

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

942S0198

## HOUSE BILL NO. 1092

Introduced by: Representatives Munsterman, Dennert, Elliott, and Schrempp and Senators  
Holiem, Bradford, and Hundstad

1 FOR AN ACT ENTITLED, An Act to revise the time frame for conducting hearings to vacate  
2 municipal streets or alleys.

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

4 Section 1. That § 9-45-11 be amended to read as follows:

5 9-45-11. After the filing of a petition pursuant to § 9-45-10, the governing body shall give  
6 notice by publication once each week for at least two successive weeks. The notice shall state  
7 that a petition has been filed, briefly state the object of the petition, and the date that the petition  
8 will be heard and considered by the governing body or the committee appointed by the  
9 governing body for that purpose. The hearing shall be held ~~within~~ not less than ten days from  
10 the last publication of the notice. Upon the hearing it is sufficient to establish that the street, or  
11 alley, or any part thereof to be vacated, has not been used, worked, or traveled during the twenty  
12 years preceding the time for the meeting and since the recording of the plat thereof.

