

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Wrangham

1 A BILL for an Act to amend and reenact subsection 8 of section 4-22-26, subsection 2 of
2 section 11-31-03, section 11-33-03, subsection 2 of section 11-33.2-04, sections 40-47-03 and
3 58-03-12, and subsection 3 of section 61-16.1-10 and section 61-26-01 of the North Dakota
4 Century Code, relating to comprehensive plans.

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

6 **SECTION 1. AMENDMENT.** Subsection 8 of section 4-22-26 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 8. To develop ~~comprehensive~~ appropriate plans for the conservation of soil resources
9 and for the control and prevention of soil erosion within the district, which plans
10 must specify in such detail as may be possible the acts, procedures, performances,
11 and avoidances which are necessary or desirable for the effectuation of such
12 plans, including the specification of engineering operations, methods of cultivation,
13 the growing of vegetation, cropping programs, tillage practices, and changes in use
14 of land, and to publish such plans and information and bring them to the attention
15 of occupiers of lands within the district.

16 **SECTION 2. AMENDMENT.** Subsection 2 of section 11-31-03 of the North Dakota
17 Century Code is amended and reenacted as follows:

18 2. Set up ~~a comprehensive~~ an appropriate plan of county highways, showing by the
19 use of maps, existing roads, operations in progress, and future plans.

20 **SECTION 3. AMENDMENT.** Section 11-33-03 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **11-33-03. Object of regulations.** ~~These Zoning regulations shall~~ must be made ~~in~~
23 ~~accordance with a comprehensive plan and designed for any or all of the following purposes:~~

24 ~~1. To protect and guide the development of nonurban areas.~~

- 1 2. ~~To provide for emergency management. "Emergency management" means a~~
2 comprehensive integrated system at all levels of government and in the private
3 sector which provides for the development and maintenance of an effective
4 capability to mitigate, prepare for, respond to, and recover from known and
5 unforeseen hazards or situations, caused by an act of nature or man, which may
6 threaten, injure, damage, or destroy lives, property, or our environment.
- 7 3. ~~To regulate and restrict the erection, construction, reconstruction, alteration, repair,~~
8 ~~or use of buildings and structures, the height, number of stories, and size of~~
9 ~~buildings and structures, the percentage of lot that may be occupied, the size of~~
10 ~~courts, yards, and other open spaces, the density of population, and the location~~
11 ~~and use of buildings, structures, and land for trade, industry, residence, or other~~
12 ~~purposes.~~
- 13 4. ~~To lessen governmental expenditures.~~
- 14 5. ~~To conserve and develop natural resources.~~

15 ~~These regulations shall be made with a reasonable consideration, among other things, to the~~
16 ~~character of the district and its peculiar suitability for particular uses. The comprehensive plan~~
17 ~~shall be a statement in documented text setting forth explicit goals, objectives, policies, and~~
18 ~~standards of the jurisdiction to guide public and private development within its control to~~
19 ~~promote the health, safety, and welfare of the citizens of the county.~~

20 **SECTION 4. AMENDMENT.** Subsection 2 of section 11-33.2-04 of the North Dakota
21 Century Code is amended and reenacted as follows:

- 22 2. Provisions for ensuring that:
- 23 a. ~~The location, layout, or arrangement of a proposed subdivision shall conform~~
24 ~~to the comprehensive plan of the county.~~
- 25 b. Streets in and bordering a subdivision shall be coordinated, and be of such
26 width and grade and in such locations as deemed necessary to accommodate
27 prospective traffic, and facilitate fire protection.
- 28 e. b. Adequate easements or rights of way shall be provided for
29 drainage and utilities.

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1 is located. In such application there shall be set forth a ~~comprehensive~~ plan of joint use and of
2 any proposed extensions, changes, connecting canals, mains, or other contrivances for
3 conducting the flow of water in, to or from said drain and an offer of payment by the city or
4 water resource district in a definite sum as a proportionate share of the cost of the existing
5 drain, and a sum certain or a percentage offer for future maintenance costs.