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County of Pierce)

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PIERCE COUNTY PLANNING & ZONING

SUMMARY OF CHANGES

ADDITIONS:

Article 2, Section 9 Utilities - added 12/16/03 pg.7

Article 2, Section 10 Windpower Generation Facilities & Towers - added 12/16/03 pg.7

Article 2, Section 11 Animal Feeding Operations - added 5/1/07 pg. 8

Article 2, Section 12, Crew Camp Facilities-added 7/3/12 pg. 15

CHANGES:

Article 3, Section 4 Permitted Uses – letter V. amended 12/16/03 pg.22

Article 3, Section 4 Conditional Uses – letter T. amended 2/5/02 pg. 23

Article 3, Section 4 Conditional Uses – letter U. amended 12/16/03 pg. 23

Article 3, Section 4 Conditional Uses – letter V. amended 12/16/03 pg. 23

Article 3, Section 4 Conditional Uses – letter W. amended 5/1/07 pg. 23

Article 3, Section 4 Conditional Uses- letter X. amended 7/3/12 pg. 23

Article 3, Section 5 Conditional Uses – letter J. amended 12/16/03 pg. 26

Article 3, Section 6 Conditional Uses – letter F. amended 12/16/03 pg. 27

Article 3, Section 7 Conditional Uses – letter H. amended 12/16/03 pg. 29

Article 3, Section 10 Conditional Uses – letter R. amended 12/16/03 pg. 35

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PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this
office on 7/25/2012 at 9:29 AM in 119 MISC on Page 256
Lori Miron, Recorder

By Lori Miron Recorder Deputy Fees \$0.00



ZONING REGULATIONS

**PIERCE COUNTY
NORTH DAKOTA**

AUGUST 1994

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PREAMBLE

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING
REGULATIONS FOR PIERCE COUNTY

The intent is to:

Promote the health, safety, moral and general welfare of the county residents and the orderly development of lands within the county;

Preserve and maintain agricultural lands for farm use;

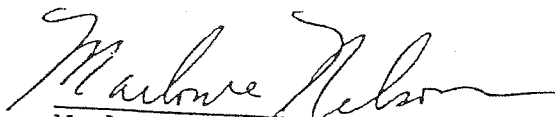
Encourage growth not related to the normal incidents of agriculture, to locate within existing communities or within the immediate environs of communities;

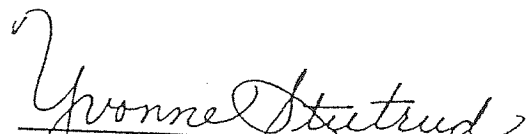
Promote a healthy and visually attractive environment;

Promote the development of utility corridors which utilize the least productive agricultural land;

Discourage development which places an excessive financial burden on township government.

THIS ORDINANCE WAS UNANIMOUSLY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF PIERCE COUNTY ON THE 4TH DAY OF AUGUST, 1994.


Marlowe Nelson, Chairman
Pierce County Commission


Yvonne Stutrud, County Auditor
Pierce County

ZONING REGULATIONS
PIERCE COUNTY, NORTH DAKOTA

ARTICLE 1 – INTRODUCTION

SECTION 1. TITLE: This resolution shall be known, cited, and referred to as the “Zoning Regulations of Pierce County, North Dakota”.

SECTION 2. PURPOSE: These regulations have been made in accordance with a comprehensive plan prepared for Pierce County and are designed to promote the health, safety, morals, public convenience, general prosperity, and public welfare of Pierce County.

SECTION 3. REPEAL: All other zoning regulations and amendments thereto adopted under the authority of Chapter 11-33 of the North Dakota Century Code are hereby repealed.

SECTION 4. AUTHORITY: These regulations are adopted under the authority granted by Chapter 11-33 of the North Dakota Century Code.

SECTION 5. SEVERABILITY: Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6. EFFECTIVE DATE: These regulations shall be in full force and effective from and after its passage and approval.

ARTICLE 2 – GENERAL PROVISIONS

SECTION 1. JURISDICTION: These zoning regulations shall apply to unorganized townships. The regulations shall also apply to organized townships and cities which formally request to be included in these zoning regulations. The formal request shall consist of a written request from the governing body filed with the County Commission. The governing body may withdraw participation in these regulations at any time by filing a written request with the County Commission. Nevertheless, Article 2 – Section 8 “Waste Disposal Sites” shall apply to both organized and unorganized townships pursuant to Section 11-33-20 N.D.C.C.

SECTION 2. COMPLIANCE: Except hereinafter provided, no building structure or land shall be used, occupied, erected, constructed, moved, reconstructed or structurally altered except in conformity with all of the regulations for the district in which it is located.

SECTION 3. AGRICULTURE EXEMPTED: Nothing in this ordinance shall be

applied for the purpose of preventing or restricting the use of land or buildings for agriculture or any of the normal incidents of agriculture.

SECTION 4. INTERPRETATION: In the interpretation and application of these regulations, these provisions shall be held to be the minimum requirements adopted for the promotion of the public health, safety and welfare. Where these regulations impose a greater restriction on land, buildings or structures than is imposed or required by existing provisions of law, ordinance, contract, deed, or resolution, the provisions of these regulations shall control.

SECTION 5: NONCONFORMING USES:

1. Lawful nonconforming uses of land or buildings existing at the date of adoption of these regulations may continue provided no structural alterations, except for normal maintenance, are made and such nonconforming uses shall not be extended to occupy a greater area of land than occupied at the date of adoption of these regulations.
2. No building or structure where a nonconforming use has been discontinued for a period of two years or has changed to a permitted use shall again be devoted to a nonconforming use.
3. A nonconforming structure destroyed or damaged less than fifty percent of its fair market value may be reconstructed within one year of such casualty. If damaged more than fifty percent of its fair market value, such building shall be reconstructed in conformance with these regulations.
4. The provisions of this section shall not be applicable to conditional uses or any made nonconforming by a change or amendment in district regulations.

SECTION 6. SIGN REGULATIONS: Signs shall only be permitted if they conform to the regulations in this article.

1. **PERMITTED SIGNS:** The following signs shall be permitted in all zoning districts:
 - A. Signs not exceeding two square feet in area bearing property numbers, box numbers, or names of occupants of the premises.
 - B. Flags and the insignia of any government.
 - C. Legal notices, identification information, or directional signs erected by government bodies.
 - D. Signs directing and guiding traffic or parking on private property.

