

## **SOUTH DAKOTA**

South Dakota ranks 16th among the states in number of local governments, with 1,983 as of October 2007.

### **COUNTY GOVERNMENTS (66)**

There are no areas in South Dakota lacking county government. The county governing body is known as the board of commissioners.

### **SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (1,225)**

The subcounty general purpose governments in South Dakota consist of municipal (city and town) governments and township governments.

#### **Municipal Governments (309)**

Municipal governments in South Dakota fall into three classes according to population size:

First class--5,000 inhabitants or more  
Second class--500 to 4,999 inhabitants  
Third class--fewer than 500 inhabitants

All municipalities exist outside the area of any township.

Legislation enacted in 1972 provides that municipalities may adopt home-rule charters.

#### **Township Governments (916)**

Township governments exist in 52 of the 66 South Dakota counties. In the 52 counties that have township governments, these governments do not cover the entire county area; municipalities and unorganized territory exist outside the area of any township. The governing body of township governments is a board of supervisors.

## **PUBLIC SCHOOL SYSTEMS (166)**

### **School District Governments (166)**

All school districts in South Dakota are counted as separate governments. South Dakota school districts operate at least a 13-year school program. A locally elected school board governs each district. School districts may levy excess taxes and may issue bonds. South Dakota school districts may also operate vocational schools.

### **Dependent Public School Systems (0)**

South Dakota has no dependent public school systems.

### **Other Educational Activities**

Cooperative educational service units to encourage cooperation and sharing of resources between school districts are created by agreement between two or more school districts. These units receive state and local contributions but may not levy taxes or issue bonds. They are classified as joint activities of the participating school districts and are not counted as separate governments.

Multi-district vocational centers are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

## **SPECIAL DISTRICT GOVERNMENTS (526)**

South Dakota statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### **Ambulance Districts**

These districts to provide ambulance services. They are created on petition to, or resolution by, the county board of commissioners, after public hearing and voter approval. An elected board of directors governs each district. The districts may levy ad valorem taxes and issue bonds.

## **Community Center Districts**

Legislation authorizing Community Center Districts was repealed in 2004.

## **Conservation Districts**

These districts are created by the state conservation commission on petition of the voters and after referendum. An elected board of supervisors governs each district. The districts may require contributions from benefitted landowners and may accept county contributions.

## **Consumers Power Districts**

These districts may be created by the circuit court upon petition of the voters followed by a public hearing and referendum to provide electric energy. An elected board of directors governs each district. The district may issue bonds and fix charges for services or facilities.

## **County Road Districts**

Districts to pave and maintain roads in unincorporated areas are established by petition to the county commissioners after referendum. Two or more road districts may also form a consolidated road district if approved by the voters of each district. An elected board of trustees governs each district. The districts may levy taxes and special assessments and may issue bonds.

## **Drainage Basin Utility Districts--1989 Law**

Districts to provide flood control projects are established by a joint powers agreement between any two or more counties or municipalities, after a public hearing. The district board includes two or more representatives selected by each participating government in accordance with the agreement creating the district. The district may impose utility fees and issue revenue bonds. No drainage basin utility districts were reported to be in existence as of June 2002.

## **Housing and Redevelopment Commissions**

A general law provides for the creation of these commissions by resolution of the municipal or county governing body. Members of the housing and redevelopment commission are appointed by the mayor or the chairperson of the board of county commissioners with the approval of the respective governing body. The commission may issue revenue bonds and collect rents.

## **Improvement Districts**

Districts to provide water and sewer systems, bridges and roads, parks, fire prevention, school buildings, convention facilities, waste disposal, parking facilities, or any combination of these facilities, are established by petition of landowners after public hearing and enactment of an ordinance by one or more boards of county commissioners. An elected board of supervisors governs each district. The districts may levy ad valorem taxes and special assessments, impose fees, and issue bonds.

## **Irrigation Districts**

Irrigation districts are created by the board of water and natural resources upon voter petition and after hearing and referendum. An elected board of directors governs each district. The district may levy special benefit assessments and issue bonds in amounts determined by the voters benefit assessments and issue bonds in amounts determined by the voters. Similar provisions apply to the Cendak Irrigation District, which was established pursuant to a 1985 special act. This district was not reported in operation in 2007.

## **Municipal Power Agencies**

Two or more cities may form an agency to generate and transmit electric power by agreement of the participating parties. A board of directors whose membership is determined by the agreement governs the agency. The agency may set rates and charges and issue revenue bonds.

## **Predator Control Districts**

These districts are established on petition of livestock owners within one or more counties for the purpose of protecting livestock from predators. The district is governed by a board of directors popularly elected by all livestock owners within its boundaries. The districts may levy special taxes during the annual county tax levy, as well as per-head taxes on all livestock.

