

# Public Notice

**ORDINANCE NO. 22**  
**AN ORDINANCE PERTAINING TO**  
**FENCES, STREETS AND ALLEYS**  
**BE IT ORDAINED BY THE CITY**  
**COUNCIL OF THE CITY OF**  
**DAWSON, NORTH DAKOTA**

ARTICLE 1 – Fences  
22.0101 Rules of Construction  
Words used in the present 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.  
22.0102 Definitions

“Fence” shall be defined for purposes of this ordinance as a structure which fully or partially encloses a parcel of property. The definition of a “Fence” shall be construed broadly for purposes of this ordinance.

22.0103 Fences - Dimensional standards

Fences are permitted in the City without the approval from the City Council under the following conditions:

Any fence shall be setback in accordance with the following:

Front yard – 10 feet from street right-of-way

Rear or side yard – 6 feet from street right-of-way or property line. If the rear or side yard abuts an alley, the fence must be set back a minimum of 12 feet of the center of the alley.

The maximum height of a fence shall be ten (10) feet.

Fences shall be constructed of wood, chain-link, PVC/resin, stone or masonry materials only. Fences may also consist of vegetation so long as the fence otherwise meets and is maintained in accordance with this Ordinance and the other Ordinances of the City. Barbed wire, electrified, and other fences with features specifically designed to injure or abrade a person or animal attempting to negotiate the fence are not permitted.

No fence shall be built on a utility easement unless the fence is immediately removable in sections, including posts, so that there may be immediate access by the utility company or city as needed.

22.0104 Use of Streets, Alleys, and Public Right-Of-Ways or Easements

Obstructions: No person shall regrade or place any object in a street, alley, public right-of-way or public easement that restricts the public's use of the street, alley, public right-of-way or public easement unless authorized to do so by the city. No person shall deposit on any street, alley, public right-of-way or public easement any material, either solid or liquid, which may be harmful to the pavement or vegetation thereof or which may do injury to or render unclean any person, animal or property including oil or other chemicals, snow, dirt, rubbish, or garbage and grass clippings or tree limbs.

Wires and poles: No person shall erect any pole or install any wire within the right-of-way of any street or alley, any public right-of-way or any public easement without first obtaining permission and any required permit from the city. No person shall remove any wire crossing or running along any street or alley right-of-way, public right-of-way or public easement or any pole within the right-of-way of any street or alley, any public right-of-way or any public easement without first obtaining permission from the owner of the wire or pole, notifying the city of the intended removal and obtaining any required permit from the city for working within the public right-of-way.

Sidewalks and gutters: It is the responsibility of every property owner to maintain the sidewalk and gutters adjacent to their private property free and clear of any obstructions.

22.0105 Remedies

If any fence or similar structure is erected, constructed, or repaired in violation of this ordinance, the proper local authorities of the City of Dawson may institute any appropriate action or proceedings to abate the same.

City may choose to abate any violation of this ordinance same after providing 10 days' notice to the Property Owner. If the same has not been abated nor a hearing requested, the City Council, or its authorized representative may abate the same at the Property Owner's costs. The Dawson City Council shall send an invoice for the costs of abating the nuisance to the property owner who shall have 30 days to pay the same. If the property owner fails to make payment within 30 days, the Dawson City Council may authorize the costs of the same be assessed to the property in accordance with N.D.C.C. § 40-05-01.1. However, in no event shall the City of Dawson be limited to the assessment process for the collection of costs incurred. The City shall have full authority to seek out any lawful means to obtain payment for the costs of abating the nuisance.

In the event a hearing is requested, The City Council shall schedule a hearing for its next regularly scheduled Council meeting unless another date is determined to more appropriate. The City Council shall cause notice of the hearing to be sent to the Property Owner. At the hearing the City Council may hear from the Property Owner or any other person with knowledge regarding the ordinance violation. The rules of evidence shall not apply. Decision of the City Council shall be deemed final.

For any violation of this ordinance, the City Council of the City of Dawson may seek out any and all civil remedies in addition to any criminal violations.

Obstructions which are abandoned vehicles shall be addressed in accordance with Ordinance 13.

DATED: 2/03/2025  
ATTEST:  
/s/ Pat Zimmerman,  
City Auditor  
DATED: 2/03/2025  
APPROVED  
/s/ Justin Lang,  
Mayor

Introduced by /s/ Linda Rudolph  
Seconded by /s/ Jay Mosser  
First Reading: 1/06/2025  
Second Reading: 2/03/2025  
Final Passage: 2/03/2025  
Roll Call No:  
4 showed,4 ayes, 0 nays, 1 absent.

