

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative DeKrey

1 A BILL for an Act to create and enact a new section to chapter 61-04 of the North Dakota
2 Century Code, relating to an exemption from water permitting requirements for small
3 commercial gardens.

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

5 **SECTION 1.** A new section to chapter 61-04 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Small commercial gardens - Permit not required.** Notwithstanding section 61-04-02,
8 a water permit is not required for a commercial garden that uses fifteen gallons [56.7812 liters]
9 of water per minute and is no larger than fifteen acres [6.07 hectares]. A small commercial
10 garden exempt under this section may not be closer than one mile [1.60 kilometers] to any
11 other commercial garden exempt under this section and a person may only operate one
12 commercial garden under this section. If another person establishes a commercial garden that
13 would otherwise be exempt under this section within one mile [1.60 kilometers] of a commercial
14 garden established within one mile [1.60 kilometers] of the exempt commercial garden or a
15 second or subsequent commercial garden operated by a person exempt under this section
16 must be permitted under this chapter.