

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

165V0448

## HOUSE BILL NO. 1223

Introduced by: Representatives Tyler, Feickert, Gibson, Hawley, Hickey, Killer, Kirschman,  
Nelson, Parsley, Ring, and Schrempp and Senators Buhl O'Donnell, Jensen,  
and Otten (Ernie)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to appeals to county  
2 boards of adjustment.

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

4 Section 1. That § 11-2-56 be amended to read as follows:

5 11-2-56. An appeal to the board of adjustment or any court on a question governed by this  
6 chapter stays all proceedings in the action appealed from, unless the officer from whom the  
7 appeal is taken files a certificate that by reason of facts stated in the certificate a stay would in  
8 the officer's opinion cause imminent peril to life or property. In such case proceedings may not  
9 be stayed other than by a restraining order which may be granted by the board of adjustment or  
10 by a court of record, on application, on notice to the officer from whom the appeal is taken and  
11 on due cause shown.

