for an individual. A nickname will also not be allowed, unless such person is best known by that nickname.
- (e) In the case of naming or renaming a park or natural environmental feature after any person, such naming or renaming shall be prohibited until the person has been deceased for a period of at least five years. As an exception to this provision, the name of such person may be approved if such person shall have provided direct significant contributions of lands, funds, goods or services to the city, and/or parks and recreation department, or is

being recognized for a foundation gift(s), and if such naming or renaming receives unanimous votes of approval by the parks board and the city council.

Section 10. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.069 to read:

§ 30.069 SAME—LIBRARY PROPERTIES.

Upon an application for the naming or renaming of a city library building or property, any person or body reviewing, providing a recommendation on, or disposing of such an application shall take into consideration the following criteria:

- (a) Generally, public library buildings will be named or renamed after a location, subdivision, neighborhood, well-recognized landmark, or adjacent street.
- (b) If an application is made to name or rename library property after an individual, this person shall have:
 - (1) Rendered valuable service to and has had a positive influence on the development of the city's public library system, or was a literary or artistic figure of national prominence who has significant local or regional ties; or
 - (2) Demonstrated excellence of contributions to the city's development, community service, personal sacrifice for public service or national defense, or efforts to foster equality among the citizens of the city; or
 - (3) Historical significance locally, nationally, or globally with significant local or regional ties.
- (c) Denial of the application may be appropriate if the proposed naming or renaming may tend to bring disrepute upon the community for any reason, or would not be looked upon favorably by a majority of city residents.
- (d) Titles, rank, or religious designations shall not be allowed on a library property named for an individual. A nickname shall not be allowed, unless such person is best known by that nickname.
- (e) In the case of naming or renaming a library property after any person, such naming or renaming shall be prohibited until the person has been deceased for a period of at least five years. An exception to this provision may be allowed if such person shall have provided a major donation of land and funds for the facility in an amount equal to at least 50 percent of the total cost of the project or is being recognized by a foundation gift(s), and if the naming or renaming receives unanimous votes of approval by the library board and the city council.

Section 11. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.070 to read:

§ 30.070 SAME—OTHER CITY PROPERTY.

Upon an application for the naming or renaming of city property (other than a street, park property, or library property), any person or body reviewing, providing a recommendation on, or disposing of such application shall take into consideration the following criteria:

- (a) In naming or renaming city property, consideration shall be primarily given to the following purposes: to honor and commemorate noteworthy persons associated with the city; to celebrate local history, places, events, or culture; to strengthen neighborhood identity; or to recognize native wildlife, flora, fauna, or natural features related to the community and the city.
- (b) If an application is made to name or rename city property after an individual, this person shall have:
 - (1) Demonstrated excellence of contributions to the city's development, community service, personal sacrifice for public service or national defense, or efforts to foster equality among the citizens of the city; or
 - (2) Historical significance locally, nationally, or globally with significant local or regional ties.
- (c) Denial of an application may be appropriate if the proposed naming or renaming may tend to bring disrepute upon the community for any reason, or would not be looked upon favorably by a majority of city residents.
- (d) Titles, rank, or religious designations shall not be allowed on a city property named or renamed for an individual. A nickname shall not be allowed, unless such person is best known by that nickname.
- (e) In the case of naming or renaming a city property after any person, such naming or renaming will generally be prohibited until the person has been deceased for a period of at least five years. As an exception to this provision, the name of such person may be approved if such person shall have provided contributions directly or through a foundation to a city facility when that facility would not exist without those contributions, and if such naming or renaming receives unanimous vote of approval by the city naming committee and the city council.

Section 12. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.071 to read:

§ 30.071 SAME—COMMEMORATIVE DESIGNATIONS.

Upon an application for the commemorative designation of a street or other city property, a person or body reviewing, making a recommendation upon, or disposing of such application shall take into consideration the following criteria:

- (a) In the commemorative naming of public property, consideration shall be primarily given to the following criteria: to honor and commemorate noteworthy persons associated with the city; to celebrate local history, places, events, or culture; or to strengthen neighborhood identity.
- (b) If an application is made to commemorate a street or city property after an individual, this person shall have:
 - (1) Demonstrated excellence of contributions to the city's development, community service, personal sacrifice for public service or national defense, or efforts to foster equality among the citizens of the city; or
 - (2) Historical significance locally, nationally, or globally with significant local or regional ties; or
 - (3) In the case that such a person provided direct contributions or is being recognized for a foundation gift(s) to a city facility when that facility would not exist without those contributions, approval of that request requires unanimous vote by the city council.
- (c) Denial of an application may be appropriate if the proposed commemorative designation may tend to bring disrepute upon the community for any reason, or would not be looked upon favorably by a majority of city residents.
- (d) Commemorative street names shall not be longer than can be produced by the standard sign manufacturing capability of the public works department.
- (e) Titles, rank, or religious designations shall not be allowed in a street name or a public property commemorated for an individual. A nickname shall not be allowed, unless such person is best known by that nickname.
- (f) A plaque or marker may be used on a facility to honor persons or individuals, even though the facility is not named after them.
- (g) A commemorative name will be permanent as long as the person honored maintains the criteria stated in these standards.

- (1) If a commemorative sign/plaque falls into disrepair or is damaged, it shall be the responsibility of the applicant to pay the cost of repair or replacement. If the commemorative sign/plaque is not repaired or replaced, it shall be removed.
- (2) If the person does not maintain compliance with these criteria, the commemorative sign shall be considered null and void and shall be removed by the city.

Section 13. That the Code of Ordinances of Sioux Falls, SD, are hereby amended by adding a section to be numbered 30.072 to read:

§ 30.072 UNANIMOUS VOTE.

“Unanimous vote,” when required under this article, shall mean the favorable votes of all members of the body who are present and voting on the proposal.

Date adopted: 04/09/13 .

Mike T. Huether
Mayor

ATTEST:
Lorie Hogstad
City Clerk