

Public Notice

ORDINANCE NO.90 AN ORDINANCE PERTAINING TO FENCES, STREETS AND ALLEYS

WHEREAS, the City of Tappen has the authority to regulate and encourage the orderly development of property within the City of Tappen under Chapter 40-05-01 (8) and (44) of the North Dakota Century Code;

WHEREAS, the City of Tappen has experienced an increase of fence building which can be an impediment to roadway visibility and concerns regarding craftsmanship; and

WHEREAS, the City of Tappen desires to place additional requirement and restrictions on the building of fences for the safety, security, and general welfare of the citizens of Tappen.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAPPEN, NORTH DAKOTA:

ARTICLE 1 - Fences

Section 1 Rules of Construction

1.Words used in the present shall include the future, the singular number shall include the plural

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

3.The word shall is mandatory.

Section 2 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.

Section 3 Fences - Dimensional standards Fences are permitted in the City without the approval from the City Council under the following conditions:

1. Any fence shall be setback in accordance with the following:

a. Front yard — 10 feet from street right-of-way. The maximum height of a fence shall be four (4) feet in front yards. Fences extending across the front yard and along the side yard up to the front corner of the house shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open space for the passage of air and light.

b. 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 in a rear or side yard shall be six (6) feet.

2. 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. Fences cannot be constructed of pallets, corrugated or pro-rib steel type of roofing or siding, or any wind-break material.

3. Fences shall be maintained in good, structurally sound, and safe condition at all times. Any fence material which is painted or otherwise finished shall be kept clean and periodically re-painted or refinished as the case may be to maintain the fence in good condition.

4. 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,

Section 4 Use of Streets. Alleys. and Public Right-Of-Ways or Easements

1. Obstructions: No person shall re-grade or place any object in a street, alley, public rightof-way or public easement that restricts the public's use of the street, alley, public rightof-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,

2. Wires and poles: No person shall erect any pole or install any wire within the right-ofway 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, the city of the intended removal and obtaining any required pennit from the city for working within the public right-of-way.

3. 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.

Section 5 Remedies

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

2. City may choose to abate any violation ofthis 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 Tappen 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 Tappen City Council may authorize the costs of the same be as-sessed to the property in accordance with N.D.C.C. 40-05-01. I . However, in no event shall the City of Tappen 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.

3. In the event a hearing is request-ed, The City Council shall schedule a hearing for its next regularly scheduled Council meeting unless another date is determined to be more appropriate. The City Council shall cause notice of the hearing co 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.

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

5. Obstructions which are abandoned vehicles shall be addressed in accordance with N.D.C.C, 23.1-15 and any amendments thereto.

Introduced by Seconded by
First Reading:
Second Reading:
Final Passage:
Roll Call No. showed: ayes,nays, absent.

/s/ Brice Barnick
Mayor
/s/ Noa Barnick
City Auditor

ORDINANCE NO.91

AN ORDINANCE PERTAINING TO HOUSE MOVING LICENSES AND PERMITS WHEREAS, the City of Tappen has the authority to regulate and abate nuisances within the City of Tappen under Chapter 40-05-01(24) and (44) of the North Dakota Century Code;

WHEREAS, the City of Tappen has experienced an increase of dilapidated structures being moved into City Limits; and

WHEREAS, the City of Tappen desires to place additional requirements and restrictions on moving such structures into the City of Tappen for the safety, security, and general welfare of the citizens of Tappen.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAPPEN, NORTH DAKOTA:

ARTICLE 1 -House Moving Li-censes and Permit

Section 1. House mover-Defined.

Every person who moves, or who agrees or contracts to move, or who is engaged in the moving business or occupation of moving houses, buildings, manufactured homes (for purposes of this article this term means a structure, transportable in one or more sections which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, said structure is colloquially known as trailer homes), prebuilt homes, or any structure which does not meet the size restrictions or limitations for transportation on public roadways for compensation or for hire, and who is not the owner or tenant or lessee in actual possession and acting by and under the consent of the owner of the buildings to be moved shall be deemed to be a house mover and engaged in the business and occupation of moving houses, buildings, manufactured homes, prebuilt homes, etc. within the meaning and contemplation of this article

Section 2. Annual license required.

No person shall engage in the business or occupation of moving houses, manufactured homes, prebuilt homes,

or buildings of any kind or nature whatsoever from place to place within the city, or upon the streets or alleys of the city for hire or compensation without first obtaining an annual license from the City Auditor as provided in this article.

Section 3.License fee.

The license fee to be paid for the annual license required, shall be \$100 unless the City Council sets forth a different amount according to the fee schedule set by resolution by the Council.

Section 4. License not required from owner under certain conditions.

