

January 20, 2021

Representative Nehring,

Apple Creek Township is asking for a DO PASS support for enactment of “a new subsection to section 11-15-03, section 57-15-19.8, and a new subsection to section 58-03-07 of the North Dakota Century Code, relating to duties of the county sheriff and township excess levies for regulation enforcement; to amend and reenact section 57-15-20.2 of the North Dakota Century Code, relating to exceptions to tax levy limitations in townships; and to provide an effective date.”

Apple Creek Township has had difficulties enforcing zoning regulations for several years. Even though North Dakota Century Code allows levying of tax lien penalties, this has not deterred or remedied the problem we have experienced in enforcing our regulations and making sure our residents are safe within the township. Two examples illustrate the problems we have faced as a township. In the first situation, a landowner's refuse pile(s) caused vermin, including rats and skunks, to nest and invade neighboring property owners. Apple Creek Township has spent years working with the Burleigh County Health Department and many other entities attempting to enforce this to protect the neighboring property owners and create a good living environment for everyone. Unfortunately, the landowner has still not complied because the tax levies are not directly impacting them enough to change their behavior. We are unable to trap or ask for any other entity to get rid of the vermin due to our limitations as a township.

In another case, a landowner's animals have threatened a neighboring property owner. The neighboring property owner tried calling law enforcement but were told they could not help. The township has levied a fine but there has not been any change in the situation. There has not been a resolution to this situation since the township cannot do more to help the neighboring property owner feel safe.

In both situations, we have been repeatedly told that the county sheriff's department is not allowed to enforce our regulations. The creation of these subsections would allow Apple Creek Township, along with other townships throughout North Dakota, the power to work with county sheriff departments to help enforce regulations necessary for the safety and security of our township residents.

We also believe that these services go above and beyond the duty of county sheriff departments within the state of North Dakota. Therefore, we feel that the compensation statement is also necessary for our ability to help pay for the services we are requesting from the county sheriff department for enforcement of our regulations.

Respectfully, we are asking your subcommittee to recommend a DO PASS on this bill to allow townships authority to address issues like the ones listed in conjunction with the county sheriff's

department. Even though I am unable to be present on behalf of Apple Creek Township, I hope you can take this testimonial into consideration for your decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark M. Springer', with a long horizontal flourish extending to the right.

Mark M. Springer
Chairman, Apple Creek Township