

HOUSE BILL NO.

Introduced by

Representative Wrangham

1 A BILL for an Act to amend and reenact section 40-51.2-04 of the North Dakota Century Code,
2 relating to exclusion from annexation.

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

4 **SECTION 1. AMENDMENT.** Section 40-51.2-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **40-51.2-04. Exclusion by petition of owners and electors.** Upon a petition signed by
7 not less than three-fourths of the qualified electors and by the owners of not less than
8 three-fourths in assessed value of the property in any territory within the limits of an
9 incorporated municipality and contiguous or adjacent to such limits, the governing body of the
10 municipality, by ordinance, may in its discretion, disconnect and exclude such territory from the
11 municipality. This section, however, applies only to lands ~~that have not been platted under~~
12 ~~either sections 40-50.1-01 through 40-50.1-17 or section 57-02-39,~~ and where no municipal
13 improvements have been made or constructed ~~therein or adjacent thereto. Further, in the event~~
14 ~~any~~ If any property for which exclusion is petitioned has been within the limits of an
15 incorporated municipality for more than ten years ~~prior thereto~~ before the petition and, as of the
16 time of filing the petition, ~~is not platted and~~ has no municipal improvements ~~thereon~~ on the
17 property, the governing body of the municipality may disconnect and exclude ~~such the~~ territory
18 by ordinance from the municipality.