

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

834J0246

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1134** - 01/30/2004

Introduced by: Representatives Murschel, Elliott, and Solum and Senators Brown, Ham-Burr, and Reedy

1 FOR AN ACT ENTITLED, An Act to authorize municipalities to enter into development
2 agreements.

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

4 Section 1. That § 11-4-1 be amended to read as follows:

5 11-4-1. For the purpose of promoting health, safety, or the general welfare of the community
6 the governing body of any municipality may regulate and restrict the height, number of stories,
7 and size of buildings and other structures; the percentage of lot that may be occupied; the size
8 of the yards, courts, and other open spaces; the density of population; and the location and use
9 of buildings, structures, and land for trade, industry, residence, flood plain, or other purposes.
10 A municipality may enter into an agreement with any landowner specifying the conditions under
11 which the landowner's property may be developed.

12 Section 2. That chapter 9-4 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 A municipality may enter an agreement with any landowner specifying the conditions under
15 which the landowner's property may be annexed pursuant to § 9-4-1 or developed.

