

PREPARED BY: CITY OF LEAD  
801 W. MAIN ST.  
LEAD, SD 57754  
(605) 584-1401

**CITY OF LEAD RESOLUTION # 2024-08**

**A RESOLUTION LEVYING AN ANNUAL SPECIAL MAINTENANCE FEE FOR STREET SURFACES**

The City Commission of the City of Lead, a municipal corporation, meeting in regular session on September 3, 2024, pursuant to SDCL 9-19, motion was made by \_\_\_\_ seconded by \_\_\_\_, that the following resolution be adopted:

**WHEREAS**, SDCL § 9-43-138 authorizes the City of Lead to levy, for the purpose of maintaining or repairing public improvements, an Annual Special Maintenance Fee upon the lots fronting and abutting any municipally-maintained public improvements within the City of Lead, and

**WHEREAS**, well-maintained public streets are necessary for the health, safety, and welfare of the citizens of the City of Lead, and

**WHEREAS**, the City Commission of the City of Lead has determined that it is in the best interests of the City of Lead and its citizens to regularly inspect, maintain, and resurface its public streets and not permit Lead's infrastructure to deteriorate to the point of failure, and

**WHEREAS**, the City of Lead determines it equitable and fair for all citizens to share in the cost of maintaining all public infrastructure, and

**NOW, THEREFORE, BE IT RESOLVED**, the City Commission of the City of Lead makes the following findings:

1. It is in the best interests of the City of Lead and its citizens for the City of Lead to complete regular and frequent street maintenance and resurfacing projects; and
2. Assessing an Annual Special Maintenance Fee permits the City of Lead to complete regular and frequent street maintenance and resurfacing projects; and
3. Regularly inspected, maintained, and resurfaced streets generally benefit every property within Lead, every resident of Lead, and user of streets within Lead; and
4. Properties fronting and abutting regularly inspected, maintained, and resurfaced streets receive an actual, physical, and material special benefit over and above the general benefit conferred on all persons and properties, to include:
  - a. The convenience of not having the street(s) abutting one's property deteriorates to the point of requiring major reconstruction as opposed to merely minor resurfacing or routine maintenance.
  - b. Reduced wear and tear on personal vehicles caused by frequent trips on a poorly maintained street abutting one's property.
  - c. Enhanced aesthetics, curb appeal, marketability, and property value.
  - d. The future benefit of replacing, resurfacing, and maintaining a street before the end of its useful life.
  - e. The future benefit of preventing a loss in value associated with a poorly maintained street.
  - f. Preventing, through inspection, maintenance, and repair, damage to private property resulting from water flow.

**BE IT FURTHER RESOLVED**, by the City Commission of the City of Lead, Lawrence County, South Dakota, that all taxable real property parcels fronting and abutting a city street shall be assessed a special front foot fee of one hundred and eighty dollars (\$180) per parcel, and

**BE IT FURTHER RESOLVED**, that the City Administrator of the City of Lead, Lawrence County, South Dakota, be and the same is hereby instructed to direct the

Director of Equalization to add the fee to the general assessment against all taxable real property parcels, and

**BE IT FURTHER RESOLVED**, that the City Administrator of the City of Lead certify the fee together with the regular assessment to the County Auditor to be collected as municipal taxes for general purposes.

**BE IT FURTHER RESOLVED**, that this Special Street Maintenance Fee is effective for 2025 taxes payable in 2026.

Those voting aye: \_\_\_\_

Those voting nay:

Motion carried.

Dated this 3<sup>rd</sup> day of September, 2024

CITY OF LEAD:

ATTEST:

\_\_\_\_\_  
Ron Everett, Mayor

\_\_\_\_\_  
John Wainman, City Administrator

(SEAL)