

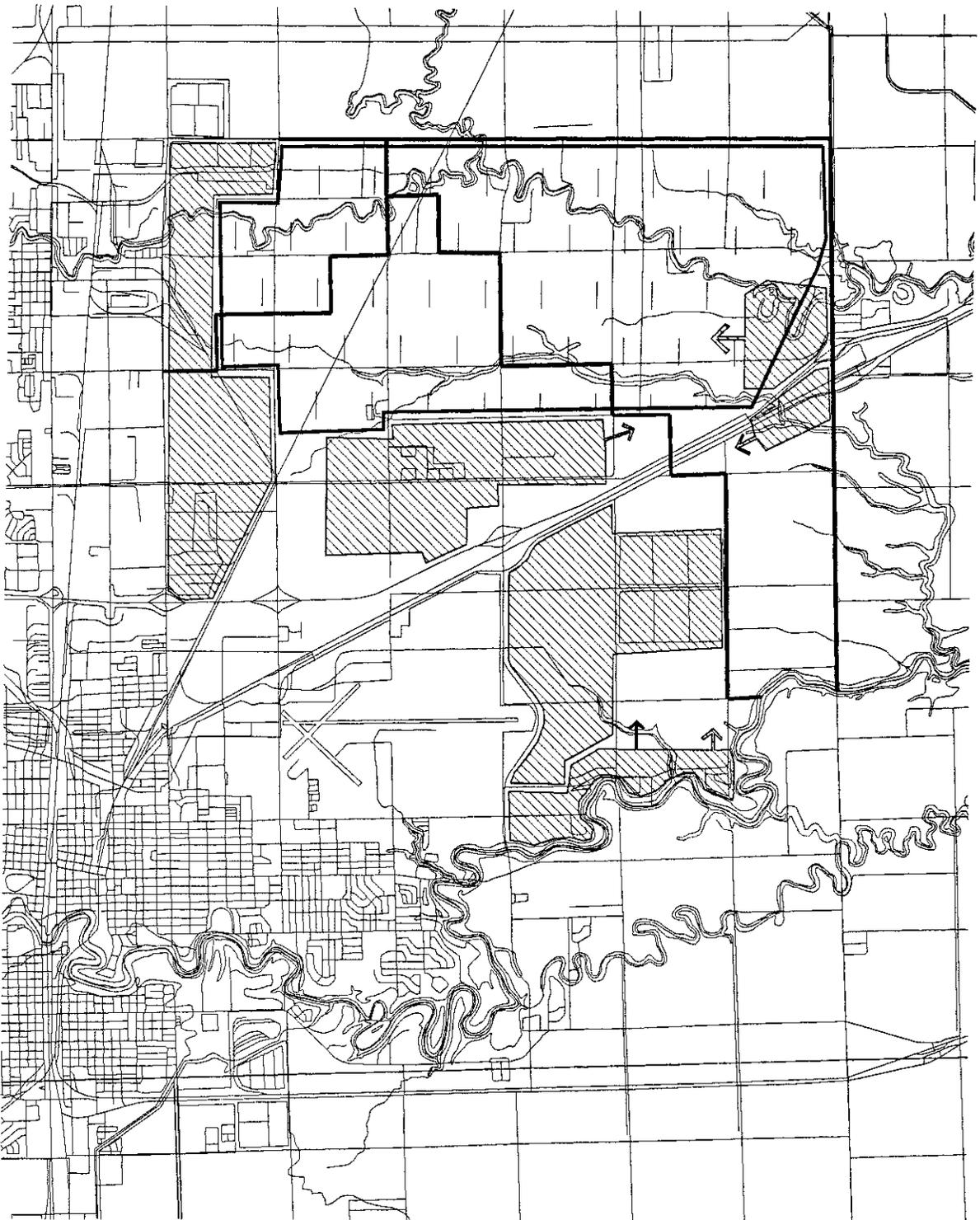
# **Zoning Ordinance**

**Reed Township, Cass County, North Dakota**

**November 1996**



# REED TOWNSHIP FUTURE LAND USE PLAN



- \_\_\_\_\_ AGRICULTURAL &  
LOW DENSITY RESIDENTIAL
- \_\_\_\_\_ COMMERCIAL
- \_\_\_\_\_ INDUSTRIAL
- \_\_\_\_\_ COMPACT URBAN  
RESIDENTIAL
- \_\_\_\_\_ EXTRA-TERRITORIAL  
BOUNDARIES
- \_\_\_\_\_ TOWNSHIP BOUNDARY



