

AN ACT

ENTITLED, An Act to require historical or educational municipal corporations to maintain their property.

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

Section 1. That chapter 9-3 be amended by adding thereto a NEW SECTION to read as follows:

A municipality incorporated pursuant to § 9-3-22 shall exist so long as the corporation maintains all lands, buildings, fences, fixtures, billboards, signs, and other improvements in good condition and repair, and is actively operating for the purposes for which it is incorporated, or until the corporation is dissolved in accordance with law. The municipality shall possess and maintain its historical or educational integrity of design, materials, and workmanship of the sites, buildings, structures, and objects that are located within the platted municipal corporation, including advertising and promotional signs. The municipality shall lose its historical or educational municipality designation if more than one-fourth of such properties possess any of the following conditions:

- (1) Loss or disintegration of the roof or roofing materials;
- (2) Loss of windows;
- (3) Deterioration or missing siding material;
- (4) Unstable foundations;
- (5) Leaning severely from plumb; and
- (6) Billboards or signs identifying, promoting, or advertising the municipality no longer conform to the requirements of chapter 31-29.

However, for the purposes of subdivision (6), the twelve continuous months required for determining a sign is abandoned does not apply.

Section 2. That chapter 9-3 be amended by adding thereto a NEW SECTION to read as follows:

The South Dakota Department of Transportation or the county in which the historic or

educational municipality is located may take action, pursuant to section 1 of this Act, to dissolve the municipal corporation pursuant to the provisions of chapter 1-26.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1276

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. 1276

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
SS.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State