

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2199

Introduced by

Senators Holmberg, Lee

Representatives Froseth, Poolman

1 A BILL for an Act to create and enact a new section to chapter 40-47 and a new section to
2 chapter 40-48 of the North Dakota Century Code, relating to conditions for approval of an
3 amendment or modification of a zoning regulation or approval of a plat.

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

5 **SECTION 1.** A new section to chapter 40-47 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Agreements to not oppose annexation void.** The zoning commission or governing
8 body may not require as a condition of approval of a request to amend or modify a zoning
9 regulation the execution of an agreement by the owner of the property requesting the
10 amendment or modification stating that the owner will not oppose the annexation of the
11 property by the municipality. This section does not apply to property located within one quarter
12 mile of the municipality's corporate limits or to an agreement that contains a provision whereby
13 the municipality agrees to provide a municipal service or services before the annexation. Any
14 agreement entered in violation of this section is void.

15 **SECTION 2.** A new section to chapter 40-48 of the North Dakota Century Code is
16 created and enacted as follows:

17 **Agreements to not oppose annexation void.** The planning commission or governing
18 body may not require as a condition of approval of a request for approval of a plat the execution
19 of an agreement by the owner of the property requesting the approval stating that the owner will
20 not oppose the annexation of the property by the municipality. This section does not apply to
21 property located within one quarter mile of the municipality's corporate limits or to an agreement
22 that contains a provision whereby the municipality agrees to provide a municipal service or
23 services before the annexation. Any agreement entered in violation of this section is void.