- E. No more than one sign advertising property for sale or rent.
 - F. Bulletin boards and signs for churches or other public institutions.
2. **LIMITED PERMITTED SIGNS:** The following signs shall be permitted in only the C-1, C-2, A-1, A-2 and I-1 zoning districts:
- A. Illuminated signs.
 - B. Marquee signs.
 - C. Portable signs.
 - D. Projecting signs.
 - E. Roof signs.
 - F. Wall signs.
 - G. Temporary signs.
3. **BILLBOARDS:** Billboards shall only be permitted in the C-1, A-1, and I-1 zoning districts.
4. **UNLAWFUL SIGNS:** The following types of signs are prohibited from all zoning districts:
- A. Any sign, outdoor commercial advertising or lighting device such as a beacon light, constituting a nuisance because of lighting glare, focus, animation, or flashing.
 - B. Any sign which conflicts in any manner with the clear and obvious appearance of public signs and devices controlling traffic.
 - C. Any sign projecting more than 10 feet over a road, street, alley, or other public space, or closer than two feet to the curb line of any public road, street, or alley, or less than nine feet above any road, street, alley, or public space.
 - D. Any notice, political poster or handbill, advertisement, or any other sign upon any power or telephone pole, bridge, fire hydrant, or official public sign.
 - E. Any ground sign on public property except by approval of the County Commission.

SECTION 7. PARKING REGULATIONS

1. ***SPACE REQUIREMENTS:*** Except in the C-2 zoning district, wherever a structure is erected, converted or structurally altered there shall be a minimum number of off street parking spaces provided as follows:
 - A. Single and two family dwellings – One parking space for each dwelling unit.
 - A. Multiple family dwelling units – One and one-half parking spaces for each dwelling unit.
 - B. Schools – Two parking spaces for each classroom.
 - D. Churches and other places of public assembly – One parking space for each five seats.
 - E. Hospitals, nursing homes, boarding houses and lodging houses – One parking space for each five beds.
 - F. Offices – One parking space for each 200 square feet of gross floor area.
 - G. Restaurants – One parking space for each three seats.
 - H. Motels – One parking space for each living or sleeping unit.
 - I. Personal service and retail sales – One parking space for each 100 square feet of the sales area.
 - J. Industrial and manufacturing businesses – One space for each employee on the largest shift.

SECTION 8. WASTE DISPOSAL SITES: At a minimum the following described waste disposal sites shall comply with all applicable state, federal, local laws, rules and regulations. In addition, the County Commission may require compliance to other conditions.

1. ***Private Waste Disposal Sites:*** A solid waste disposal site used exclusively by and only for the landowner engaged in farming. Sites shall be limited to one per landowner and used only for refuse generated from personal farming operations, in addition these sites must comply with Agricultural Stabilization & Conservation (ASC) regulations.
 - A. Private waste disposal sites shall avoid low and steep areas and be a minimum of two hundred fifty (250) feet (76m) away from waterways.
2. ***Commercial Waste Disposal Sites:*** A solid waste disposal site or facility permitted pursuant to the laws of the State of North Dakota. Waste which is transported to a

disposal site shall be by a waste hauler licensed by the State of North Dakota.

- A. The site, operation, or facility must meet or exceed all applicable federal, state and local laws, rules, and regulations.
- B. The site, operation, or facility shall be limited to inert solid waste and municipal solid waste. Waste that is deemed hazardous in nature or exerts hazardous characteristics or nuclear waste, sewage sludge and incinerator ash are not permitted.
- C. All areas for excavation and filling operations shall maintain a minimum setback of 150 feet from all property lines.
- D. No fires shall be permitted, except by permission of the County Commission. Any smoldering flame or spontaneous combustion at the site shall be immediately extinguished.
- E. The premises shall be kept neat and clean at all times, no loose paper or debris shall be allowed on the site, except on areas where active filling operations are taking place.
- F. Entrance to the site shall be controlled at all times to prevent improper dumping on the site.
- G. For facilities that manage municipal solid waste, a chain link fence six (6) feet high shall be installed along the boundaries of the area developed or the area of active filling operations and provided with gates of the same construction as the fence.
- H. For other facilities, other than a municipal solid waste site, a four-wire barbed wire fence, suitable to restrain livestock, shall be placed around the boundary of the permitted site.
- I. Provisions, approved by the County Commission, shall be made for the management of surface and storm water falling on or crossing the site at all times, during and after the completion of the operations. Surface and storm water management also shall comply with all applicable federal, state, and local laws, rules, and regulations. These provisions shall be accomplished through the use of an independent professional engineer that is registered by the State of North Dakota.
- J. The depth of excavation and the materials to be used for fill shall not have any adverse effect on the supply or quality of ground water.
- K. Operators of a commercial waste disposal facility or site may have an

environmental inspector on site. Provisions shall be made for the cost to be paid by the operator to the State Health Department or County as may be negotiated with the State Health Department.

- L. Facilities other than ones that manage municipal solid waste would be required to have nonsudden and sudden liability insurance and closure and postclosure insurance payable to the State Health Department.

SECTION 9. UTILITIES: (as added, 12/16/03)

1. All new utilities shall be considered as a conditional use and, as such, shall conform to all requirements put on them by the Planning Commission and/or County Commission.
2. No conditional use permit shall be issued unless satisfactory provisions for the following have been made:
 - A. Underground utilities shall be placed a minimum depth of four (4) feet, so as not to constitute a hazard to normal farming or general county/ township maintenance.
 - B. Above ground utilities shall be placed in a manner which will conform with state law.
 - C. Utility placement shall conform with section lines, highway (state and federal), and railroad right of ways.
 - D. The activities will not result in undue damage or injury to roads, bridges, right of ways in the County, or to any public or private property.
 - E. Excavation costs for purposes of construction or maintenance of a utility shall be borne by the contractor or owner of said utility.

SECTION 10. WIND POWER GENERATION FACILITIES AND TOWERS (as added 12/16/03)

1. Towers and all related equipment shall be in compliance with all applicable Local, State and Federal regulatory standards.
2. The tower shall be setback as follows: From
 - A. Occupied residence – 750 feet
 - B. Property line – 200 feet
 - C. Road Right of Way – 300 feet

Setbacks shall be increased to the tower fall zone if it is greater than any of the above.

