

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

445M0253

SENATE BILL NO. 90

Introduced by: Senators Bogue, Kelly, Knudson, and Schoenbeck and Representatives
Deadrick and Gillespie

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the approval of plats.

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

3 Section 1. That § 11-3-6 be amended to read as follows:

4 11-3-6. The provisions of this chapter apply to every addition to, or subdivision within, any
5 county, municipality, or unincorporated town. If the land or any part of the land included in any
6 addition or subdivision is within, adjoining, or contiguous to the boundaries of any municipality,
7 the plat, before being recorded, shall be submitted to the governing body or, if applicable, the
8 planning director of the municipality. If it appears that the system of streets set forth therein
9 conforms to the system of streets of the existing plats of the municipality, that all provisions of
10 any subdivision regulations have been complied with, that all taxes and special assessments
11 upon the tract or subdivision have been fully paid, and that such plat and the survey thereof have
12 been executed according to law, the governing body shall, by resolution, approve the plat. The
13 governing body may by resolution designate an administrative official of the municipality to
14 approve plats in lieu of approval by the governing body. The auditor or finance officer shall
15 endorse on the face of the plat a copy of the resolution or the designated administrative official's



1 approval and certify to the same. No plat of any such addition or subdivision so situated ~~is~~
2 ~~entitled to record~~ or may be recorded unless the plat bears on its face a copy of the resolution
3 or approval and certificate of the auditor or finance officer. If the designated administrative
4 official denies the plat request, the person requesting the plat may appeal to the governing body.