## SECTION 1

### Introduction

- 1.1 Title: This ordinance shall be known as the "Zoning Ordinance, Reed Township of Cass County, North Dakota".
- 1.2 Purpose: The purpose of this ordinance is to promote the health, safety, morals, and general welfare as well as provide for the orderly development of Reed Township in Cass County, North Dakota.
- 1.3 Authority: This ordinance is adopted under the authority of Chapter 58-03 of the North Dakota Century Code.
- 1.4 Repeal: All other ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.
- 1.5 Severability: If any provision or section of this ordinance is found invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.
- 1.6 Effective Date: This ordinance shall become effective after adoption by the Reed Township Board of Supervisors, Cass County, North Dakota.

## SECTION 2

### Definition of Terms Used in This Ordinance

- 2.1 General Definitions: Words used in the present tense shall include the future; the singular number shall include the plural.

The word "person" includes a firm, partnership, association, corporation, or individual.

The word "shall" is mandatory.

- 2.2 List of Definitions:

Accessory Use or Accessory Structure: A use or structure which a) clearly serves and is incidental and subordinate to the main use of a lot, such as a garage or tool shed; and b) is located on the same lot as the main use.

Agriculture: The use of land for raising crops or grazing farm animals, including the necessary buildings or structures for farm or farm labor use. It does not include feedlots or other animal confinement operations.

Alley: A minor roadway providing secondary access to the back or side of one or more lots.



Building: Any structure used for shelter or enclosure of persons, animals or property.

Building Line: A line, parallel to the roadway centerline that passes through the point of the principal building which is nearest the front or rear lot line.

Conditional Use: A use which may be allowed in a district only if the regulations for that district specifically permit it subject to the approval of the Board of Supervisors and only when the Board finds that such use meets all of the requirements applicable to it as specified in the ordinance. The Board may choose not to approve the conditional use, but the reasons must be given in writing.

Development: All structures upon and other modifications to the natural landscape above and below ground on a particular lot or site.

Dwelling: A building or portion of a building occupied exclusively for residential purposes. This includes manufactured and pre-built homes, but does not include recreational vehicles.

Dwelling Unit: A group of rooms which include permanent and exclusive kitchen and bathroom facilities, that is designed and used as living quarters and located in a building. This does not include vehicles designed for camping or other temporary occupancy such as recreational trailers or vehicles. It does not include commercial living facilities, such as motels or boarding houses, or dwellings typically considered group quarters, such as fraternity buildings or dormitories.

Feedlot: The use of land or buildings for the purpose of concentrated feeding or fattening of animals for marketing.

Home Occupation: Any occupation which (1) is carried on solely by members of the household residing on the premises; (2) is clearly secondary to the use of the dwelling for residential purposes; and (3) does not create excess noise, traffic or other disturbances.

Household: One or more individuals living together in a single dwelling unit.

Junk Yard: Any land or building used for the storage, sale, or dismantling of junk including scrap metals or other scrap materials or goods, or used for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery, or parts thereof.

Lot: A parcel of land capable of having a building and accessory uses and still meet the yard requirements and front on a street.

Lot Coverage: The total surface area of a lot which is covered by any type of structure.

Lot Depth: The average distance between the front and rear lot lines.

Lot Width: The average distance between the side lot lines measured parallel to the front lot line.

Manufactured Home: A dwelling unit designed for transportation after construction and not necessarily on a permanent foundation. A recreational trailer is not to be considered a manufactured home.

Multi-Family: Any building or structure designed for occupancy by two or more households.



