

## CHAPTER 332

H. B. No. 268

Introduced by Representatives Bagge, Halcrow, Wollitz,  
Collette, Ohnstad, Thompson of Richland, Pyle, and Luick

## VOTING AT TOWNSHIP MEETING FOR DRAINAGE DITCHES

An Act To amend and reenact Section 61-2202 of the North Dakota Revised Code of 1943 providing for voting at township meeting for drainage ditches; and providing a method of payment.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 61-2202 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

61-2202. VOTING AT TOWNSHIP MEETING FOR DRAINAGE DITCHES; VOTE IN FAVOR.] If at the meeting provided for in Section 61-2201, it is made to appear that such drainage ditch is necessary and desirable and that the same will not cost more than three thousand dollars, the question shall be submitted to a vote of the electors present. If a majority of such votes shall be in favor of the construction of such drainage ditch, the supervisors shall proceed to have the same constructed with all reasonable dispatch, and the cost thereof shall be paid out of the funds of the township, or a special levy may be made therefore.

Approved March 14, 1945.

## WEEDS

## CHAPTER 333

H. B. No. 228

Introduced by Representatives Halvorson, Bolmeier,  
Dalzell, Devlin and Monson

## NOXIOUS WEEDS; DESTRUCTION BY COUNTY BOARDS

An Act Authorizing the county commissioners, in an emergency, to destroy noxious weeds on private property at the expense of the county; declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. When in the judgment of the county commissioners a public emergency shall exist and it shall be deemed necessary in

the public interests to destroy noxious weeds, as the same are defined by the laws of the State of North Dakota, said county commissioners, in their discretion may cause the same to be done and the expense thereof shall be paid out of the general funds of the county, provided, however, that not to exceed the sum of Three Thousand Dollars (\$3000.00) shall be spent for such purpose in any one year.

§ 2. In the event the county commissioners shall fail or refuse to declare an emergency and destroy such noxious weeds, as provided for in Section 1, hereof, 25% of the freeholders living in said county may sign and file with the county auditor a petition requesting that such weeds be destroyed at county expense, and it shall then be the duty of the county commissioners forthwith to take the necessary action for the destruction of said noxious weeds at county expense; provided, however, that not to exceed the sum of Three Thousand Dollars (\$3000.00) shall be spent for such purposes in any one year.

§ 3. EMERGENCY.] Whereas several of the counties in this state have become infected with noxious weeds to the extent that the situation creates a serious problem this act shall be in full force and effect from and after its passage and approval.

Approved March 13, 1945.

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## CHAPTER 334

H. B. No. 258

Introduced by Representatives Devlin, Halvorson & Dalzell

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### WEED CUTTING TOWNSHIP HIGHWAYS

An Act Providing for cutting of weeds and grasses by owners of land adjoining regularly traveled township highways as designated by the board of township supervisors in organized townships and the Board of County Commissioners in unorganized townships, charging the expense of cutting such weeds to adjoining owners failing to cut such weeds, excepting from the provisions of this act county, state and Federal highways; repealing all laws and parts of laws in conflict herewith.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. From and after the passage and approval of this act, it shall be the duty of land owners, owning land adjoining regularly traveled township highways as designated by the township board of supervisors in organized townships and the Board of County Commissioners in unorganized townships, to cut and destroy all weeds and grasses along such regularly traveled highways ad-

joining their lands; such cutting shall be done not later than the tenth day of July of each year.

§ 2. If any land owner shall fail to cut the weeds and grasses along such highways as designated herein, it shall be the duty of the township board of supervisors of such organized townships and Board of County Commissioners in unorganized townships, to cause such weeds and grasses to be cut not later than the first day of October of each year, and the expense of cutting such weeds and grasses in each organized township shall be certified to the county auditor by the clerk thereof and all of such charges in organized and unorganized townships shall be charged against the land of the land owner thus failing to cut such weeds and grasses and shall become a part of the taxes to be levied against such land for the ensuing year and shall be collected in the same manner as other real estate taxes are now collected, and placed to the credit of the respective subdivisions entitled thereto. This act shall not apply to any county, state and Federal highways.

§ 3. REPEAL.] All laws or parts of laws in conflict herewith are hereby repealed.

Approved March 9, 1945.

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## CHAPTER 335

H. B. No. 185

Introduced by Representatives Ohnstad and Pyle

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### WEEDS DECLARED PUBLIC NUISANCE IN CITIES AND VILLAGES

An Act Authorizing the governing body of any incorporated city or village to declare the growth of weeds on private property within the limits of such city or village a public nuisance, and providing for the cutting thereof, and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. NUISANCE ON PRIVATE PROPERTY.] Where weeds are permitted to grow on any lot, piece or parcel of real property privately owned within the limits of any incorporated city or village the governing body thereof may by resolution declare the same a public nuisance and may give notice to the owner of such property in writing, by personal service, or by registered mail addressed to the owner at his post office address as shown on the records in the office of the County Treasurer, to cut such weeds within ten days from date of such notice; provided, however, that such notice shall

not be given more than twice in any one year, to-wit: Once between the 15th day of June and the 15th day of July and once between the 1st day of September and the 1st day of October. In the event that such owner fails to cause such weeds to be so cut as hereinbefore provided, the governing body of any such city or village shall cause the same to be cut and the cost thereof shall be borne by the owner of such property.

§ 2. COST TO BE ASSESSED AGAINST PROPERTY.] Upon the completion of such cutting by the governing body, it shall be the duty of the City Auditor or village clerk, as the case may be, to certify to the County Auditor the amount which shall be assessed against each lot or parcel of land for the cutting of such weeds, and it shall be the duty of the County Auditor to spread the same against the respective lots or parcels in the same manner in which special assessments are spread. Such assessments shall become a lien upon such property, and shall be collected at the same time and in the same manner as special taxes are collected.

§ 3. EMERGENCY.] This act is hereby declared to be an emergency act and shall be in full force and effect from its passage and approval.

Approved March 9, 1945.

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## WEIGHTS, MEASURES, AND GRADES

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### CHAPTER 336

S. B. No. 150

Introduced by Senator Bridston

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#### STANDARD WEIGHTS OF CONTAINERS FOR CERTAIN CEREALS

An Act To fix the standard weight of containers for wheat and corn flours, corn meals, hominy, and hominy grits; and to provide penalties for the violation of this act and repealing all acts or parts of acts in conflict herewith.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. It shall be unlawful for any person, partnership, corporation, company, cooperative society, or organization to pack for sale, sell, offer or expose for sale in this State any of the following commodities except in containers of net avoirdupois weights of two (2), five (5), ten (10), twenty-five (25), fifty (50), and one hundred