3. Noise shall be limited to a maximum level of 50dB(A) at the nearest property line.
4. Tower shall be of a monopole type (self-supporting, tubular) and shall be no more than 300 feet in height. Except for towers supporting generation units with a rated capacity of less than 40 Kilowatts.
5. Rotor blades shall not exceed 500 feet from the ground.
6. Facility shall have a rating of 5,000 Kilowatts or less.
7. No lighting shall be permitted other than that required by Federal requirements.
8. All connecting power lines shall be buried underground. Tower and facilities shall be designed to minimize their visual impact.

SECTION 11. ANIMAL FEEDING OPERATIONS (as added 5/1/07)

This ordinance for animal feeding operations includes the following sections.

1. General Provisions
 1. A Definitions
 1. B Equivalent Animal Numbers
 1. C Environmental Protection
 1. D Enforcement
2. Setback Requirements
 2. A Water Resource Setbacks
 2. B Odor Setbacks
 2. C Building Setbacks
 2. D Setbacks from Cities and Subdivisions
 2. E Odor Easements
3. Conditional Uses
 3. A Permit Procedures
 3. B Ownership Change
 3. C Operational Change
 3. D Closure and Financial Assurance

1. General Provisions.

1.A Definitions.

Terms used in this Ordinance have the same meaning as given by the laws and rules of the State of North Dakota, specifically chapter 33-16-03 of the North Dakota Administrative Code. The definitions for these terms are:

“Animal feeding operation” means a place where: livestock have been, are, or will be confined, concentrated and fed for 45 or more days in any 12 month period; pasture, crops, or other vegetation are not normally managed or sustained for grazing during the normal growing season; and, animal waste or manure accumulates. This term does not include an animal wintering operation. Adjoining animal feeding operations under common ownership are considered to be one animal feeding operation, if they use common areas or systems for manure handling.

“Animal wintering operation” means the confinement of cattle or sheep used or kept for breeding purposes in a feedlot or sheltered area at any time between October 15 and May 15 of each production cycle under circumstances in which these animals do not obtain a majority of their feed and nutrients from grazing. The term includes the weaned offspring of cattle and sheep, but it does not include (1) breeding operations of more than 1,000 animal units or (2) weaned offspring which are kept longer than 120 days and that are not retained for breeding purposes.

“Due process” involves two essential elements; (1) notice and (2) an opportunity for a hearing. The notice must adequately describe the potential action that might affect the person(s) being notified and it must provide the person(s) a reasonable time to respond. If the person(s) request(s) a hearing, the hearing must be fair and allow the person(s) to present relevant evidence and arguments.

“Existing” means in place and operating on the date this Ordinance is effective.

“Livestock” means any animal raised for food, raw materials or pleasure, including, but not limited to, beef and dairy cattle, bison, sheep, swine, poultry and horses. Livestock also includes fur animals raised for pelts.

“Manure” means fecal material and urine from livestock, as well as animal-housing wash water, bedding material, rainwater or snow melt that comes in contact with fecal material or urine.

“Operator” means an individual or group of individuals, a partnership, a corporation, a joint venture, or any other entity owning or controlling one or more animal feeding operations or animal winter operations.

“Shall” means that the requirement is mandatory, rather than optional.

“Surface water” means waters of the State located on the ground surface such as lakes, reservoirs, rivers and creeks.

“Waters of the State” means all waters within the jurisdiction of this State, including all streams, lakes, ponds, impounding reservoirs, marshes, watercourses, waterways, and all other bodies or accumulations of water on or under the surface of the earth, natural or artificial, public or private, situated wholly or partly within or bordering upon the State, except those private waters that do not combine or effect a junction with natural surface or underground waters just defined.

1.B Equivalent Animal Numbers.

An “animal unit equivalent” is a unit-less number developed from the nutrient and volume characteristics of manure for a specific livestock type. The term “animal units” is used to normalize the number of animals (e.g., head) for each specific livestock type which produce comparable bulk quantities of manure. The animal unit equivalents for types of livestock and the numbers of livestock for facility size thresholds of 300 animal units, (a.u.), and so forth, are listed in the following table.

		Equivalent numbers of the Livestock (head) For Four Sizes (a.u.) of Animal Feeding Operations			
Livestock Type	Animal Unit Equivalent	300 a.u.	1,000 a.u.	2,000 a.u.	5,000 a.u.
1 horse	2.0	150 head	500 head	1,000 head	2,500 head
1 dairy cow	1.33	225	750	1,500	3,750
1 mature beef	1.0	300	1,000	2,000	5,000
1 beef feeder- Finishing	1.0	300	1,000	2,000	5,000
1 beef feeder back- grounding	0.75	400	1,333	2,667	6,667
1 mature bison	1.0	300	1,000	2,000	5,000
1 feeder bison	1.0	300	1,000	2,000	5,000
1 swine > 55 lbs	0.4	750	2,500	5,000	12,500
1 swine, Nursery	0.1	3,000	10,000	20,000	50,000
1 sheep	.01	3,000	10,000	20,000	50,000
1 chicken	0.01	30,000	100,000	200,000	500,000
1 turkey	0.0182	16,500	55,000	110,000	275,000
1 goose or Duck	.02	1,500	5,000	10,000	25,000

1.C Environmental Protection.

The operator of a new facility for animal feeding is expected to locate, construct, operate and maintain the facility so as to minimize, reduce or abate effects of pollution on environmental resources and on public safety and health. The operator of an existing facility is expected to operate and maintain the facility so as to minimize, reduce or abate effects of pollution on environmental resources and on public safety and health. Each operator shall comply with applicable State laws and rules, including the laws and rules administered by the North Dakota Department of Health and with any permits granted by that department.

1.D Enforcement.

In the event of a violation of this Ordinance or a judgment on a civil action by the North Dakota Department of Health, the Pierce County Board of County Commissioners, after due process, can order cessation of a facility for animal feeding within a reasonable period of time and until such time as the operator corrects or abates the cause(s) of the violation. If the cause(s) of the violation are not remedied within a reasonable period of time as set by the Pierce County Board of County Commissioners, the permit may be revoked.

2. Setback Requirements.

2.A Water Resource Setbacks.

The operator of a new animal feeding operation that has more than 1,000 animal units shall not locate or establish that operation:

1. Within a delineated source water protection area for a public water system. The source water protection areas for water supply wells include the entire wellhead protection area. For the surface water intakes of public water systems, source water protection areas include all or portions of the surface water that supplies the water for the public water system, including all or portions of the surface-water's shoreline.
2. Within 1,200 feet of a private ground water well which is not owned by the operator or within 1,500 feet of a public ground water well, which does not have a delineated source water protection area.
3. Within 1,000 feet of surface water which is not included in a source water protection area.