**ORDINANCE NO. 23**  
**AN ORDINANCE PROVIDING**  
**FOR THE CONTROL AND THE**  
**TRIMMING AND CARE OF TREES,**  
**DEFINING NUISANCE, AND PROVIDING**  
**FOR THE ABATEMENT**  
**THEREOF BE IT ORDAINED BY**  
**THE COUNCIL OF THE CITY OF**  
**DAWSON, NORTH DAKOTA**

ARTICLE 1: The Control and the Trimming and Care of Trees, Defining Nuisance, and Providing for the Abatement Thereof

23.0101 Definitions.

For the purposes of this ordinance, the following terms, phrases, words, and their definitions shall have the meaning given herein.

“City” is the City of Dawson, State of North Dakota.

“Person” means any person, firm, partnership, association, corporation, company, or organization of any kind.

“Streets” means the entire width of every public way or right-of-way when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular and pedestrian traffic.

“Alley” means a public way affording a secondary means of access.

“Boulevard” means the space between the sidewalk, or the normal location of the sidewalk and the curb line or curb.

“Property Owner” means the person owning such property as is shown by the Kidder County, North Dakota Register of Deeds.

23.0102 Pruning, Corner Clearance  
Every Property Owner of any tree overhanging any street or any public right-of-way within the City shall prune the branches so that the branches shall not obstruct the light from any street-light or obstruct the view of any street intersection and so that there shall be a clear space of eight (8) feet above the surface of a sidewalk and fourteen (14) feet above a street. Alleys should be trimmed so that there is a clear space of six (6) feet from the center of the alley on each side and fourteen (14) feet above the alley.

23.0103 Removal Dead, Decaying or Diseased Trees

Every Property Owner shall remove a tree or shrub that is dead, decayed or diseased located on such private property. A diseased tree may be one in which contains an invasive species such as Dutch Elm Disease Fungus (Ceratocystis Ulmi), or which harbors any of the elm bark beetles capable of transmitting this fungus (Scolytus Multistriatus or Hylurgopinus Rufipes) or other similarly infectious disease.

23.0104 Nuisance Declared:

The following conditions are public nuisances whenever they may be found within the City of Dawson:

Any tree, shrub or hedge, or a part thereof, growing upon public property or upon private property but overhanging or interfering with the use of any public walk, street, or highway, alley, park, or public place within the City of Dawson in violation of 23.0102, or 23.0103 or which is determined by the Dawson City Council to endanger the life, health, safety, or property of the public, shall be declared a public nuisance.

23.0105 Abatement

It is unlawful for any person to permit any public nuisance to remain on any premises owned or controlled by them within the City. Such nuisance may be abated in the manner prescribed by this ordinance.

23.0106 Inspection and Investigation

The Dawson City Council, or its authorized representative shall inspect all premises and places within the city as often as practicable to determine whether a public nuisance in violation of this ordinance exists therein.

The Dawson City Council, or its authorized representative may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned to them under this ordinance.

23.0107 Abatement of Nuisance on Private Property

Upon identification of a nuisance, the City Council or its authorized representative shall cause notice of the same to be sent to the Property Owner. Any public nuisance shall be abated by the owner following notification of the existing nuisance within 30 days. If the same has not been abated nor a hearing requested, the City Council, or its authorized representative may abate the same at the Property Owner's costs. If not corrected or removed within the time allotted not less than 30 days, the Dawson City Council shall authorize the removal or correction to be done in accordance with recommended procedures, the property owner to bear the cost of the same.

In the event a hearing is requested, The City Council shall schedule a hearing for its next regularly scheduled Council meeting unless another date is determined to more appropriate. The City Council shall cause notice of the hearing to be sent to the Property Owner. At the hearing the City Council may hear from the Property Owner or any other person with knowledge regarding the ordinance violation. The rules of evidence shall not apply. Decision of the City Council shall be deemed final.

23.0108 Costs

For abatement of the nuisance occurring on private land or on any street, alley, boulevard, or other public right-of-way adjoining the private property, the cost shall be borne by the private owner. The Dawson City Council shall send an invoice for the costs of abating the nuisance to the property owner who shall have 30 days to pay the same. If the property owner fails to make payment within 30 days, the Dawson City Council may authorize the costs of the same be assessed to the property in accordance with N.D.C.C. § 40-05-01.1. However, in no event shall the City of Dawson be limited to the assessment process for the collection of costs incurred. The City shall have full authority to seek out any lawful means to obtain payment for the costs of abating the nuisance.

