

COPY

AMENDED ORDINANCE #95-3

TITLED

"AN ORDINANCE ADOPTING A DISCRETIONARY FORMULA FOR BUTTE COUNTY"

WHEREAS, it has come to the attention of the Commissioners of Butte County, South Dakota that it would be in the best interest of the County to adopt an ordinance allowing a discretionary formula for Butte County

NOW, THEREFORE, BE IT ORDAINED that Butte County Amended Ordinance #95-3 be enacted pursuant to SDCL 10-6-35.2 Discretionary formula for reduced taxation of new structures and additions - partially constructed structures to read as follows:

TAXATION FORMULA FOR NEW STRUCTURES AND ADDITIONS

Classifications: All of the following described properties shall be subject to the discretionary formula:

(1) All new industrial structures, or additions to existing structures which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.1

(2) All new nonresidential agricultural structures, or additions to existing structures which new structures or additions have a true and full value of ten thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.21

(3) All new commercial structures, except commercial residential structures, or additions to existing structures, which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.24

(4) All new commercial residential structures, or additions to existing structures, which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed

before January 1, 1994, as determined by the director of equalization shall be classified in the manner prescribed in this section. For purposes of this section, a commercial residential structure shall contain four or more units. SDCL 10-6-35.25

Valuation: Such new structures or new additions to existing structures as hereinbefore defined shall, following new construction or new addition to existing property, be valued for taxation purposes in the usual manner. (See Dept. of Revenue Land Manual - Sect. D.)

Following such valuation, the following formula for assessed value of the new structure or new addition to existing property shall be as follows:

1. For the first year following construction, twenty percent (20%) of the assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

2. For the second tax year following construction, forty percent (40%) of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

3. For the third year following construction, sixty percent (60%) of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property.

4. For the fourth year following construction, eighty percent (80%) of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property.

5. For the fifth year and thereafter, the usual assessed value shall be used for tax purposes on such property.

TAXATION FORMULA FOR COMMERCIAL, INDUSTRIAL AND NON RESIDENTIAL
AGRICULTURAL REAL PROPERTY INCREASED IN VALUE DUE TO
RECONSTRUCTION OR RENOVATION

Special Classifications - All commercial, industrial and non-residential agricultural real property which increases more than ten thousand dollars in true and full value as a result of reconstruction or renovation of structures is specially classified for purposes of taxation. All real property qualifying under this section not completed before January 1, 1980, as determined by the director of equalization is classified in the manner prescribed in this section. The increase in true and full value resulting from the reconstruction or renovation of qualifying property shall be given tax treatment in the manner provided for in SDCL 10-6-35.2.
SDCL 10-6-35.19

Valuation - Reconstruction and renovation as used in this chapter mean only improvements that increase the true and full value of the structure and shall not include normal maintenance and repair. The assessed value during any of the five (5) years may not be less than the assessed value of the property in the year preceding the first year of the tax years following construction.

When it has been determined that commercial, industrial, or non-residential agricultural real property meets the special classification requirements, then the following discretionary formula for assessed value shall be as follows:

1. For the first year following such reconstruction or renovation, twenty percent (20%) of the assessed value of reconstruction or renovation only shall be used for tax purposes on such property;

2. For the second tax year following such reconstruction or renovation, forty percent (40%) of the usual assessed value shall be used for tax purposes on such property;

3. For the third year following such reconstruction or renovation, sixty percent (60%) of the usual assessed value shall be used for tax purposes on such property.

4. For the fourth year following such reconstruction or renovation, eighty percent (80%) of the usual assessed value shall be used for tax purposes on such property.

5. For the fifth year and thereafter, the usual assessed value shall be used for tax purposes on such property.

FIRST READING - June 5, 1996

SECOND READING - June 19, 1996

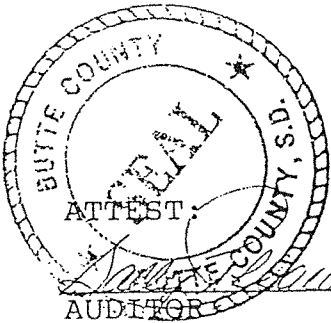
THIS ORDINANCE WILL BECOME EFFECTIVE ON THE TWENTIETH DAY AFTER ITS COMPLETED PUBLICATION.

THIS ORDINANCE WAS PASSED BY A MAJORITY VOTE OF THE BUTTE COUNTY COMMISSIONERS.

DATED AT BELLE FOURCHE, SOUTH DAKOTA THIS 19th DAY OF June, 1996.

BOARD OF BUTTE COUNTY COMMISSIONERS

Edward Goss



AUDITOR

ORDINANCE #95-3

TITLED

"AN ORDINANCE ADOPTING A DISCRETIONARY FORMULA FOR BUTTE COUNTY"

WHEREAS, it has come to the attention of the Commissioners of Butte County, South Dakota that it would be in the best interest of the County to adopt an ordinance allowing a discretionary formula for Butte County

NOW, THEREFORE, BE IT ORDAINED that Butte County Ordinance #95-3 be enacted pursuant to SDCL 10-6-35.2 Discretionary formula for reduced taxation of new structures and additions - partially constructed structures to read as follows:

TAXATION FORMULA FOR NEW STRUCTURES AND ADDITIONS

Classifications: All of the following described properties shall be subject to the discretionary formula:

(1) All new industrial structures, or additions to existing structures which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.1

(2) All new nonresidential agricultural structures, or additions to existing structures which new structures or additions have a true and full value of ten thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.21

(3) All new commercial structures, except ~~commercial residential~~ structures, or additions to existing ~~structures~~, which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed before January 1, 1974, as determined by the director of equalization shall be classified in the manner prescribed in this section. SDCL 10-6-35.24

(4) All new commercial residential structures, or additions to existing structures, which new structures or additions have a true and full value of thirty thousand dollars or more, added to real property are specifically classified for the purpose of taxation. All real property qualifying under this section not completed

Page Four
Ordinance #95-3

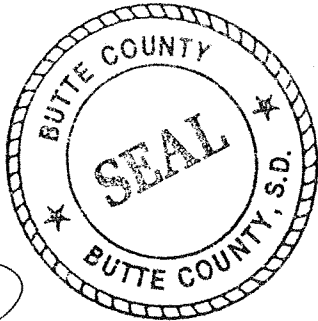
FIRST READING - May 2, 1995

SECOND READING - May 9, 1995

THIS ORDINANCE WILL BECOME EFFECTIVE ON THE TWENTIETH DAY AFTER ITS COMPLETED PUBLICATION.

THIS ORDINANCE WAS PASSED BY A MAJORITY VOTE OF THE BUTTE COUNTY COMMISSIONERS.

DATED AT BELLE FOURCHE, SOUTH DAKOTA THIS 9TH DAY OF MAY,
1995.



BOARD OF BUTTE COUNTY COMMISSIONERS

Ed Goss, vice chairman
ED GOSS, VICE-CHAIRMAN

ATTEST:

Sally Spruance
AUDITOR