2 .B Odor Setbacks.

The operator of a new facility for an animal feeding operation shall not locate that operation within the extra-territorial zoning jurisdiction of an incorporated city.

An owner of property shall locate and establish a residence, business, church, school, public park or zone for residential use so as to provide a separation distance from any existing animal feeding operation. The separation distances, or setbacks, are listed in the following table. An owner of property who is an operator may locate the owner's residence or business within the setbacks.

Setback Distances for Animal Feeding Operations		
Number of Animal Units	Hog Operations	Other Animal Operations
Fewer than 300	None	None
300- 1,000	0.50 mile	0.50 mile
1,001- 2,000	0.75 mile	0.50 mile
2,001- 5,000	1.00 mile	0.75 mile
5,001 or more	1.50 miles	1.00 mile

The operator of a new animal feeding operation shall locate the site of that operation from existing residences, businesses, churches, schools, public parks and areas of property that are zoned residential so as to exceed the corresponding listed setback from these places.

If notified in writing by an operator of a planned future expansion of an animal feeding operation, the Pierce County Board of County Commissioners may implement the corresponding odor setback for a temporary time period not to exceed two years, after which time the setback will remain in effect only if the expansion was completed.

The Pierce County Board of County Commissioners may, upon recommendation of the Pierce County Planning and Zoning Commission, increase or decrease a setback distance for a new animal feeding operation after consideration of the proposed operation's plans, if it determines that a greater or lesser setback distance is necessary or acceptable, respectively, based upon site conditions or demonstrable safety, health, environmental or public welfare concerns.

2. C Building Setback.

All corrals, pens, and buildings included in the animal feeding operation shall be located at least 150 feet from an adjacent property line.

2. D Setbacks from Cities and Subdivisions.

1. The operator of a new animal feeding operation that has more than 1,000 animal units may not locate or establish that operation within four (4) miles of the extraterritorial boundaries of any incorporated city that has a population of more than 500 persons.
2. The operator of a new animal feeding operation that has more than 1,000 animal units may not locate or establish that operation within one and one-half (1½) miles of any incorporated city that has a population of 500 persons or less

3. The operator of a new animal feeding operation that has more than 1,000 animal units may not locate or establish that operation within one and one-half (1½) miles of any platted subdivision with ten (10) or more residences.

2. E Odor Easements.

Setback distances do not apply to any existing residences, businesses, churches, schools, or public parks, if the owner or operator of the animal feeding operation has obtained an odor easement from the owner of the affected property and any person who is leasing the property at the time that the easement is granted.

3. Conditional Uses.

3. A Permit Procedures.

3. A.1 Applicability.

The operator of a new livestock facility or an existing livestock facility, which meets the definition of an animal feeding operation and which is a conditional use of land as listed below, shall apply for and obtain a conditional use permit.

- a. A new animal feeding operation that would be capable of handling, or that expands to handle, more than 1,000 animal units is a conditional use of the land.
- b. An existing animal feeding operation that expands to handle more than 1,000 animal units is a conditional use of the land.
- c. A new animal feeding operation that is capable of handling, or that expects to handle, or an existing animal feeding operation that expands to handle, more than 300 animal units is a conditional use of the land if it is located in any area identified in subsections 1, 2 or 3 of Section 2.D.

Whenever the capacity of an animal feeding operation is expanded to handle more than 2,000 or 5,000 animal units, the operator shall apply for a new conditional use permit.

3. A.2 Procedure.

- a. Application for a conditional use permit shall be submitted to the Pierce County Planning and Zoning Commission for tentative approval. The Pierce County Planning & Zoning Administrator shall notify the Department of Health that it has received such application.
- b. The Pierce County Planning & Zoning Administrator shall notify by certified mail all property owners having property within the corresponding odor setback distance of a proposed new animal feeding operation. This notification must occur within 21 days of receiving the application. The approval process utilized by the Pierce County Planning & Zoning Commission must include at least one advertised public hearing.
- c. Following tentative approval or denial of the application by the Pierce County Board of County Commissioners, as submitted by the Pierce County Planning and Zoning Commission, the applicant shall be notified by letter of the decision, including conditions imposed, if any.

- d. The applicant shall then forward its application for a conditional use permit, together with the tentative approval by the Pierce County Board of County Commissioners, to the North Dakota Department of Health.
- e. Following a review by the Department of Health of the operator's application for a State permit, the Department of Health will notify the Pierce County Planning & Zoning Administrator of its decision.
- f. The conditional use permit will become final following the granting of a permit by the ND Department of Health.
- g. A conditional use permit granted to the operator of a new animal feeding operation shall be put into use within twenty four (24) months, or the permit shall lapse and the operator may re-apply.

3. A.3 Application requirements.

The application for a conditional use permit to operate a facility for an animal feeding operation shall include a scaled site plan. If the facility will handle more than 1,000 animal units, the scaled site plan shall be prepared by a registered land surveyor, a civil engineer or other person having comparable experience or qualifications. The Pierce County Planning and Zoning Commission may require any or all of the following elements, or require additional elements, in its site plan review process when needed to determine the nature and scope of the animal feeding operation.

1. Proposed number of animal units.
2. Total acreage of the site of the facility.
3. Existing and proposed roads and access ways within and adjacent to the site of the facility.
4. Surrounding land uses and ownership, if the operation will have the capacity to handle more than 1,000 animal units.
5. A copy of the permit application submitted by the applicant to the ND State Department of Health.

3. A.4 Financial assurance bond requirements.

A financial assurance instrument (irrevocable letter of credit, cash surety bonds or cash bonds) shall be posted in an amount sufficient to ensure proper closure. Such letter or bond shall be posted prior to the time of final site approval by the County. The exact amount shall be site-specific and shall be determined by a study conducted by a professional engineer or consultant licensed by the State of ND. The cost of the engineer's or consultant's study will be paid for by the posting entity. The County reserves the right to seek a second opinion at the County's expense.

3. B Ownership Change.

An operator of a facility that includes an animal feeding operation having a permit granted by this Ordinance shall notify the Pierce County Planning & Zoning Administrator of the sale or the transfer of the ownership of that operation.