DATED:2/03/2025  
ATTEST  
/s/ Pat Zimmerman,  
City Auditor  
DATED: 2/03/2025  
APPROVED:  
/s/ Justin Lang,  
Mayor

Introduced by /s/ Linda Rudolph  
Seconded by /s/ Jay Mosser  
First Reading: 1/06/2025  
Second Reading: 2/03/2025  
Final Passage: 2/03/2025  
Roll Call No:  
4 showed,4 ayes, 0 nays, 1 absent.

**City of Tappen**  
**Regular Meeting**  
**January 6, 2025**

The meeting was called to order. Members present were Brice Barnick, Doug Kinnischtzke, Dale Dockter, Pete Martin and Mike Pfaff. The minutes were read and treasury report reviewed. Mike moved to approve as presented, with Dale seconding. All in favor. MC

Brice is working on getting an estimate for repairs and mold clean up from water damage at the school building.

The bills were reviewed. Dale moved to approve, with Pete seconding. All in favor. MC

North Dakota Commerce has an Energy Community Block Grant Program. Projects include updating lighting and installing energy efficient heating systems. The city will check into this as improvements are needed at the city hall and the school building.

Discussion was held on manufactured/mobile homes. Brice moved that manufactured homes or mobile homes that are older than 20 years will not be allowed to move into town. All homes moved in will need prior approval. As of January 1, 2025, current mobile homes are grandfathered in. Seconded by Doug. All in favor. MC An ordinance is currently being drawn up.

Mike moved that an ordinance is drawn up requiring building permits. Pete seconded. All in favor. MC

Renting the school building was discussed.

Being there was no further business, Dale moved to adjourn. Seconded by Doug. All in favor. MC

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|--|-------------|
| <b>Payments Approved - Jan. 6, 2025</b>                  |             |
| IRS/941.....   | 218.72      |
| Theft ID Protection.....                                 | 5.00        |
| ND Job Service Dues .....                                | 9.46        |
| Payroll - less deductions.....                           | 929.03      |
| Strom Sanitation .....                                   | 2,095.50    |
| Darwin Demaray .....                                     | 90.00       |
| Marlins.....   | 190.55      |
| Steele Ozone.....  | 50.40       |
| Tappen Farm Supply .....                                 | 45.96       |
| MDU/Christmas Lights.....                                | 102.88      |
| MDU .....  | 3,611.30    |
| Noa Barnick/Reimburse.....                               | 19.98       |
| Shipley Electric.....                                    | 5,530.39    |
| WSI.....   | 250.00      |
| SCRWD .....  | 86.00       |
| One Call Concepts .....                                  | 50.00       |
| USPS .....   | 146.00      |
| Total:.....  | \$13,431.17 |
| /s/ Brice Barnick<br>Mayor<br>/s/ Noa Barnick<br>Auditor |             |

**NOTICE OF CANCELLATION**  
**WATER PERMIT NO. 5210**

**TAKE NOTICE** that the Department of Water Resources has initiated the cancellation process for a portion of Conditional Water Permit No. 5210 for three or more years of successive non-use. The permit is held by SITZMANN, MICHAEL L., for the annual use of 369.2 acre-feet of water from the Central Dakota aquifer for Irrigation purposes. The authorized pumping rate is 1,725 gallons per minute. The priority date is January 9, 1998. The points of diversion are the SW1/4 of Sec. 13, and the NW1/4 of Sec. 27, both of T. 140 N., R. 071 W. Kidder County. The land irrigated under this permit is 124.2 acres in the SW1/4 of Sec. 13, and 121.8 acres in the NW1/4 of Sec. 27, all of T. 140 N., R. 071 W., Kidder County.

The portions under consideration for cancellation are 186.36 acre-feet, 124.24 acres in the SW1/4 of Sec. 13, T. 140 N., R. 071 W., Kidder County, a point of diversion in the SW1/4 of Sec. 13, T. 140 N., R. 071 W., Kidder County, and 925 gallons per minute.

**TAKE NOTICE** that written comments regarding the proposed cancellation must be filed in the North Dakota Department of Water Resources, 1200 Memorial Highway, Bismarck, North Dakota 58504-5262, by 5 o'clock p.m., on the 31 day of March 2025. The Department of Water Resources shall consider all written comments received and issue a final decision which will be provided to the permit holder and any person who filed written comments.

Dated at Bismarck, North Dakota, on January 16, 2025.

