

AN ACT

ENTITLED, An Act to reduce the voting requirements of the board of adjustment and to increase the minimum number of members appointed to the planning and zoning commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 11-2-25.1 be amended to read as follows:

11-2-25.1. The board of county commissioners may appoint the planning and zoning commission to serve as a board of adjustment. The board of adjustment may, in specific cases to avoid unwarranted hardship which constitutes an unreasonable deprivation of use as distinguished from the mere grant of a privilege, make upon an affirmative vote of two-thirds of the full membership of the board of adjustment, special exceptions, or grant variances to the terms of the regulations or controls, subject to appropriate conditions or safeguards being adopted by the board of county commissioners.

Section 2. That § 11-2-2 be amended to read as follows:

11-2-2. For the purpose of promoting health, safety, morals, and the general welfare of the county, the board of county commissioners of each county in the state, shall appoint a commission of five or more members, the total membership of which shall always be an uneven number and at least one member of which shall be a member of the board, to be known as the county planning commission. Such commission shall also be the county zoning commission.

An Act to reduce the voting requirements of the board of adjustment and to increase the minimum number of members appointed to the planning and zoning commission.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1082

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1082
File No. _____
Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State