Non-conforming Use: Any structure, building, or tract of land legally existing at the time of the adoption or amendment of this ordinance which does not conform to this ordinance.

Parking Space: A separately accessible space, nine (9) feet by twenty (20) feet, for parking a vehicle. All references to vehicle parking in this ordinance shall mean parking off publicly dedicated rights-of-way.

Public Buildings: Buildings which provide for public uses such as schools, medical facilities, post offices, etc

Recreational Trailer or Vehicle: A vehicle or a trailing or vehicle-mounted enclosure designed primarily for living accommodations, including camping, at temporary or transient locations instead of permanent location at one site.

Roadway: Right-of-way or easement dedicated for public vehicular travel, whether called a street, road, highway, alley or any other name, whether constructed or unimproved.

Structure: Anything built, constructed, or erected which requires permanent location on the ground. This does not include fences.

Structural Alteration: Any change or addition in the supporting members or any substantial change in the roof or exterior walls of a building.

Variance: The relaxing of the requirements of this ordinance where it can be shown that due to unusual conditions of the property involving unique circumstances, strict application of the regulations would result in undue hardship. The variance will not be contrary to the public interest and will not be applicable to any use not already allowed by the district.

Yard, Front: A yard that extends across the full width of the lot. The depth is measured as the least distance between the front lot line and the front building line.

Yard, Rear: A yard that extends across the full width of the lot. The depth is measured as the least distance between the rear lot line and the rear building line of the principal building.

Yard, Side: The yard between the front and rear yards. The depth is measured as the least distance from the side of the principal building and the side lot line.

## SECTION 3

### General Provisions

- 3.1 Jurisdiction: The provisions of this ordinance shall apply to all structures and land within the Township boundaries which is not within a city's properly established extra-territorial zoning boundary.
- 3.2 Compliance: Except as stated in this ordinance, no land shall be used and no building or



structure shall be erected, altered or repaired except in conformance with these regulations.

3.3 Interpretation: In interpreting and applying this ordinance, the provisions shall be held to be the minimum requirements. Where this ordinance imposes a greater restriction than existing law, the provisions of this ordinance shall govern.

3.4 Non-conforming Uses:

A. Non-conforming uses of land or buildings legally existing at the date of adoption of this ordinance may continue provided there are no structural alterations and the non-conforming use shall not be extended to occupy a greater area of land or buildings.

B. No building or structure where a non-conforming use has been discontinued for a period of one year or which has changed to a permitted use shall again be devoted to a non-conforming use.

C. A non-conforming structure destroyed or damaged less than 50 percent of its fair market value may be reconstructed within one year of such casualty. If damaged 50 percent or more of its fair market value, the non-conforming structure must be reconstructed in accordance with these regulations.

3.5 Residential Development:

A. No lot shall contain more than one principal residential building.

B. No dwelling unit shall be built on a lot which does not abut or front on a dedicated public road.

C. No residential dwelling structure shall exceed 35 feet in height. This regulation is to include apartments, sleeping rooms, and owner-occupied residences situated above commercial service and trade establishments.

D. Accessory buildings shall be limited to 15 feet in height and be located at least 8 feet from all lot lines.

3.6 Sewer and Water Regulations: To protect the public health, control water pollution and reduce nuisance and odor, all new developments within the Township shall be connected to a community sewer and water system. Construction and use of privies and cesspools shall be prohibited within any zoning district of the Township.

3.7 Lot of Record: Any parcel of land on which a dwelling unit legally exists at the time of adoption of this ordinance shall constitute a legal lot. Should a dwelling unit existing on a legal lot be removed or destroyed, the lot may be rebuilt upon. Setback and side yard requirements should be adhered to where possible.



## SECTION 4

### District Regulations

4.1 Classes of Districts: For the purpose of this ordinance, the Reed Township is hereby divided into the following districts:

A - Agricultural

R - Residential

R-MH - Residential - Mobile Home

C - Commercial

I - Industrial

4.2 Official Zoning Map: The boundaries of these districts are established as shown on the map entitled the "Official Zoning Map of Reed Township." This map is made part of this ordinance, and it shall be on file with the Township clerk.

