

# TOWNSHIPS

## CHAPTER 561

SENATE BILL NO. 2117  
(Melland)

### COUNTY DISSOLUTION OF AN ORGANIZED TOWNSHIP

AN ACT to amend and reenact section 58-02-25 of the North Dakota Century Code, relating to the dissolution of an organized township.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 58-02-25 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-02-25. DISSOLUTION OF TOWNSHIP - PETITION - WHEN CONSIDERED BY SUPERVISOR OR BOARD OF COUNTY COMMISSIONERS - HEARING.) If a petition asking for the dissolution of an organized civil township and setting forth the reasons therefor, and signed by one-half of the legal voters of such township, is presented to the board of township supervisors at least ten days prior to the second Tuesday in March in any year, the petition shall be considered by such board at its regular meeting on the second Tuesday in March in such year. If the legal voters of an organized township, as determined by the board of county commissioners, do not exceed five in number, said board of county commissioners, upon the petition of any legal voter of such township, or upon its own motion, without any such petition, may dissolve such township, by filing in the office of the county auditor its resolution to dissolve such township. Following the filing of the resolution by said board of county commissioners, the county auditor shall designate a time and place for a public hearing of all electors who are owners of any interest in real property assessed for taxation in the township, and who reside within the boundaries of the township as fixed by the order of the board of county commissioners. Notice of the hearing shall be given by publication once each week for two consecutive weeks in a newspaper of general circulation in the township, the last publication appearing at least seven days prior to the hearing. The notice shall be addressed to all electors who are owners of any interest in real property assessed for taxation in the township or who are residing within the boundaries of the township. The county auditor shall also notify all owners of property within the township by mail at least two weeks in advance of the proposed dissolution hearing.

## CHAPTER 562

HOUSE BILL NO. 1428  
(Winge)

## PUBLICATION OF TOWNSHIP NOTICES

AN ACT to amend and reenact sections 58-03-05, 58-03-10, 58-04-01, 58-04-03, 58-04-19, and 58-07-01 of the North Dakota Century Code, relating to the posting of certain meeting notices by township clerks and to provide instead for publication; and to repeal section 58-03-09 of the North Dakota Century Code, relating to township electors annually designating public places for posting notices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 58-03-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-03-05. NOTICE TO BE GIVEN THAT TOWNSHIP IS PROVIDING JAIL.) Any township providing a place of confinement for prisoners shall cause notice thereof to be given in a legal newspaper published in the township. If no such newspaper is published in the township, the township clerk shall have this notice published in the county's official newspaper.

SECTION 2. AMENDMENT.) Section 58-03-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-03-10. TOWNSHIP BYLAWS - CLERK MUST PUBLISH AND RECORD - ON WHOM BINDING.) Bylaws made by a township shall not take effect until they are published. The township clerk shall have the bylaws published in a legal newspaper published in the township. If there is no such newspaper, the bylaws shall be published in the county's official newspaper. The clerk shall make an entry in the township records of the time when and place where the bylaws were published. The township bylaws duly made and published are binding upon all persons coming within the limits of the township as well as upon the inhabitants thereof, and shall remain in force until altered or repealed at some subsequent township meeting.

SECTION 3. AMENDMENT.) Section 58-04-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-04-01. ANNUAL TOWNSHIP MEETING - WHEN HELD - CHANGE IN MEETING PLACE - NOTICE.) The electors of each township annually shall assemble and hold a township meeting on the third Tuesday

in March at such place in the township or in an adjacent township as the board of township supervisors thereof shall designate. Notice of the time and place of holding the meeting shall be given by the township clerk at least ten days prior to the meeting by publication in a legal newspaper published in the township or, if there is no such newspaper, then in the county's official newspaper. Before a change in the place of holding the annual township meeting is made, notice of the contemplated change may be given by any member of the board of township supervisors to the township clerk, who shall have such change published if time allows. Otherwise, he shall post notice of the change. Where an incorporated city is wholly or partially within the boundaries of the township or an adjacent township, all township meetings may be held in such place within such incorporated city, as the board of township supervisors thereof may designate.

SECTION 4. AMENDMENT.) Section 58-04-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-04-03. CLERK TO GIVE NOTICE OF SPECIAL MEETING.) Each township clerk with whom a statement provided for in section 58-04-02 is filed shall record the same and shall cause notice of the special meeting to be published at least ten days before the meeting in a legal newspaper published in the township or, if there is no such newspaper, then in the county's official newspaper.

SECTION 5. AMENDMENT.) Section 58-04-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-04-19. SPECIAL MEETING WHEN OFFICERS NOT ELECTED AT ANNUAL MEETING.) If a township meeting is not held for the purpose of organizing and electing its officers at the time fixed by law for holding the annual township meeting, a special township meeting for that purpose shall be called by the township clerk. Such meeting shall be held within the township or in an adjacent township. If notice of such meeting is not given by the clerk within ten days, any three electors of the township may call such meeting. Notices setting forth the time, place, and object of the meeting shall be published at least five days prior to the meeting in a legal newspaper published in the township or, if there is no such newspaper, then in the county's official newspaper. The electors, when assembled by virtue of such notice, shall possess all the powers conferred upon electors at the regular annual township meeting.

SECTION 6. AMENDMENT.) Section 58-07-01 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-07-01. COMPENSATION AND FEES OF CLERK.) The township clerk shall receive as compensation for his services ten dollars a day for each day necessarily devoted to the work of his office.

He shall receive as reimbursement for expenses fifteen cents per mile for each mile actually and necessarily traveled in the performance of his duties. He shall be paid fees and not per diem for the following services:

1. For serving notices of election upon township officers, twenty-five cents each;
2. For filing any papers required to be filed in his office, ten cents each;
3. For publishing notices required by law, twenty-five cents each;
4. For recording any order, instrument, or writing authorized by law, ten cents for each one hundred words; and
5. For copying any record or instrument on file in his office and certifying the same, ten cents for each one hundred words to be paid by the person applying for the same.

In those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office shall receive compensation as township treasurer only.

SECTION 7. REPEAL.) Section 58-03-09 of the North Dakota Century Code is hereby repealed.

Approved March 12, 1977

## CHAPTER 563

HOUSE BILL NO. 1416  
(Weber)

## ASSOCIATIONS OF TOWNSHIP GOVERNMENTS

AN ACT to create and enact a new subsection to section 58-03-07 of the North Dakota Century Code, relating to the powers of township electors, and authorizing expenditure of funds for membership in county, state, and national associations of township government.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1.) A new subsection to section 58-03-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

To authorize the expenditure of funds to pay membership fees in county, state, and national associations of township governments. Such expenditures shall not exceed the equivalent of the proceeds of one-tenth of one mill of the net taxable valuation of the township, and may be any lesser amount. This subsection shall not be construed to authorize a mill levy.

Approved March 23, 1977