

# **Chapter 1**

## **General Provisions**

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### **General Provisions**

#### **1.1 Scope and Authority**

These regulations, together with all future amendments, shall be known as the *City of Sioux Falls Engineering Design Standards for Public Improvements* (hereinafter called Design Standards). The Design Standards, along with the City of Sioux Falls Standard Specifications (hereinafter referred to as Standard Specifications) and the City of Sioux Falls Standard Plates (herein after referred to as Standard Plates), shall apply to all public improvements with the incorporated areas of the City of Sioux Falls except where superseded by federal or state requirements.

#### **1.2 Reserved**

#### **1.3 Amendments and Revisions**

These standards and criteria may be amended as new technology is developed or experience gained in the use of these Design Standards. The Mayor, following the recommendations of the City Engineer and the Infrastructure Review Advisory Board, shall consider revisions and/or amendments to these Design Standards.

#### **1.4 Enforcement Responsibility**

It shall be the duty of the City Engineer to enforce the provisions of these Design Standards.

#### **1.5 Review Process**

The City will review all submittals for compliance with the specific Design Standards. Acceptance or approval by the City does not relieve the Owner, Design Professional, or Contractor from responsibility for ensuring that the calculations, plans, specifications, construction, and record drawings are in compliance with the Design Standards.

#### **1.6 Prior Approval**

These Design Standards shall not abrogate or annul: (a) any permits issued before the effective date of these Design Standards; (b) any construction plans approved before the effective date of these Design Standards; (c) any final plat that has been approved by the City of Sioux Falls prior to the effective date of these standards; or (d) any easements or covenants already in effect.

#### **1.7 Relationship to Other Standards**

If special districts impose more stringent standards, this difference is not considered a conflict and the more stringent standard shall apply. If state or federal government imposes more stringent standards, criteria, or requirements, these shall be incorporated into these Design Standards in accordance with Section 1.3 of these Design Standards.

## **1.8 Variances**

Variances from the Design Standards will be considered on a case-by-case basis by the City Engineer. A request for a variance must be submitted in writing and include sufficient justification to demonstrate a hardship which supports the necessity of the deviation.

**To request a variance**, the Design Professional or Owner must submit a formal letter to the City Engineer that includes:

- A clear description of the specific standard(s) for which the variance is being requested.
- A detailed explanation of the hardship or unique circumstance necessitating the variance and how the proposed alternative meets the intent of the standard.
- Supporting technical documentation, such as drawings, calculations, or site constraints.
- City Engineer signature block for approval or denial of the variance.

The City Engineer may request additional information as needed to evaluate the request. Approval or denial of the variance will be provided in writing.

## **1.9 Private Facilities**

If an owner of a private street or utility requests to dedicate these facilities for public use and maintenance, the facilities must meet the Design Standards set forth herein prior to being accepted by the City.