

Ordinance 19-016

An Ordinance amending Chapter 78 of the Code of Ordinances of the City of Brookings, and pertaining to Use of Revenue.

Be It Ordained and Enacted by the City Council of the City of Brookings, State of South Dakota, as follows:

I.

Chapter 78, Article II. – Sales, Use, and Lodging Taxes

That Section 78-38 shall be amended as follows:

Sec. 78-38. - Use of revenue.

(a) Any revenues received pursuant to subsection 78-32(a) and section 78-33 in excess of the amount received if the rate of tax in subsection 78-32(a) is one percent may be used only in the following manner:

(1) Such revenues may be used only for capital improvements which involve the construction and financing of public improvements designated by ordinance or resolution of the city council following a public hearing. The term "construction and financing," as used in this section, shall include land acquisition, architectural and engineering fees, construction costs, debt retirement, lease purchase agreements, street maintenance, specialized equipment, the transfer to the special 911 fund authorized by SDCL 34-45-12, the purchasing of firefighting vehicles, and public safety equipment. The term "public improvements," as used in this section, shall include infrastructure and buildings either new or modified, improvements owned by the city, joint county-municipal improvements, joint school district-municipal improvements as authorized by SDCL Chapter 6-3 (SDCL 6-3-1 et seq.), and improvements constructed pursuant to a joint powers agreement with the state and South Dakota State University as authorized by SDCL Chapter 1-24 (SDCL 1-24-1 et seq.). Any improvement project authorized by the city council under this subsection (a) shall be subject to referendum.

(b) Any revenues received under subsection 78-32 (b) shall be used only for the purposes as defined and set forth in SDCL 10-52A-2.

(Code 1996, § 2-59(6); Ord. No. 20-98, § I(2-59(6)), 9-8-1998; Ord. No. 10-02, § I, 5-20-2002; Ord. No. 27-03, § I, 9-9-2003; Ord. No. 42-03, § I, 10-28-2003; Ord. No. 49-03, § I, 12-16-2003; Ord. No. 02-04, § I, 1-13-2004; Ord. No. 03-10, § I, 3-23-2010)

State Law reference— Use of funds, received under 78-32 (b): SDCL 10-52A-2.

II.

Any or all ordinances in conflict herewith are hereby repealed.

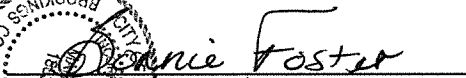
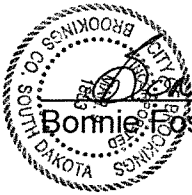
First Reading: August 27, 2019
Second Reading: September 10, 2019
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CITY OF BROOKINGS, SOUTH DAKOTA



Keith W. Corbett, Mayor

ATTEST:


Bonnie Foster, Acting City Clerk