A. The zoning district boundary lines are intended to follow lot lines, the centerlines of streets or alleys, railroad rights-of-way, the corporate limit lines as they exist at the time of the adoption of this ordinance.

B. Where any uncertainty may exist as to the exact boundary line of a district, the Board of Supervisors shall make final judgement.

4.3 A - Agricultural District:

A. Purpose: To establish and preserve areas of agriculture and low intensity development which do not significantly change the existing character of the area.

B. Permitted Uses: Agriculture and agricultural-related buildings. Farm dwellings. Park and outdoor recreational facilities and related buildings for outdoor recreation.

C. Conditional Uses: Publicly owned sewage facilities, mining or gravel removal; and junk yards provided it is conducted within an area enclosed on all sides with a solid fence or wall not less than 8 feet in height.

D. Dimensional Standards:

1. Front Yard: 150 feet measured from the centerline of any public roadway.

4.4 R - Residential District:

A. Purpose: To establish and preserve general residential neighborhoods which allow for varied types of residential development.

B. Permitted Uses: Single-family residences, parks, churches, customary accessory uses and home occupations.



C. Conditional Uses: Multi-family dwellings, medical facilities, boarding or rooming houses, mobile homes, schools

D. Minimum Lot Dimensions:

1. Yards:

- a. Front Yard - 35 feet.
- b. Rear Yard - 25 feet.
- c. Side Yard - 10 feet.

2. Lot:

- a. Lot Width - 75 feet.
- b. Area of Lot - 7,500 square feet residential unit; 1,500 square feet for each additional multi-family unit.
- c. Lot Coverage - 50 percent (maximum).

E. Parking Requirements:

1. Two parking places for each single-family residence. One and one-half parking places for each additional multi-family unit.

4.5 R-MH - Residential-Mobile Home District:

A. Purpose: To establish and preserve individual areas within the Township for mobile homes and mobile home parks, which will have minimal impact on the community, but which will provide ample room and necessary utilities for such development.

B. Permitted Uses:

1. Mobile homes and mobile home parks.
2. Parks and outdoor recreation facilities.
3. Compatible accessory uses.

C. Regulations:

1. Mobile Home Parks: All mobile home parks shall be licensed by the Township and shall comply with its regulations and the regulations of the North Dakota State Laboratories Department and all other state regulatory agencies.

2. Mobile Home Requirements:

- a. If a mobile home has wind specification anchoring, the anchoring system used must be within these standards. If a mobile home does not have specific anchoring requirements, the mobile home shall be anchored by a system of over-the-top straps and straps connected to the I-beam substructure of the home. These straps shall be connected to screw-type anchors or other anchoring devices in the ground.
- b. Mobile homes shall rest on permanent foundations embedded in the ground and constructed of concrete or other solid material durable enough to support the maximum weight of the mobile home. Loose blocks placed at regular intervals underneath the mobile home's I-beam substructure shall not constitute an adequate foundation.
- c. One off-street parking space for each unit shall be provided.
- d. Permanent skirting of the mobile home shall be installed prior to occupancy of



the mobile home on the lot.

e. Dimensional Standards:

1) Yards:

- a) Front Yard - 25 feet.
- b) Side Yard - 10 feet.
- c) Rear Yard - 25 feet.

2) Lot:

- a) Width - 50 feet.
- b) Area - 6,000 square feet.
- c) Coverage - 50 percent, maximum.

4.6 C - Commercial District:

A. Purpose: It is the intent of this district to reserve an area for the concentration of commercial activities serving the needs of the Township and surrounding trade area.

B. Permitted Uses: Any commercial business or service including grocery, drugs, hardware, clothing, bakeries, eating and drinking places, and professional offices, hotels, motels, public utilities, transportation and communication facilities, public buildings.

C. Conditional Uses:

- 1. Lumber yards and storage facilities for building materials such as lumber, steel, concrete blocks or pipe provided that these materials are either:
  - a. Enclosed by a wall or fence equal in height to the highest pile of materials stored but not less than 5 feet high; or
  - b. Stored in an enclosed structure.
- 2. Sleeping rooms, apartments or owner-occupied residences housed within commercial businesses or service establishments provided that the above uses of the building occupy less than 50 percent of the total floor area.