3. C Operating Change.

An operator of a facility that includes an animal feeding operation having a permit granted by this Ordinance shall notify the Pierce County Planning & Zoning Administrator of intent to include an alternate livestock type. The notice shall be given at least 120 days prior to the anticipated date of the change.

3. D Closure and Financial Assurance.

3.D.1 Notice of Termination.

The owner, operator or permittee shall provide the County with a minimum of thirty (30) days written notice prior to permanent cessation or abandonment of the animal feeding operation or any part of the wastewater treatment system. It shall be a violation of these rules to permanently cease the use or abandon any facility or site or any part of the wastewater treatment system, including but not limited to pits, lagoons, impoundments, piping, disposal areas, storage areas, and land application sites without complying with notice and closure requirements.

3. D.2 Closure and Financial Assurance Instruments.

- a. The Pierce County Commissioners shall establish by rule, the conditions and standards for proper closure of a concentrated animal feeding operation upon cessation of operations. These shall address at a minimum; lagoon draining, cleaning and filling, removal of waste handling facilities and equipment, disposal of animal parts or carcasses and other conditions to assure public health and safety.
- b. Upon proper closure, as determined by an inspection by the North Dakota State Health Department and/or by the Lake Region District Health Unit of Devils Lake ND, any financial assurance instrument required under Section C.1.d shall be returned to the posting entity.

SECTION 12. CREW CAMP HOUSING (as added 7/3/12)

1. DEFINITIONS

“Crew housing facilities” means one or more lodging units, ordinarily designed for human living quarters or a place of business, on a temporary or permanent basis, which are not real property, as defined in section 57-02-04, and are not mobile homes, as defined in section 57-55-01. A group of crew housing facilities that are connected physically or by common ownership may be treated as a single crew housing facility for purposes of imposition of crew housing permit fees imposed under this chapter.

- A. “Crew housing permit” means a right granted by a city or county to locate crew housing facilities on property within the jurisdiction of the city or county under this chapter whether or not attendant services and facilities are provided by the city or county.
- B. “Skid unit” means a structure or group of structures, either single or multi-sectional, which is not built on a permanent chassis and is ordinarily designed for human living quarters or a place of business, on a temporary or permanent basis.

- C. "Closed crew camp" means employee housing occupied by employees of an applicant business or premises leased to a business for the purpose of providing temporary housing only to employees of that business.

2. CREW HOUSING CONDITIONAL USE PERMIT

- A. Any person desiring to operate a crew housing facility shall first apply for a conditional use permit, as provided herein. Upon receipt of the completed application, the city or county shall have the obligation to (1) judge whether the person applying for the permit, and any owner, operator, or vendor associated with the applicant, is experienced and able to operate a crew camp in the best interests of the city or county and its citizens; and (2) judge whether the physical location and land sought to be used for a crew housing facility is appropriate for the use intended.
- B. Any crew housing facility shall require a conditional use permit, and shall not be allowed in any zoning designation within the city or county without such conditional use permit. Such conditional use permit shall be valid for a maximum period of two years from the date of final approval by the city or county. Any person granted a conditional use permit for a crew housing facility shall have the option to apply for an extension of the conditional use permit for an additional two year period. Any extension of the conditional use permit shall be at the sole discretion of the city or county. Camp construction must be completed within the two year period of the original permit or within the two year extension thereof.
- C. The issuance of a conditional use permit for a crew housing facility shall not be deemed to be a change in zoning and the zoning of the property prior to the conditional use permit shall remain unchanged. In the event the use of any property, as permitted by a conditional use permit, is terminated for any reason, the conditional use permit shall expire.

3. ANNUAL CREW HOUSING PERMIT FEES

- A. Based on units (A unit is a room containing no more than 2 people). \$400 per unit

4. MINIMUM DESIGN STANDARDS

- A. All applicants of crew housing facilities permitted under this Article shall meet the following minimum design standards:
1. Provide all ordinary urban services, to include municipal water, municipal wastewater and solid waste disposal, garbage disposal and urban roads.
 2. Provide adequate parking for any and all crew housing facility residents.
 3. Provide for adequate fire suppression.
 4. Provide for adequate access to emergency vehicles.
 5. Provide for adequate security of the crew camp facility.
 6. Meet all design standards required by any building code, fire code, subdivision code, or zoning code adopted by the city or county.
 7. The city or county may further require a minimum lot size or minimum acreage for the crew housing facility.

8. The city or county may further require any condition or restriction that in the judgment of the city or county is reasonable and necessary for the crew housing facility.
9. The city or county may further require that the facility be located within one-half mile of a state or federal highway unless otherwise approved.

5. APPLICATION FOR CONDITIONAL USE PERMIT

- A. The application for a conditional use permit for a crew housing facility shall be signed by the owner of the crew housing facility, as well as by the owner of the land on which the crew housing facility is to be located. The application shall include the following information:
 1. A complete statement of the type of business contemplated.
 2. Consent to a background investigation of the owner of the crew housing facility.
 3. Identify any vendors who are expected to provide services at the crew housing facility.
 4. The applicant's history of residency, employment, and business ownership for five years prior to the date of the application. If the applicant is a partnership, this information shall be furnished for all the partners; and, if a corporation, whether such corporation is a subsidiary of any corporation, and, if so the name of the parent corporation, the purposes for which the corporation was incorporated and the names and addresses of all officers, directors and managing agents and the names and addresses of all stockholders holding more than five percent of the capital stock of such corporation.
 5. Whether the applicant has ever engaged in the business of owning or operating a Crew housing facility before, and if so, the dates and locations of such ownership or operation. .
 6. Whether during the five years preceding the date of the application, the applicant has ever been convicted of a violation of any law of the United States or of any state; and, if so, the dates, names of places and courts in which such conviction were obtained.
 7. Whether the applicant has any agreement, understanding or intention to have any agreement or understanding with any person to obtain for any other person or to transfer to any other person the permit obtained or to use the permit for any other purpose other than the specific use of the applicant; and if so, the names and addresses of such persons and the conditions of such agreements.
 8. A description of the temporary housing units.
 9. A description of how the proposed units are to be set and/or anchored to the ground.
 10. A statement that roads to be constructed within the facility will meet city or county specifications.
 11. A copy of the applicant's deed and/or lease to the real property on which the crew housing facility would be located.
 12. A copy of plot plans, drawn to scale, showing the location of the housing units, additional structures, setbacks, utilities, drainage, parking, ingress, egress,

screens, buffers and fencing.

