

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

336I0422

HOUSE BILL NO. 1133

Introduced by: Representatives Murschel, Hennies, and Kroger and Senators Vitter, Ham,
and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to make certain municipal ordinance adoption procedures
2 consistent.

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

4 Section 1. That § 9-21A-3 be amended to read as follows:

5 9-21A-3. The governing body of any municipality may by ordinance adopted in the manner
6 ~~provided in this chapter~~, divide the area within its corporate limits into an urban service district
7 and a rural service district, constituting separate taxing districts for the urban and rural property
8 classified for such purposes by this chapter and for purposes of all the municipal ad valorem
9 property taxes, except those levied for the payment of bonds.

10 Section 2. That § 9-21A-7 be repealed.

11 ~~—9-21A-7. Every ordinance and amendment introduced pursuant to this chapter, before final~~
12 ~~adoption, shall be published in the official newspaper of the municipality, with notice of the time~~
13 ~~and place of a hearing thereon which shall be held by the governing body not less than thirty days~~
14 ~~after the publication.~~

15 Section 3. That § 9-21A-8 be repealed.



1 ~~— 9-21A-8. At the hearing, which may be adjourned from time to time by public announcement~~
2 ~~to those present, the governing body shall give reasonable hearing and consideration to all~~
3 ~~objections to and comments on the ordinance or amendment, made by or on behalf of any~~
4 ~~resident or taxpayer of the municipality or of any outside area described in the ordinance or~~
5 ~~amendment, whether presented orally or by written communication to the municipal auditor.~~
6 ~~Objections may be addressed to the establishment or extension of the rural service district as a~~
7 ~~whole, or to the inclusion or exclusion of any specified lands, or to the benefit ratio proposed to~~
8 ~~be established by the ordinance. They may be based on the character of the lands included or~~
9 ~~excluded or on the relative nature and extent of tax supported municipal service and benefit to~~
10 ~~lands of rural and urban character.~~

11 Section 4. That § 9-21A-9 be repealed.

12 ~~— 9-21A-9. At or after the hearing the governing body shall modify the ordinance in any respect~~
13 ~~and to any extent which it considers equitable, and shall cause it to be published in the form in~~
14 ~~which it is finally adopted.~~