

MOODY COUNTY LOCAL CONTROL:

Commissioner Reker offered the following Resolution:

Resolution #
Moody County Local Control Resolution

Whereas: Local control is a key principle of the United States of America and South Dakota.

Whereas: South Dakota has a long history of allowing Counties, Municipalities, and Townships to adopt local zoning ordinances that benefit local jurisdictions and the citizens.

Whereas: Potential legislation threatens local control over matters of planning and zoning.

Whereas: Such legislation limits the ability of local government to evaluate and regulate compatible land uses and would by extension interfere with the opportunity for local citizens to have a voice in local planning and zoning matters.

Whereas: The board of Moody County has established setbacks over the years on all manner of projects.

Whereas: Our most recent ordinance related to hazardous pipelines was strongly supported by the citizens of Moody County who voiced their opinions at public hearings.

Whereas: The board of Moody County Commissioners continues to support Counties, Municipalities, and Townships having the authority to adopt appropriate regulations for each unique jurisdiction.

Whereas: The criteria the South Dakota Public Utilities Commission must follow in considering the permit is provided SDCL 49-41B-22(4) the facility will not unduly interfere with the orderly development of the region with due consideration having been given the views of governing bodies of affected local units of government.

Now therefore be it resolved by the Board of Moody County Commissioners that we are opposed to any legislation that would adopt a top down, one size fits all, statewide setback that eliminates the local control of Counties, Municipalities, and Townships in matters of planning and zoning.

Dated at Flandreau, South Dakota, this 6th day of February, 2024

Seconded by

Roll call vote:

Moody County Commission:

Attest: