

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

932T0701

SENATE BILL NO. 150

Introduced by: Senators Begalka and Bradford and Representatives Sigdestad and Nelson
(Stace)

1 FOR AN ACT ENTITLED, An Act to authorize counties and townships to permit fencing
2 within the rights-of-way of certain minimum maintenance roads.

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

4 Section 1. That chapter 31-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The board of county commissioners, upon application by an abutting landowner and after
7 notice and hearing, may approve fencing within the right-of-way of a county road that has been
8 designated as a minimum maintenance road if the board determines that the fencing is in the
9 public interest and will not impair the road or interfere with the free and safe flow of traffic.

10 Section 2. That chapter 31-13 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 The board of township supervisors, upon application by an abutting landowner and after
13 notice and hearing, may approve fencing within the right-of-way of a township road that has
14 been designated as a minimum maintenance road if the board determines that the fencing is in
15 the public interest and will not impair the road or interfere with the free and safe flow of traffic.

