

April 2002

Introduced by

1 A BILL for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code,
2 relating to inclusion of estimated assessments in the published resolution of necessity for a
3 special assessment project; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 40-22-15 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **40-22-15. Resolution declaring improvements necessary - Exception for sewer**
8 **and water improvements - Contents of resolution - Publication of resolution.** After the
9 engineer's report required by section 40-22-10 has been filed and approved, the governing
10 body of the municipality, by resolution, shall declare that it is necessary to make the
11 improvements described therein. A resolution ~~shall~~ is not be required, however, if the
12 improvement constitutes a water or sewer improvement as described in subsection 1 of section
13 40-22-01, nor if the governing body determines by resolution that a written petition for the
14 improvement, signed by the owners of a majority of the area of the property included within the
15 district, has been received. The resolution ~~shall~~ must refer intelligibly to the engineer's report;
16 and ~~shall~~ include a map of the municipality showing the proposed improvement districts. Based
17 on the probable cost of the work from the engineer's report and the property included within the
18 district, the resolution must show the estimated assessment against each affected parcel of
19 property. The resolution ~~shall then~~ must be published once each week for two consecutive
20 weeks in the official newspaper of the municipality.

21 **SECTION 2. EFFECTIVE DATE.** This Act is effective for resolutions adopted after
22 July 31, 2003.