

Introduced by

Representative Maragos

1 A BILL for an Act to amend and reenact section 40-22-01 of the North Dakota Century Code,  
2 relating to approval of special assessment projects by elected governing bodies; and to provide  
3 an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 40-22-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **40-22-01. Power of municipalities to defray expense of improvements by special**  
8 **assessments.**

9 AnyThe elected governing body of any municipality, upon complying with the provisions of  
10 this chapter, may defray the expense of any or all of the following types of improvements by  
11 special assessments:

- 12 1. The construction of a water supply system, or a sewerage system, or both, or any part  
13 thereof, or any improvement thereto or extension or replacement thereof, including the  
14 construction and erection of wells, intakes, pumping stations, settling basins, filtration  
15 plants, standpipes, water towers, reservoirs, water mains, sanitary and storm sewer  
16 mains and outlets, facilities for the treatment and disposal of sewage and other  
17 municipal, industrial, and domestic wastes, and all other appurtenances, contrivances,  
18 and structures used or useful for a complete water supply and sewerage system.
- 19 2. The improvement of the municipal street system and any part thereof, including any  
20 one or more of the processes of acquisition, opening, widening, grading, graveling,  
21 paving, repaving, surfacing with tar, asphalt, bituminous, or other appropriate material,  
22 resurfacing, resealing, and repairing of any street, highway, avenue, alley, or public  
23 place within the municipality, and the construction and reconstruction of overhead  
24 pedestrian bridges, pedestrian tunnels, storm sewers, curbs and gutters, sidewalks,

1 and service connections for water and other utilities, and the installation, operation,  
2 and maintenance of streetlights and all types of decorative streetlighting, including but  
3 not restricted to Christmas streetlighting decorations.

4 3. The improvement of boulevards and other public places by the planting of trees, the  
5 construction of grass plots and the sowing of grass seed therein, and the maintenance  
6 and preservation of such improvements by the watering of such trees and grass, the  
7 cutting of such grass, and the trimming of such trees, or otherwise in any manner  
8 which may appear necessary and proper to the governing body of the municipality.

9 4. The acquiring of the necessary land and easements and the construction of the  
10 necessary works, within and without the municipality, for flood protection of properties  
11 within the municipality.

12 5. The acquiring or leasing of the necessary property and easements and the  
13 construction of parking lots, ramps, garages, and other facilities for motor vehicles.

14 In planning an improvement project of a type specified in any one of the foregoing subsections,  
15 the governing body may include in such plans any and all items of work and materials which in  
16 its judgment are necessary or reasonably incidental to the completion of an improvement  
17 project of such type.

18 **SECTION 2. EFFECTIVE DATE.** This Act is effective for special assessment improvement  
19 projects initiated after July 31, 2017.