D. Minimum Lot Dimensions:

1. Yards:

- a. Front - None
- b. Rear - 10 feet except where adjoining an R-District, then same as R District.
- c. Side - None, except where adjoining an R-District, then same as R District.

2. Lot Size: No minimum.

4.7 I- Industrial District:

A. Purpose: To establish and preserve areas with good transportation facilities for industrial development not incompatible with surrounding uses.

B. Permitted Uses:

- 1. Feed mills;
- 2. Grain elevators;
- 3. Warehouses; and
- 4. Storage facilities for building materials such as lumber, steel, concrete blocks or pipe, provided said materials shall be either enclosed by a wall or fence equal in height to the highest pile of materials, but not less than 5 feet high, or stored in an enclosed structure.



C. Conditional Uses:

1. Junk yards provided that they are enclosed on all sides with a solid fence or wall not less than 8 feet in height and that they are located at least 100 feet from a residential district or residential use.
2. Other industrial uses provided that they do not cause excessive, obnoxious, or injurious noise, vibration, smoke, gas, fumes, odor, dust, fire hazards, or other objectionable conditions to all neighboring uses.

D. Dimensional Standards:

1. Yard:
  - a. Front - 45 feet.
  - b. All industrial uses shall be situated at a minimum of 100 feet from any residential property line.

E. Performance Standards: A buffer strip shall be provided when an industrial use abuts an R-District or R-MH District. Examples include trees or other plantings or fences. The cost of said buffer strip shall be borne by said industry. The width of the buffer strip shall be appropriate to minimize the external effects of the industry.

## SECTION V

### Administration and Enforcement

5.1 The administration and enforcement of this ordinance is hereby vested in the Administrative Official and the Board of Supervisors of Reed Township.

A. Administrative Official:

1. Authority and Duties:
  - a. Issue all building permits and certificates of compliance;
  - b. Conduct inspections of buildings for compliance with zoning ordinances and other applicable codes or ordinances;
  - c. Maintain records of the regulations and permits;
  - d. Report the following to the Board of Supervisors:
    - 1) All complaints stemming from this zoning ordinance;
    - 2) Zoning violations;
  - e. Shall investigate violations and complaints of violations and shall report them to the Board of Supervisors for appropriate action.

B. Zoning Commission:

1. Authority and Duties:
  - a. Hear and advise the Board of Supervisors regarding conditional use permits;
    - 1) Procedure for application and review of a conditional use Permit shall be as follows:
      - a) An application for a conditional use permit shall be submitted to the Administrative Official;



- b) The Administrative Official shall report the application to the Zoning Commission;
  - c) Every application for a conditional use permit shall include a plot plan showing:
    - 1. Legal description of the land to be used;
    - 2. Location of all structures and all existing and proposed improvements including curb-cut access, off-street parking, and other such facilities for proposed and adjacent lots.
    - 3. Building setbacks from all property lines;
    - 4. Location and type of planting, screening or walls;
    - 5. A timing schedule indicating the start and completion dates of the development;
    - 6. Names and addresses of adjacent property owners;
    - 7. Any additional information that the Board of Supervisors or Zoning Commission deems necessary.
  - d) Within fifteen days of the filing of the application for a conditional use permit, the Zoning Commission shall notify in writing all property owners of parcels within 200 feet of the proposed conditional use and shall consider their comments, and/or shall set a date for a public hearing as may be requested by the Zoning Commission, notified property owners, the applicant, or other interested property owners.
  - e) If a hearing is requested, it shall be held within sixty days of the filing date of the application.
  - f) The Administrative Official shall prepare a written statement for the Zoning Commission specifying the manner in which the proposed conditional use complies with the following provisions governing conditional uses:
    - 1. The conditional use shall not be detrimental to or endanger public health, safety, or general welfare.
    - 2. The conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.
    - 3. The conditional use shall not impede the normal and orderly development of the surrounding property in the area.
    - 4. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided.
    - 5. Adequate measures shall be taken to provide entrance to and exit from the property without adverse effects on neighboring properties and traffic congestion in public streets.
    - 6. The conditional use shall conform to all applicable regulations of the district in which it is located.
- 2) Upon review of the Administrative Official's report, and hearing of all public comments regarding the application, the Zoning Commission shall make a recommendation to the Board of Supervisors regarding the application.