Any owner of any house, building, manufactured home, or prebuilt home either by himself or persons in his employ may move any such structure within the city limits and upon and along the streets and alleys of the city upon procuring a permit from City Council in the amount according to the fee schedule set by resolution by the Council. But such pennit and the payment of such fee shall not relieve any person acting under the provisions of this section from any liability for damage, caused by himself, agents, or anyone in his employ while moving such house or building, and he shall further hold, and indemnify and keep harmless the city from any liability, judgment, cost and expenses which may or might accrue against the city in consequence of

granting of such pennit or work done under such pennit. And before such pennit shall be granted

the applicant shall give bond in such sum as may be fixed by the Council in the amount according to the fee schedule set by resolution by the Council.

Section 5. Permit-Required.

No house, building, manufactured home, or prebuilt home shall be moved on the streets or alleys of the city by any person, whether he is a licensed building mover or not until a pennit shall be obtained. And no licensed house mover shall attempt or begin to move any house or building within the city until the owner of such house or building, or tenant or lessee in actual possession acting by and under the consent of the owner shall have first obtained a pennit.

The pennit fee, shall be \$100 unless the City Council sets forth a different amount according to the fee schedule set by resolution by the Council.

Section 6. Permit contents.

The permit required by Section 5 shall contain and specifically state all the conditions to be complied with in moving a house or building. The permit shall prescribe the route to be taken in such moving and limit the time in which such moving shall be made. Accompanying the pennit shall be a letter from a home inspector duly registered with the State of North that the building before being moved is worth not less than 50 percent of the replacement cost of such building; is in compliance with the current version of the State Building Code. Upon receipt of a completed application, if the City Council determines, the proposed location of the conforms with t city zoning and setbacks; that the moving can be accomplished without damage to the streets, pavement, trees, public utilities and other property; and that when the removal and repairs and alterations have been completed the building will not cause undue or serious depreciation of

other properties in the neighborhood, the City Council shall order the issuance of a pennit for

such moving subject to such terms and restrictions as shall be fixed by the City Council, otherwise the application shall be denied.

Section 7. Time limit for blocking streets.No public street or alley in the city shall be blocked for travel nor shall traffic be delayed upon any of the streets by reason of such moving of houses or buildings for a longer period than three consecutive hours.

Section 8. Permission to cut wire-sand remove obstructions.

Whenever it shall be necessary to cut or move any wires or other bodies or obstructions from the course of such building or structure to be moved as permitted by this article the house mover shall procure the necessary permission of the owner of such property and must pay all costs in connection with such removal and the house mover must reset or replace any such body or obstruction by him moved immediately if so desired by said owner or owners. Upon payment of or tender of an amount sufficient to pay the reasonable cost of cutting and replacing of any wires, or removal and replacing of any such obstruction by such house mover to the owner of such wires or obstruction, such house mover shall be entitled to have such wires or obstruction cut or removed and to proceed along the course provided for by his permit.

Section 9. Restoration of property upon removal or demolition of buildings.Within ten days of the removal or demolition of any building or structure within the city, the premises vacated shall be restored as follows:

1. All materials and debris, includ-

ing sidewalks, driveways, basement foundations and floors, shall be removed and hauled away and shall not be buried or covered upon the premises.

2. Water and sewer lines and all other public utility services shall be cut and removed from the site and shall be capped at the main with the adjoining public right-of-way as directed by City Council, its designee or other entity providing such services.

3. All excavations on private property shall be packed with clay and topped with six inches of black dirt and seeded to grass.

Section 10 Enforcement.

1. Failure of an owner to obtain the necessary permit or license shall allow the City Council to enforce this ordinance in any manner allowed by its City Code, and/or court action. City at its option may abate nuisances under Chapter 42 of the North Dakota Century Code in lieu of the procedures provided below.

2. The placement of any structure where a necessary permit has not been obtained and Failure to follow the restoration requirements in Section 9 shall be deemed a nuisance. City Council shall written notice to be provided to the owner by certified mail and posting on a structure, if feasible.

3. Any public nuisance shall be abated by the owner following notification of the 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 Tappen City Council shall be authorized to enter onto the property, to abate the nuisance, and assess the costs thereof onto the property taxes of the owner at the location of the nuisance or any other property owned by the same owner within the City's jurisdiction.

4. 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 be 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. City Council's determination shall be by the greater weight of the evidence and the rules of evidence shall not apply. The decision of the City Council shall be deemed final.

5. In the event the City determines an emergency exists, wherein if swift action is not taken to correct a nuisance defined in this ordinance, there is serious risk of injury to persons or property, City may direct its staff, contractors or agents to abate the nuisance and assess the costs thereof onto the property taxes of the owner at the location of the nuisance or any other property owned by the same owner within the City's jurisdiction. City shall make best efforts to notify the Owner thereof and the actions taken to address the emergency.

Introduced by Seconded by First Reading:
Second Reading:
Final Passage:
Roll Call
No.showed:ayes,nays,absent.

