25.1270.01000

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2329

Introduced by

Senators Lee, Bekkedahl, Erbele

Representative Fegley

A BILL for an Act to create and enact a new section to chapter 11-10 and a new section to chapter 58-03 of the North Dakota Century Code, relating to the maintenance or vacating of streets and alleys in a dissolved city and the care of property in a dissolved city; and to amend and reenact section 40-53.1-07 of the North Dakota Century Code, relating to dissolution, care of property, management, and disposition of funds in a dissolved city.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 11-10 of the North Dakota Century Code is created and enacted as follows:

When a county may maintain or vacate streets in a dissolved city.

If a dissolved city is located in an unorganized township, the county may choose to maintain or vacate, under chapter 40-39, the streets and alleys in the dissolved city.

SECTION 2. AMENDMENT. Section 40-53.1-07 of the North Dakota Century Code is amended and reenacted as follows:

40-53.1-07. Dissolution - Care of property - Manager - Disposition of funds.

If a city is dissolved, the board of county commissioners shall assume control of all property belonging to the dissolved city ~~and~~, except for streets and alleys if an organized township chooses to maintain or vacate streets or alleys in the dissolved city under section 3 of this Act. The county shall employ a qualified person to manage and operate the property and to collect all charges due from the operation of such property or dispose of the property in accordance with chapter 11-27. The person employed shall execute a bond to the county in an amount determined by the board of county commissioners, conditioned that that person will faithfully perform that person's duties and will promptly pay all money that person receives to the county treasurer monthly on the first day of each month. The bond shall be executed by the person employed and a surety company authorized to do business in the state. The premium on the

bond shall be paid by the board of county commissioners from city funds, if any, and if none, from county funds.

SECTION 3. A new section to chapter 58-03 of the North Dakota Century Code is created and enacted as follows:

When a township may maintain or vacate streets in a dissolved city.

If a dissolved city is located in an organized township, the township may choose to maintain or vacate, under chapter 40-39, the streets and alleys in the dissolved city.