## **Public Hospital Districts**

These districts may be established by the county commissioners on petition of voters after local referendum. An elected board of trustees governs each district. The districts may levy ad valorem taxes and issue bonds with voter approval. No public hospital districts have been reported in operation since June 1997.

## **Regional Airport Authorities**

Regional airport authorities may be created by resolution of one or more municipal or county governing bodies. A board of commissioners, appointed by the creating governments, governs each authority. The commissioners may issue revenue bonds and determine the amount of taxes to be levied.

## **Regional Railroad Authorities**

Regional railroad authorities are established by agreement between two or more county or municipal governments, after public hearing, to provide railroad service. A board of commissioners, appointed by member governments in accordance with the establishing agreement, governs each authority. The authority may certify the amount of ad valorem taxes to be raised for its purposes and may issue bonds.

## **Regional Recycling and Waste Management Districts**

Regional recycling and waste management districts are established by resolution of any

two or more counties, municipalities, or portions of counties to provide facilities and services for the management of solid waste. The governing body consists of elected officials from local governments included in the district with one commissioner representing each participating county. The district may collect rates and charges and issue revenue bonds.

## **Rural Fire Protection Districts**

Rural fire protection districts may be established by the board of county commissioners on petition of the voters and after hearing and referendum. An elected board of directors governs each district. The district may certify the amount of ad valorem tax levies needed for its operations and may issue bonds.

## **Sanitary Districts Outside Corporate Limits**

Districts for sewage disposal may be created by the county commissioners on petition of voters and after referendum. An elected board of trustees governs each district. The district may issue bonds and levy ad valorem taxes and special assessments.

## **Translator Districts**

Districts for the electronic distribution of television signals (but not cable television systems) may be created by the county commissioners after hearing and referendum. A board of trustees appointed by the county commissioners governs each district. The board of commissioners of each county in the district, in proportion to population, appropriates the funds required by the district budget.

## **Water Development Districts**

Water development districts (formerly conservancy districts) may be established by the directors of the state board of natural resource development upon petition of landowners and after voter approval. An elected board of directors governs each district. The districts may levy ad valorem

taxes and special assessments.

### **Water Project Districts**

Districts for the construction of water projects for the conservation, storage, distribution, and utilization of water may be created upon petition of landowners. An elected board of directors governs each district. The districts may levy ad valorem taxes and special assessments and may issue bonds.

### **Water User Districts**

Districts for the conservation, distribution, storage, and utilization of water; and for the collection, treatment, and disposal of wastewater; may be created by the state board of water and natural resources upon petition of landowners. An elected board of directors governs each district. The districts may issue revenue bonds and may fix rates and charges.

### **Watershed Districts**

Watershed districts may be established by the supervisors of a conservation district upon petition of landowners and after public hearing and local referendum. An elected board of managers governs each district. The districts may issue bonds and levy ad valorem taxes or special benefit assessments after referendum.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in South Dakota that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems," above, regarding educational agencies of this nature).

**South Dakota Health and Educational Facilities Authority (state).** This authority was created to finance construction of buildings for nonprofit health care and higher education institutions. The authority governing body consists of seven members appointed by the Governor. The authority may fix rentals, fees, and other charges; make loans to participating institutions; and issue revenue bonds.

**South Dakota Housing Development Authority (state).** This authority was created to provide mortgage credit for low- and moderate-income housing. A board of seven commissioners appointed by the Governor governs the authority. The authority may fix charges in connection with its loans and issue revenue bonds.

Other examples include:

### **State <sup>1</sup>**

Black Hills Forest Fire Protection District  
Petroleum Environmental Compliance Authority  
South Dakota Building Authority  
South Dakota Economic Development Finance Authority  
South Dakota Railroad Authority  
Value Added Finance Authority

### **County**

Area jail or juvenile detention facility compacts (two or more counties)  
County toll bridge commissions  
Drainage districts--1923 law  
Drainage districts--1985 law  
Interstate drainage districts--1917 law  
Zoning districts

### **Municipal**

Business improvement districts  
City toll bridge commissions  
Convention hall benefit districts  
Municipal urban renewal agencies  
Park districts  
Parking districts

Sewer districts  
Zoning districts

counted as governments.

**Private associations**

South Dakota laws also provide for various types of local areas for election purposes and administration of justice.

Cooperative grazing districts and water users associations are classified, for census purposes, as private cooperatives and are not

- 1 . Legislation authorizing the South Dakota Airline Authority and the South Dakota Municipal Facilities Authority has been repealed.