

REFERRED MEASURE

Title: A RESOLUTION LEVYING AN ANNUAL SPECIAL MAINTENANCE FEE FOR THE PURPOSE OF MAINTAINING OR REPAIRING PUBLIC IMPROVEMENTS

City Attorney’s Explanation of Ballot Issue

On September 16, 2024, the Lead City Commission passed Resolution #2024-08 which authorizes the City of Lead to levy, for the purpose of repairing and maintaining public infrastructure, an Annual Special Maintenance Fee upon parcels fronting and abutting any municipally maintained public improvement with the City of Lead. A referendum petition has been duly received by the city referring the entirety of the resolution to a public vote. The resolution provides that all taxable real property parcels with the City of Lead shall be assessed a Special Maintenance Fee of one hundred and twenty dollars (\$120.00) per parcel. It specially directs the City Administrator to implement the fee as a general assessment, and to certify that assessment to the Lawrence County Auditor to be collected with municipal taxes for the purpose of repairing and maintaining public infrastructure such as street paving, curb and gutter, sidewalks and retaining walls that provide lateral support for city streets and roads. Finally, the earliest the fee would be effective is for 2026 taxes payable in 2027.

RECITATION

A “YES” vote is for approval of the resolution as passed by the City Commission which will allow for the assessment and levy of the Annual Special Maintenance Fee of one hundred and twenty dollars (\$120.00) upon all real estate parcels fronting and abutting any municipally maintained public improvement within the City of Lead for the purpose of repairing and maintaining public infrastructure effective for 2026 taxes payable in 2027.

A “NO” vote is against approval of the resolution as passed by the City Commission which means that there will not be any assessment and levy of an Annual Special Maintenance Fee of one hundred and twenty dollars (\$120.00) upon all real estate parcels fronting and abutting any municipally maintained public improvement within the City of Lead for the purpose of repairing and maintaining public infrastructure effective for 2026 taxes payable in 2027.

I, Timothy R. Johns, City Attorney for the City of Lead, certify that the above Title, Explanation and Recitation pertain to the ballot language required by SDCL 9-20-13 and 12-13-9 for the referendum election set by the Lead City Commission for April 8th, 2025.

Timothy R. Johns

02/04/2025
Date

Subscribed and sworn to before me this _____ day of February, 2025.

(Seal) _____
Notary Public
My Commission Expires: _____