

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

924R0152

HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1239** - 2/9/2010

Introduced by: Representatives Cronin, Dennert, Fargen, Hoffman, Kirkeby, Krebs, Noem, Novstrup (David), Rausch, and Rounds and Senators Brown and Fryslic

1 FOR AN ACT ENTITLED, An Act to establish certain procedures for counties to follow when
2 requiring landowners to cut and remove grass, weeds, and brush from the road right-of-way.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
4 Section 1. That § 31-31-1 be amended to read as follows:
5 31-31-1. The Department of Transportation and each board of county commissioners ~~of the~~
6 ~~various counties~~ shall cut or remove, or cause to be cut or removed, grass, weeds, and brush
7 growing within the right-of-way of all public highways ~~within their respective~~ under its
8 jurisdiction ~~and over which such the department and boards exercise or board exercises~~ control
9 as to repair and maintenance. The board of county commissioners may require, by ordinance,
10 the owner or occupant of any land abutting or adjoining a secondary road located within an
11 unorganized township to cut or remove grass, weeds, and brush, growing on or in the road right-
12 of-way. If the owner or occupant does not cut or remove grass, weeds, and brush, the board may
13 levy a special assessment against the abutting or adjoining property to pay the cost of such
14 cutting and removal. A violation of this section is a petty offense.

