

HOUSE BILL NO. 1251

Introduced by

Representative DeKrey

1 A BILL for an Act to create and enact a new subsection to section 58-03-07 and a new section
2 to chapter 58-03 of the North Dakota Century Code, relating to imposition of assessments by
3 townships against property in the township for road and bridge degradation caused by activities
4 of the owner of the property.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new subsection to section 58-03-07 of the North Dakota Century Code
7 is created and enacted as follows:

8 To impose assessments against property in the township for maintenance, repair,
9 and construction of roads and bridges, in addition to or in lieu of all or part of funds
10 otherwise available to the township for those purposes.

11 **SECTION 2.** A new section to chapter 58-03 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Road and bridge degradation - Assessments against township property owners -**
14 **Notice - Collection.**

- 15 1. a. At the annual township meeting the township may impose assessments
16 against property in the township for maintenance, repair, and construction of
17 roads and bridges by a majority vote of township electors present and voting
18 on the question.
- 19 b. Assessments under this section are in addition to or in lieu of all or part of
20 funds otherwise available to the township.
- 21 c. Assessments imposed under this section must be apportioned among owners
22 of property in the township on the basis of each property owner's activities
23 that contribute to the cost of township road and bridge maintenance, repair,
24 and construction.

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Legislative Assembly

- 1 2. Assessments may only be imposed under this section if the owner of each parcel
- 2 of property in the township has been provided notice by mail at least two weeks
- 3 before the annual meeting or any special meeting at which assessments under this
- 4 section are considered by township electors or the board of township supervisors.
- 5 3. Assessments imposed under this section are not property taxes, but if not paid,
- 6 may be certified to the county auditor and collected in the same manner as
- 7 property taxes, subject to the right of the owner of property subject to assessment
- 8 under this section to appeal the assessment in the manner provided in chapter
- 9 57-23.