b. Hear and advise the Board of Supervisors regarding variances from the terms of this ordinance that shall not be contrary to the public interest. The procedure for hearing and reviewing variances shall be:

- 1) An application for a variance shall be submitted to the Administrative Official.
  - 2) The Administrative Official shall report the application to the Zoning Commission.
  - 3) Every application for a variance shall include the following:
    - a) Legal description of the property;
    - b) The reason for the variance request including a description of the property that prevents its reasonable use under the terms of this ordinance;
    - c) The type of variance requested along with the desired specifications of same;
    - d) An explanation of whether the hardship is unique to the applicant's property or of a general nature characteristic of other properties;
    - e) Names and addresses of all property owners with parcels within 200 feet of the property in question;
    - f) Any other information that the Zoning Commission deems necessary.
  - 4) Within Fifteen days the Zoning Commission shall notify in writing all property owners with parcels within 200 feet of the property of the request for a variance.
  - 5) The Zoning Commission shall base its findings on evidence present in the application and the following conditions before it may recommend approval of a request for a variance.
    - a) The particular surroundings or the topographic condition of the property would result in undue hardship;
    - b) The variance request is not based on a desire for economic or other gains;
    - c) The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property;
    - d) The variance shall not be detrimental to the public welfare or injurious to other properties in the area;
    - e) The variance shall not be contrary to the interest and purpose of this ordinance.
  - 6) Within thirty days of the filing of the application for a variance, the Zoning Commission shall make a recommendation to the Board of Supervisors in writing citing the reasons for approval or disapproval.
- c. Publish notice of all hearings once a week for two successive weeks prior to the date established for the hearing in the official newspaper of the Township.
- d. Recommend to the Board of Supervisors boundaries of zoning districts and appropriate regulations to be enforced within these districts, or amendments or revisions of the same.
- e. Recommend to the Board of Supervisors such other plans, policies, ordinances, and procedures as it deems appropriate in order to promote or secure the development or re-development of the Township in accordance with the comprehensive plan.



C. Board of Adjustment:

1. Authority and Duties:

a. Hear appeals of any person, firm or organization aggrieved by a decision or ruling of the Administrative Official.

1) Procedure for Appeals:

a) An aggrieved person shall file a petition for a hearing to the Board of Adjustment within thirty days of a decision by the Administrative Official;

b) At the same time, the appeal shall be presented in writing to the Board of Adjustment and shall specify the grounds for appeal;

c) The hearing shall be held within a reasonable time after the filing of the petition;

d) The filing of an appeal shall stay the decision or order from which appeal is sought until a decision has been made by the Board of Adjustment, unless the administrative officer certifies that such a stay would cause imminent peril to life or property.

d) Within fifteen days after the hearing, the Board of Adjustment shall take action and send its decision, by registered mail, to the aggrieved person.

2) Notice of hearing shall be provided to all parties at least fifteen days in advance of the hearing.

3) A concurring vote by 4/5 of the Board of Adjustment shall be necessary to reverse any decision or order of the administrative officer.

**b. Any decision of the Board of Adjustment is subject to review in the manner prescribed by NDCC 40-47-11.**

2. Membership:

a. The Board of Adjustment shall comprise of five members appointed by the Board of Supervisors, and such alternates as may be requested by the Board and appointed by the Board of Supervisors.

b. Members shall be appointed for terms of three years.