/s/ Brice Barnick
Mayor
/s/ Noa Barnick
City Auditor

Kidder County Public School School Board Minutes August 13, 2025

The Kidder County School Board met in regular session at Kidder Steele School on August 13, 2025 at 7:00 P.M. Board members in attendance were Kip Haadem, Jeff Schmidt, Shawn Nix, Hoyt Wagner, Jason Braun, and Paula Moch. Also attending were Rick Diegel, Ryan Larson, Mike Wachter, and Sonya Larson.

Vice President Shawn Nix called the meeting to order.

Kip Haadem moved and Jeff Schmidt seconded to approve the agenda as presented. All ayes, motion approved.

Jeff Schmidt moved and Jason Braun seconded to approve the July 23rd and August 1st meeting minutes. All ayes, motion approved.

Kip Haadem moved and Jeff Schmidt seconded to approve the August bills. All ayes, motion approved.

Kidder County School District #1

Vendor Name \$Amount

Checking

General Fund

AFLAC\$2,502.92

AMAZON CAPTIAL SERVICES505.17

CHOICE FINANCIAL INSURANCE2,935.00

CITY OF STEELE903.44

COLE PAPERS INC.2,336.69

DUANE'S BODY SHOP6,609.83

FARMERS & MERCHANTS OIL CO.216.44

FIRST UNUM LIFE INSURANCE1,778.26

HIGHMARK DIRTWORKS236.00

I STATE TRUCK CENTER139.12

INTERSTATE POWER SYSTEMS108.36

JODI OLSON196.91

KEM ELECTRIC2,865.85

KIDDER COUNTY SHERIFFS DEP20.00

LIGHTSPEED SOLUTIONS, LLC1,729.92

MAGIC - WRIGHTER INC.34.95

MARCO TECHNOLOGIES, LLC2,269.63

MDU351.79

MENARDS - BISMARCK22.71

ND ASSOCIATION OF SCHOOL BM50.00

ND BUREAU OF CRIMINAL80.00

ND COUNCIL OF EDU LEADERS150.00

ND SMALL ORGANIZED SCHOOLS500.00

ND WORKFORCE SAFETY & INS8,220.15

NDPHIT39,311.47

O'REILLY AUTOMOTIVE, INC768.34

PATHWAYS TO READING, INC1,114.00

PFAFF, KENNETH38.99

PITNEYBOWES - GLOBAL FINAN177.00

QUAVERED INC2,100.00

SAVVAS LEARNING COMPANY LLC3,082.40

SOFTWARE UNLIMITED INC6,050.00

SOUTH CENTRAL PRAIRIE SP. ED94,955.00

STEELE FARMERS ELEVATOR150.00

VISA5,309.85

WILLIAM H. SADLIER, INC.5,291.74

Fund Total:\$193,111.93

Checking

Building Fund

GEORGE, CLINT2,073.60

JV FOAM INSULATION LLC22,000.00

SCHOOLLOCKERS.COM1,666.45

Fund Total:\$25,740.05

Checking

Activity Fund

CITY OF TAPPEN330.00

COUNTRYSIDE DESIGNS & SIGNS785.81

GAME ONE180.60

GERRELLS SPORTS CENTER1,068.00

IMPACT APPLICATIONS INC550.00

LANGS LAWN CARE1,995.00

MFAC, LLC407.00

ND HIGH SCHOOL Activities3.00

PETE MARTIN107.00

SLEEP INN & SUITES198.00

TESSMAN COMPANY, THE32.46

VISA646.61

ZAHRADKA, BRANDON2,000.00

Fund Total:\$8,303.48

Hoyt Wagner moved and Jason Braun seconded to approve the August finance report. All ayes, motion approved.

Elementary Principal and Athletic Director Ryan Larson gave his report.

High School Principal Michael Wachter gave his report.

OLD BUSINESS

Administration presented an update on 2025-2026 staffing.

Rick Diegel updated the board on the 2025-2026 levy. The Levy Hearing is set for Wednesday, September 10th at 6:30pm.

NEW BUSINESS

The Transportation Committee presented their report.

Superintendent Diegel stated that the 2025-2026 enrollment is projected to be 398 which is up from last year's enrollment of 389.

Policy BCBA was discussed. Kip Haadem moved and Paula Moch seconded to approve the recommended Policy BCBA per Siting Policy BDA of expediting passage of policy with only one reading. Roll call: Jeff Schmidt-yes; Kip Haadem-yes; Paula Moch-yes; Jason Braun-yes; Hoyt Wanger-yes; and Shawn Nix-yes; Motion approved.

Following the passing of Chairman Jason Schmidt, policies BBBA and BBC were reviewed. Effective immediately, Shawn Nix assumes Presidency upon the vacancy of the Board President. A Board Member Seat Application was presented, and by consensus, the Board agreed to use the presented application. The deadline for submission is set for Monday, September 8th at 12:00 PM.

The September board meeting was set for Wednesday, September 10th at 7:00pm. The Tax hearing will be at 6:30pm.

With no further business, meeting was adjourned.

/s/ Shawn Nix,
President
/s/ Sonya Larson,
Business Manager