/S/ John Paczkowski, P.E.  
North Dakota State Engineer  
1200 Memorial Highway  
Bismarck, ND 58504-5262

**Notice of Candidate Filing Deadline**

Notice is hereby given that the deadline for filing to have a candidate's name printed on the ballot for the **Sterling School District No. 35** is March 31, 2025, by 4:00 p.m. The following offices are up for election:

School Board Member (3-year term)  
School Board Member (3-year term)

A candidate for a school district office must prepare and sign a document stating the candidate's name and the position for which the individual is a candidate and a SFN 10172 Statement of Interests form. Both of these documents must be filed with the school district business manager for Sterling School District by the above deadline date and time. All forms are available from the Principal or Business Manager at Sterling School.



## Area Church Schedules

**STEELE CHURCHES:**

**St. Francis de Sales Catholic Church** – Father Peter Sharpe, 701-475-2333. 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> Sunday, 9:00 a.m.; 2<sup>nd</sup> and 4<sup>th</sup> Sundays, 11:00 a.m.

**Trinity Lutheran Church**–Pastor Jacob DeBoer. 475-2490. Sunday Worship, 10:30 a.m.

**United Methodist Church** – Don Dinger, Pastor. Sunday worship, 9:00

**DAWSON CHURCHES:**

**Dawson Lutheran Church** – Pastor Jacob DeBoer. Worship service, 9:00 a.m. at Dawson City Hall

**TAPPEN CHURCHES:**

**St. Paul's Catholic Church** – Father Peter Sharpe. 1st, 4th, 5th Saturday: 4:00pm; 2nd Sunday: 9:00 am; 3rd Sunday: 11:00 am

**St. John's Lutheran Church (Wisconsin Synod)** – Rev. Karl DeMarce. Worship Service, 10:00 a.m.; Sunday School and Bible class, 11:00 a.m.; KSJB Radio Broadcast, 7:00 a.m.; Service on Ch.72 BEK TV, 6:00 p.m. Sundays

**Tappen Cornerstone Church** – Pastor Brenda Goodman. Worship service 9:15 a.m.; Sunday School, 10:30 a.m.

**CRYSTAL SPRINGS CHURCHES:**

**Faith Evangelical Church** - Rev. Mike Kraemer, Pastor. Sunday School for all ages, 10:00 a.m.; Worship service, 11:00 a.m.

**MEDINA CHURCHES:**

**St. Mary's Catholic** – Father Peter Sharpe. 2<sup>nd</sup> and 3<sup>rd</sup> Saturday,4:00 p.m.; 4<sup>th</sup> Sunday, 9:00 a.m.; 1<sup>st</sup> and 5<sup>th</sup> Sunday, 11:00 a.m.

**Grace Emmanuel United Church.** Pastor Brenda Goodman. Worship service, 10:30 a.m.

**DRISCOLL CHURCHES:**

**Grace Lutheran Church** - Pastors; Mark Narum and Martha HarriSon Worship service - 9:30 a.m.; Church Council - Meets quarterly;Communion - 2nd and 4th Sundays .

**TUTTLE CHURCHES:**

**English Lutheran Church** – Vice Pastor Trish DeBoer - Worship service, 11:00 a.m.; Communion, 3<sup>rd</sup> Sunday and Festival Days;

**Tuttle Community Church** – Sunday School 10:00 a m, Worship service,10:30 a.m.

**ROBINSON CHURCHES:**

**Bethany Lutheran Church** – Vice Pastor Trish DeBoer - Worship Service, Sunday service every third Sunday 9:30 a.m.

**PETTIBONE CHURCHES:**

**Our Savior's Lutheran Church** **104 Main St. N Pettibone.** Pastor Robert Hill- Second and Fourth Sundays 8:30 a.m

**Redeemer Lutheran Church 123 2nd Ave. NE Woodworth.** - Pastor Robert Hill Worship Service, First &Third Sundays, 8:30 am

**STREETER CHURCHES:**

**Hope Ebenezer Church** - Pastor Juwle Nagbe. Worship Service, 10:30 a.m., Fellowship, 9:00, Sunday School, 9:15 a.m.

**STERLING CHURCHES:**

**United Methodist** - Pastor Marlin Sapp. 701-387-4792, 701-955-0005. Worship Service, 8:30 a.m.; Bible Study, Tuesday, 10:00, Sunday School @ 9:45

## PUBLIC NOTICES

A public notice is information informing citizens of government activities that may affect the citizens' everyday lives.

Public notices have been printed in local newspapers, the trusted sources for community information, for more than 200 years.

North Dakota newspapers also post public notices that are printed in newspapers on **www.ndpublicnotices.com** at no additional charge to units of government.