D. Board of Supervisors:

1. Authority and Duties:

a. Issue conditional use permits;

1) Procedure for review and issuance of a conditional use Permit shall be as follows:

a) Upon application for a conditional use permit submitted to the Administrative Official, and subsequent review and recommendation by the Zoning Commission, the Administrative Official shall report the Zoning Commission recommendation to the Board of Supervisors;

b) Within fifteen days of the report of the Zoning Commission, the Board of Supervisors shall notify in writing all property owners with parcels within 200 feet of the property of the proposed conditional use and shall consider their comments, and/or shall set a date for a public hearing as may be requested by the Board, notified property owners or the applicant, or other interested parties.



c) If a hearing is requested, it shall be held within sixty days of the submission of the Zoning Commission report.  
d) The Board of Supervisors may approve said conditional use permit if satisfied that the proposed conditional use complies with the following provisions governing conditional uses:

1. The conditional use shall not be detrimental to or endanger public health, safety, or general welfare.
2. The conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.
3. The conditional use shall not impede the normal and orderly development of the surrounding property in the area.
4. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided.
5. Adequate measures shall be taken to provide entrance to and exit from the property without adverse effects on neighboring properties and traffic congestion in public streets.
6. The conditional use shall conform to all applicable regulations of the district in which it is located.
7. It meets all applicable governmental laws and regulations.

b. Hear and decide variances from the terms of this ordinance that shall not be contrary to the public interest. The procedure for hearing and deciding variances shall be:

- 1) Upon receipt of the Zoning Commission recommendation regarding a request for variance, the Board of Supervisors shall notify all property owners with parcels within 200 feet of the property in writing of the request for a variance and shall consider their comments, and/or shall set a date for a public hearing as may be requested by the Board, notified property owners or the applicant, or other interested parties.
- 2) If a hearing is requested, it shall be held within sixty days of the submission of the Zoning Commission report.
- 3) The Board shall base its findings or decisions on evidence present in the application and the following conditions before it may approve a request for a variance.
  - a) The particular surroundings or the topographic condition of the property would result in undue hardship;
  - b) The variance request is not based on a desire for economic or other gains;
  - c) The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property;
  - d) The variance shall not be detrimental to the public



welfare or injurious to other properties in the area;  
e) The variance shall not be contrary to the interest and purpose of this ordinance.

4) Within thirty days of the Zoning Commission report, the Board of Supervisors shall notify the applicant in writing citing the reasons for approval or disapproval.

c. Hear appeals of any person, firm or organization aggrieved by a decision or ruling of the Board of Adjustment in the manner prescribed by law.

d. Publish notice of all hearings once a week for two successive weeks prior to the date established for the hearing in the official newspaper of the Township.

e. Interpret district boundaries on the zoning district map.

#### 5.2 Building Permits:

A. No land shall be built upon and no structure or building shall be structurally altered or moved until a permit has been obtained from the Administrative Official.

B. Any building permit issued must be in conformance with this ordinance.

C. No permit is required for maintenance of any building or structure which does not structurally alter the building.

D. If no construction takes place within a year from the issuance of a building permit, the permit shall expire.

E. The building permit process is outlined below:

1. All applicants who wish to build or alter any structures as defined in this ordinance must apply to the Administrative Official for a permit.

2. If the applicant's plans meet district regulations as prescribed in this ordinance and any other applicable codes and ordinances, the Administrative Official shall collect the fees and issue the building permit.

3. If the applicant's plans do not comply with district regulations, variance, appeals, or conditional use procedures discussed in this text may be applied.

#### 5.3 Certificate of Compliance:

A. A certificate of compliance is required before any structure, building, or land can be used or occupied which has been built or structurally altered such that it requires a building permit.

B. The certificate of compliance process is outlined below:

1. Upon completion of any work requiring a building permit, the administrative Official shall conduct an on site inspection of the work specified in the building permit.

2. If the completed work is found to be in accordance with this zoning ordinance and any other applicable ordinances and codes, the Administrative Official shall issue a certificate of compliance.



3. Reasons for refusing to issue a certificate of compliance must be stated by the Administrative Official in writing within 15 days after the request by the applicant for the certificate.

5.4 Amendments to the Ordinance: The Board of Supervisors may from time to time on its own motion or on Zoning Commission recommendation amend, supplement, or repeal provisions of this ordinance.