13. A. copy of the facility's house rules and regulations.
14. A copy of the facility's on-site security plan.
15. A copy of the facility's on-site emergency management plan, to include contingencies for fire, tornado and other natural disasters.
16. Any additional information deemed necessary by the city or county planner, engineer, planning and zoning boards or governing boards.

6. GRANTING OF CONDITIONAL USE PERMIT

- A. Any application for a conditional use permit as provided under this Article shall be denied to any applicant whose owner or manager, in the discretion of the city or county, is a person of questionable character or for any other cause which would, in the opinion of the city or county render either the applicant or the premises to be licensed, improper or unfit for a crew housing facility, or which would, in the city or county's judgment, make the granting of the permit contrary to the best interests of the city or county and its citizens. In granting any conditional use permit under this Article, the city or county shall have the authority to limit the number of living units or total number of persons to be housed in such units within the crew housing facility. The city or county shall further have the authority to limit the total acreage or land area that may be used for the crew housing facility.

7. REVOCATION OF PERMIT

- A. The city or county may review the status of any permit issued pursuant to this Article, and take appropriate action to suspend or revoke the same, as provided herein:
 1. Suspension and Revocation for Cause. Any permit issued pursuant to this Article may be revoked or suspended for cause by the city or county for cause, which cause may include, among other grounds, the following:
 - a. When the applicant is judged bankrupt.
 - b. When the applicant has made any false statement or statements in an application for issuance of such permit.
 - c. When the applicant, in the case of a corporation or other entity, manager of a licensee has been convicted of a violation of any felony crime under the laws of the United States or of any state.
 - d. When the business of the applicant at the location permitted has been conducted in violation of the health or sanitary regulations of the city or of the county or of the state.
 - e. When in the judgment of the city or county, the applicant has conducted his business or permitted his business to be conducted in a disorderly manner or in a manner that is dangerous or detrimental to the public welfare and morals.
 - f. When the applicant or an agent or employee of the applicant violates any term or condition of the permit or any provision of this Article.
 2. Notice – Public Hearing. Sanctions or penalties under this section may not be invoked without a public hearing if requested by the applicant.

Upon written notification to the applicant by the city or county that a penalty is being sought under this section, the applicant may notify the city or county within ten (10) days of the date of such written notification and request a hearing on the proposed penalty. Failure to notify the city or county within ten (10) days of the date of such written notification will be deemed acceptance of the penalty without a hearing.

A hearing shall be set before the city or county specifying the time and place of the hearing, and shall be mailed to the applicant. A record of any hearing shall be made by electronic recording device.

If, upon such hearing, it appears to a majority of the city or county board that sufficient cause exists for the penalty sanctions, the city or county shall make its order in accordance with the provisions of this Article. The city or county shall further issue its findings, conclusions and order which shall be mailed to the applicant.

3. No Refunds on Revocation or Suspension. When any permit is revoked or suspended for any reason, no portion of the permit fee shall be returned to the applicant.

8. PROHIBITED HOUSING TYPES

- A. Recreational vehicles, campers, and mobile homes are prohibited units within a crew housing facility.

9. PROHIBITED ACTIVITIES

- A. No animals are allowed on the premises of a crew housing facility. No parking shall be allowed between units. The site is to be maintained free of garbage and junk. The operator of the crew housing facility shall be responsible for establishing and enforcing any restrictions related to possession or use of alcohol or other illegal substances on the crew housing facility premises.

10. POSTING OF RECLAMATION BOND

- A. Prior to the start of any construction on the crew housing facility, or any occupancy thereof, the applicant shall post with the city or county a valid reclamation bond to cover the cost of returning the property to its original condition, permanent improvements excepted, following termination of the use of the property for a crew housing facility.

- B. Reclamation bond amounts will be as follows:

1. 0 – 50 person facility ----- \$ 20,000
2. 51 – 100 person facility----- 30,000
3. 101 – 250 person facility--- 50,000
4. 251 – 500 person facility--- 100,000
5. 501 – 1200 person facility-- 250,000

11. CONDITIONS – REPORTING REQUIREMENTS

- A. The city or county may attach any conditions or reporting requirements to the granting of the conditional use permit that it deems necessary and prudent.

12. REPEAL OF ORDINANCES IN CONFLICT

- A. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

13. SEVERABILITY

- A. In the event any section of this ordinance is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this chapter shall continue in full force and effect.

14. EFFECTIVE DATE

- A. This ordinance shall be in full force and effect from and after final passage.

ARTICLE 3 – DISTRICTS AND BOUNDARIES

SECTION 1. ESTABLISHMENT OF DISTRICTS: In order to effectively carry out the provisions of these regulations, the land covered by the jurisdiction of these regulations shall be divided into the following zoning districts:

- “A-1” – Agricultural District
- “A-2” – Rural Recreation District
- “R-1” – Rural Residential District
- “R-2” – City Residential District
- “C-1” – Highway Commercial District
- “C-2” – General Commercial District
- “I-1” – Industrial District

SECTION 2. ZONING MAP: The location and boundaries of the zoning districts are hereby established as shown on the maps attached and made a part of this ordinance. The maps shall be kept on file with the county auditor and shall be regularly updated to show any change in the zoning boundary lines resulting from amendments.

SECTION 3. INTERPRETATION OF BOUNDARIES: The following rules shall apply to the boundaries of the zoning districts on the zoning district map.

1. Where zoning district boundaries follow streets, highways, roads, railroad lines, or extensions thereof, such boundary lines shall be the centerlines of those streets, highways, road, railroad lines, or extensions thereof.
2. Zoning district boundaries indicated as approximately following platted lot lines or other property lines shall be construed to follow such lines or extensions thereof.
3. Zoning district boundaries which do not follow streets, highways, roads, railroad lines, property lines, or lot lines or extensions thereof shall be determined by the use of a scale or dimensions appearing on the map.

