

Bond Case Briefs

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REFERENDA - SOUTH DAKOTA

Thompson v. Lynde

Supreme Court of South Dakota - September 26, 2018 - N.W.2d - 2018 WL 4623400 - 2018 S.D. 69

Petitioner filed application for writ of mandamus, seeking to compel county auditor to accept rejected petition seeking referendum on ordinance amending Wind Energy System (WES) Requirements of county zoning ordinance, and to schedule special election on ordinance.

The Circuit Court denied application. Petitioner appealed.

The Supreme Court of South Dakota held that petitioner failed to substantially comply with express conditions of statute governing description of matter to be covered by referendum petition.

Petitioner who filed referendum petition, seeking referendum on ordinance amending Wind Energy System (WES) Requirements of county zoning ordinance, failed to substantially comply with express conditions of statute governing description of matter to be covered by referendum petition, where petition failed to identify full title of ordinance, and petition failed to provide date of ordinance's passage.