

CHAPTER 1-06 VALIDATION OF OFFICIAL ACTS

1-06-01. Validating certain city elections.

All acts done prior to March 9, 1937, in connection with the calling, giving notice, holding, or in anywise appertaining to a special election held in any city on the question of erecting, operating, and maintaining an electric light and power plant, site, buildings, and equipment thereof, for the purpose of furnishing electric energy for heat, light, and power for such city and its inhabitants and industries, and to pay for the cost thereof from the earnings thereof, if a majority of the voters voting at such election voted in favor of erecting, operating, and maintaining such a system, hereby are validated notwithstanding any defects, errors, or omissions in any of the acts done. Any such city hereby is authorized to erect, operate, and maintain an electric light and power plant, site, buildings, distribution system, and equipment thereof for the purpose of furnishing electric energy for heat, light, and power for the inhabitants and industries of such city.

1-06-02. Validation of acts of board of county commissioners and state highway commission.

All acts or proceedings irregularly done or had, by any board of county commissioners and the state highway commission, prior to February 13, 1929, for the acquisition of any land to constitute part of any state highway, or for any state highway purpose, whether acquired by purchase or condemnation, either voluntarily by such board of county commissioners, or upon motion, request, or petition of the state highway commission, and the issuance of any warrant by any county auditor, and the payment thereof by any county treasurer, pursuant to such acts and proceedings, are hereby confirmed, ratified, and declared legal the same as if such acts and proceedings had been done according to law.

1-06-03. Validation of acts of state water commission.

All acts and proceedings of the water commission done and performed by said commission under and pursuant to the provisions of chapter 61-02 are declared valid in all things.

1-06-04. Validating organization and acts of irrigation districts.

The organization of any irrigation district prior to the passage, approval, and taking effect of this code in substantial compliance with the provisions of the statutes of this state authorizing the organization of irrigation districts is hereby declared to be a valid and legal district, and all acts and proceedings of such district, and of the board of directors thereof, done and performed in substantial compliance with such statutes, are hereby declared legal and valid.

1-06-05. Municipal transfers validated.

Any sale or transfer of lands acquired by any municipality under the provisions of section 11-27-08, by any governing body of any municipality or park district in this state is hereby validated and confirmed and declared to be fully effective and operative to convey the estates therein granted, free and clear of any restrictions as to their use for park purposes. The provisions of this section apply to all estates granted or conveyed prior to March 3, 1955.

1-06-06. Improvement district proceedings validated.

In all cases where the governing body of any city with a population of over ten thousand has heretofore entered into an agreement with the department of transportation of the state of North Dakota for the improvement of streets and construction of street lights, sewers, water mains or any of such facilities, and for such purpose has created a special improvement district or districts and has by resolution declared the necessity of such improvement, whether or not final plans and specifications for such work and estimates of the cost thereof have previously been prepared and filed, and has caused such resolution to be published in the official newspaper of the city, and no protests have been filed with the city auditor within thirty days after the first publication of such resolution by owners of property situated within the improvement district, or

the protests so filed are signed by owners of less than seventy-five percent of such property, all such proceedings are hereby legalized and validated, notwithstanding any errors, omissions or defects therein, including, but without limitation, any defect which exists or may exist by reason of the execution of any such agreement and the award of a contract for construction of all or any part of any such improvement by the city or the department of transportation prior to the adoption of and hearing of protests against the resolution of necessity, and any and all such agreements and contracts heretofore entered into are likewise legalized and validated, and such cities are hereby authorized to pay all or any part of their share of the cost of any such improvement by the levy of special assessments upon benefited properties within the improvement district created therefor, or by the levy of ad valorem taxes upon all taxable property within their corporate limits, or by both of such means, in the manner prescribed in title 40, provided that in no case may the principal sum be paid initially by the levy of ad valorem taxes exceed twenty percent of the total cost of any such improvement, and such cities are further authorized to issue warrants in anticipation of the collection of such special assessments and taxes and to take all measures for the collection of said assessments and taxes and the payment of said warrants as are provided in said title 40.

1-06-07. Validation of documents executed with facsimile signatures.

Licenses, permits, or other authorizations provided for by the statutes, ordinances, resolutions, or rules of this state, any city, county, school district, or other political subdivision which were executed with a facsimile signature which was on file with the appropriate office at the time of execution may not be declared invalid solely by virtue of the fact they were executed with a facsimile signature.