SECTION 4. AGRICULTURAL DISTRICT (A-1):

1. ***INTENT AND PURPOSE:*** This district is established for the purpose of preserving and protecting agricultural uses and other natural land uses in the county.
2. ***PERMITTED USES:*** The following uses shall be permitted in this district:
 - A. General farm operations.
 - B. Extraction of gravel and soils for use in a farm operation by the landowner.
 - C. Spreading of manure and self disposal of refuse by residents in accordance with state law.
 - D. Farm residences.
 - E. Stock raising, but not including commercial feedlots.
 - F. Single family dwellings and home occupations on tracts of land five acres or larger.
 - G. Family child care homes, group child care homes, child care centers, and quasi-institutional homes.
 - H. Churches and similar places of worship and parish house.
 - I. Golf courses, not including miniature golf courses.
 - J. Greenhouses, nurseries and garden centers.
 - K. Public and semi-public parks, playgrounds, campgrounds, fishing preserves, and hunting preserves.
 - L. Stands for sale of agricultural products or commodities.
 - M. Temporary structures incidental to construction work, but only for the period of such work.
 - N. Customary accessory uses and structures located on the same tract with the principal use, including barns, sheds, tennis courts, swimming pools, private garages, garden houses, barbecue ovens, fireplaces, solar energy systems, satellite dishes, and similar uses.

- O. The renting of not to exceed two sleeping rooms with a total occupancy of not to exceed four persons for whom board may be furnished but with the prohibition of separate culinary accommodations for such tenants.
 - P. Electric substations and gas regulator stations, provided that for each substation where transformers are exposed there shall be an enclosed fence at least six feet high and that no physical structure of any kind shall be located within 200 feet from the centerline of any adjoining public road.
 - Q. Seismographic exploration as regulated by State statute.
 - R. Oil and gas drilling.
 - S. Railroad right-of-ways, but not railroad yards.
 - T. Water supply buildings, reservoirs, wells, and elevated tanks.
 - U. Bed and breakfast facilities as defined and regulated in Chapter 23-09.1 N.D.C.C.
 - V. Wind power generation facilities and towers (refer to article 2, section 10 for regulations). (as amended 12/16/03)
3. ***CONDITIONAL USES:*** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been obtained in accordance with these zoning regulations.
- A. Schools, hospitals and sanitariums.
 - B. Multiple family dwellings.
 - C. Airports.
 - D. Livestock sales rings.
 - E. Commercial feedlots.
 - F. Stockyard or slaughter of animals.
 - G. Rock crushers, concrete and asphalt mixing plants, sand and gravel pits, or any such excavation or surface mining.
 - H. Amusement parks, commercial baseball or athletic fields.
 - I. Race tracks or fairgrounds.

- J. Open air theaters.
 - K. Commercial radio and television towers exceeding fifty feet in height.
 - L. Storage of explosives or blasting agents.
 - M. Wastewater treatment plant.
 - N. Refuse disposal areas conducted under a landfill or sanitary landfill method.
 - O. Commercial grain elevators.
 - P. Cemetery.
 - Q. Animal hospital or kennel.
 - R. Wrecking, salvage or junk yard.
 - S. Fish hatcheries, beekeeping, fur farms, and dog kennels.
 - T. Retail agriculture chemical and fertilizer outlets. (as amended 2/5/02)
 - U. Regional pipelines and powerlines. (refer to Article 2, section 9 for regulations) (as amended 12/16/03)
 - V. Wind power generation facilities and towers that don't meet the permitted use regulations. (as amended 12/16/03)
 - W. Animal Feeding Operations (refer to Article 2, Section 11, for regulations) (as amended 5/1/07)
 - X. Crew Camp Housing (refer to Article 2, Section 12, for regulations) (as amended 7/3/12)
4. **PROHIBITED USES:** Any land uses which are not listed in this Section as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
 5. **SHELTERBELTS AND WINDBREAKS:** No shelterbelts, major tree plantings, or natural or artificial windbreaks shall be established except in accordance with the following:
 - a. North and West – The windward row or windbreak shall be a minimum of 200 feet from the centerline of the road;
 - b. South and East – The row or windbreak closest to the road shall be 165 feet to

the centerline of the road to avoid both ice and hazards from shading and snow drifting.

6. **RESIDENTIAL DEVELOPMENT:** The following regulations shall be applied to the construction of individual nonfarm dwelling units: (The terms of lot size shall exclude the immediate family of the surface owner.)

2. Minimum lot area – 5 acres.

3. Minimum lot width – 125 feet.

A. MINIMUM YARD REQUIREMENTS:

1. Front yard – 100 feet from all section lines and the centerlines of all improved roads.
2. Side yard – 15 feet. If the side yard is on the road side of a corner lot the minimum yard requirement is 100 feet.
3. Rear yard – 25 percent of the depth of the lot.

B. MAXIMUM LOT COVERAGE BY BUILDINGS: None

C. MAXIMUM HEIGHT OF BUILDINGS: None, other than that which may be set forth by airport zoning.

SECTION 5. RURAL RECREATION DISTRICT (A-2)

1. **INTENT AND PURPOSE:** This district is established for the purpose of protecting agricultural and natural areas and permitting seasonal residential or vacation developments.
2. **PERMITTED USES:** The following uses shall be permitted in this district.
 - A. General farm operations, not including the spreading, accumulation, feeding, or use of garbage in any form on the surface of the land.
 - B. Farm residences.
 - C. Single family dwellings on tracts of land of one acre or larger.
 - D. Family child care homes.

- E. Churches, similar places of worship, and parish houses.
 - F. Parks, playgrounds, campgrounds, fishing preserves, and hunting preserves.
 - G. Golf courses, except miniature golf courses and driving ranges operated for commercial purposes.
 - H. Temporary structures incidental to construction work, but only for the period of such work.
 - I. Customary accessory uses and structures located on the same tract with the principal use, including barns, sheds, tennis courts, swimming pools, private garages, garden houses, barbecue ovens, fireplaces, solar energy systems, satellite dishes, and similar uses.
 - J. The renting of not to exceed two sleeping rooms with a total occupancy of not to exceed four persons for whom board may be furnished but with the prohibition of separate culinary accommodations for such tenants.
 - K. Bed and breakfast facilities as defined and regulated in Chapter 23-09.1, N.D.C.C.
3. **CONDITIONAL USES:** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been obtained in accordance with these zoning regulations.
- A. Multiple family dwellings, resorts, motels, and lodging houses.
 - B. Grocery stores, sporting goods stores, bars, and restaurants.
 - C. Electric substations and gas regulator stations, provided that for each substation for which transformers are exposed there shall be an enclosed fence at least six feet in height, and that no physical structure of any kind shall be located within 200 feet from the centerline of any adjoining public road.
 - D. Seismographic exploration as regulated by State law.
 - E. Oil and gas drilling.
 - F. Airports.
 - G. Radio and television towers exceeding fifty feet in height.