A. Procedures for Amendments:

1. Applications or recommendations for amendments shall be filed with the Administrative Official.

2. The Administrative Official shall notify the Board of Supervisors of the proposed amendment. If the recommendation for zoning ordinance amendment is not initiated by the Zoning Commission, it shall be referred to the Zoning Commission

3. If the zoning map is proposed to be changed Board of Supervisors shall notify, by registered mail, all property owners fronting on or within 200 feet of the property in question at least 15 days prior to the public hearing.

4. The application shall be presented to the public at an official public hearing conducted by the Board of Supervisors. Notice of the hearing shall be published in the official Township newspaper once a week for two successive weeks prior to the date established for hearing. A notice may also be placed in a conspicuous location in the post office.

5. Following the hearing, the Board of Supervisors shall approve or disapprove the proposed amendment.

B. Protests to Amendments:

1. If a protest against an amendment is signed by the owners of 20 percent or more:
  - a. Of the area of the lots included in such proposed change or
  - b. Of the area adjacent, extending 200 feet (excluding streets) from the property to be changed, the amendment shall not become effective except by a favorable vote of at least three-fourths (3/4) of the members of the Board of Supervisors. Otherwise, amendments shall be approved only by at least a two-thirds (2/3) majority of the members of the Board of Supervisors.

5.5 Schedule of Fees and Charges:

A. A fee shall be paid to the Board of Supervisors by the applicant upon filing an application for any amendment to the zoning ordinance or zoning map or for any other activity which requires a public hearing. The Board of Supervisors may set fees for these purposes.

B. Board of Supervisors may institute a schedule of fees for issuing building permits. The fee shall be paid by the applicant to the Administrative Official prior to receiving the permit. The fee is determined by the estimated market value of improvements.

5.6 Penalties: Anyone who violates the provisions of this ordinance or fails to comply with any of its requirements, upon conviction, shall be punished by a fine of not more than \$500.00 or by imprisonment in the county jail for not more than 30 days.



5.7 Enactment: In order that the land within the Reed Township, North Dakota, be properly zoned in accordance with the policies and purposes of this ordinance, the Reed Township Zoning Ordinance is hereby adopted.

\_\_\_\_\_  
Date of Adoption

\_\_\_\_\_  
Chairman  
Reed Township Board of Supervisors

Attest

\_\_\_\_\_  
Clerk  
Reed Township



## TABLE OF CONTENTS

1.1 <u>Title</u> .....	1
1.2 <u>Purpose</u> .....	1
1.3 <u>Authority</u> .....	1
1.4 <u>Repeal:</u> .....	1
1.5 <u>Severability</u> .....	1
1.6 <u>Effective Date</u> .....	1
2.1 <u>General Definitions</u> .....	1
2.2 <u>List of Definitions</u> .....	1
3.1 <u>Jurisdiction</u> .....	3
3.2 <u>Compliance</u> .....	3
3.3 <u>Interpretation</u> .....	4
3.4 <u>Non-conforming Uses</u> .....	4
3.5 <u>Residential Development</u> .....	4
3.6 <u>Sewer and Water Regulations</u> .....	4
3.7 <u>Lot of Record</u> .....	4
4.1 <u>Classes of Districts</u> .....	5
4.2 <u>Official Zoning Map</u> .....	5
4.3 <u>A - Agricultural District</u> .....	5
4.4 <u>R - Residential District</u> .....	5
4.5 <u>R-MH - Residential-Mobile Home District</u> .....	6
4.6 <u>C - Commercial District</u> .....	7



4.7 <u>I- Industrial District</u> .....	7
5.1 <u>Administration and enforcement</u> .....	8
5.2 <u>Building Permits</u> .....	13
5.3 <u>Certificate of Compliance</u> .....	13
5.4 <u>Amendments to the Ordinance</u> .....	14
5.5 <u>Schedule of Fees and Charges</u> .....	14
5.6 <u>Penalties</u> .....	14
5.7 <u>Enactment</u> .....	15