- H. Home occupations.
 - I. Group child care homes and child care centers.
 - J. Utilities necessary to serve the area. (refer to article 2 section 9, utility regulations) (as amended 12/16/03)
4. **PROHIBITED USES:** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
5. **LOT REQUIREMENTS:**
- A. Minimum lot area – 1 acre.
 - B. Minimum lot width – 100 feet.
6. **MINIMUM YARD REQUIREMENTS:**
- A. Front yard – 30 feet.
 - B. Side yard – 10 feet.
 - C. Rear yard – 10 feet.
7. **MAXIMUM LOT COVERAGE BY BUILDINGS:** No more than twenty percent of the lot shall be covered by the principal building and all accessory buildings.
8. **MAXIMUM HEIGHT OF BUILDINGS:** The maximum height of any building shall be 35 feet.

SECTION 6: RURAL RESIDENTIAL DISTRICT (R-1)

1. **INTENT AND PURPOSE:** This district is established for the purpose of providing for and controlling any rural subdivisions needed in the county.
2. **PERMITTED USES:** The following uses shall be permitted in this district.
- A. Single family dwellings on tracts of land of one acre or larger.
 - B. Family child care homes and quasi-institutional homes.
 - C. Farm animals, provided there is a minimum lot area of one acre, and no more than one animal unit per one-half acre of land.
 - D. General farm operations, not including the spreading, accumulation, feeding, or use of garbage in any form on the surface of the land.

- E. Parks and playgrounds.
 - F. Golf courses, not including miniature golf courses.
 - G. Temporary structures incidental to construction work, but only for the period of such work.
 - H. Customary accessory uses and structures located on the same tract with the principal use, including barns, sheds, tennis courts, swimming pools, private garages, garden houses, barbecue ovens, fireplaces, solar energy systems, satellite dishes, and similar uses.
 - I. The renting of not to exceed two sleeping rooms with a total occupancy of not to exceed four persons for whom board may be furnished but with the prohibition of separate culinary accommodations for such tenure.
 - J. Bed and breakfast facilities as defined and regulated in Chapter 23-09.1, N.D.C.C.
3. **CONDITIONAL USES:** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been obtained in accordance with these zoning regulations.
- A. Multiple family dwellings.
 - B. Group child care homes, child care centers.
 - C. Churches, similar places of worship, and parish houses.
 - D. Home occupations.
 - E. Schools.
 - F. Utilities necessary to serve the area. (refer to article 2 section 9, utility regulations) (as amended 12/16/03)
4. **PROHIBITED USES:** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
5. **LOT REQUIREMENTS:**
- A. Minimum lot area – 1 acre.
 - B. Minimum lot width – 80 feet.

6. **MINIMUM YARD REQUIREMENTS:**

- A. Front yard – 30 feet, and 100 feet from county road right-of-way.
- B. Side yard – 10 feet, or 100 feet from county road right-of-way.
- C. Rear yard – 10 feet.

7. **MAXIMUM LOT COVERAGE BY BUILDINGS:** Not more than thirty percent of the lot shall be covered by the principal building and all accessory buildings.

8. **MAXIMUM HEIGHT OF BUILDINGS:** The maximum height of any building shall be 35 feet.

SECTION 7. CITY RESIDENTIAL DISTRICT (R-2)

- 1. **INTENT AND PURPOSE:** This district is established for the purpose of preserving and protecting the character of residential areas in small cities. The district is intended to include areas where public services, such as sewer and water, are provided.
- 2. **PERMITTED USES:** The following uses shall be permitted in this district.
 - A. Single family dwellings.
 - B. Two family dwellings.
 - C. Family child care centers and quasi-institutional homes.
 - D. Parks and playgrounds.
 - E. Customary accessory uses and structures located on the same tract with the principal use, including barns, sheds, tennis courts, swimming pools, private garages, garden houses, barbecue ovens, fireplaces, solar energy systems, satellite dishes, and similar uses.
 - F. The renting of not to exceed two sleeping rooms with a total occupancy of not to exceed four persons for whom board may be furnished but with the prohibition of separate culinary accommodations for such tenants.
 - G. Bed and breakfast facilities as defined and regulated in Chapter 23-09.1, N.D.C.C.
- 3. **CONDITIONAL USES:** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been

obtained in accordance with these zoning regulations.

- A. Multiple family dwellings.
 - B. Lodging houses.
 - C. Schools, churches, hospitals, and nursing homes.
 - D. Group child care homes, child care centers.
 - E. Home occupations.
 - F. Public buildings.
 - G. Temporary structures incidental to construction work but only for the period of such work.
 - H. Utilities necessary to serve the area. (refer to article 2 section 9, utility regulations) (as amended 12/16/03)
4. ***PROHIBITED USES:*** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
5. ***LOT REQUIREMENTS:***
- A. Minimum lot area – 5,000 square feet.
 - B. Minimum lot width – 50 feet.
6. ***MINIMUM YARD REQUIREMENTS:***
- A. Front yard – 20 feet.
 - B. Side yard – 6 feet.
 - C. Rear yard – 20 feet.
7. ***MAXIMUM LOT COVERAGE BY BUILDINGS:*** No more than forty percent of the lot shall be covered by the principal building and all accessory buildings.
8. ***MAXIMUM HEIGHT OF BUILDINGS:*** The maximum height of any building shall be 35 feet.

SECTION 8. HIGHWAY COMMERCIAL DISTRICT (C-1)

1. ***INTENT AND PURPOSE:*** This district is established for the purpose of establishing commercial areas adjacent to highways in the county to serve the needs of persons traveling in the country, and also to allow for the establishment of commercial areas to serve residents within convenient traveling distance.
2. ***PERMITTED USES:*** The following uses shall be permitted in this district.
 - A. Automobile sales, service, and repair.
 - B. Service stations, bulk fuel sales.
 - C. Commercial recreation facilities.
 - D. Electric and telephone substations.
 - E. Grocery stores.
 - F. Farm implement sales, service, and repair.
 - G. Motels.
 - H. Sale of agricultural products.
 - I. Public buildings and churches.
 - J. Parks and playgrounds.
 - K. Restaurants, lounges, and liquor stores.
 - L. Truck sales, service, and repair.
 - M. General farm operations.
3. ***PROHIBITED USES:*** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
4. ***LOT REQUIREMENTS:***
 - A. Minimum lot area – 1 acre.
 - B. Minimum lot width – 100 feet.
5. ***MINIMUM YARD REQUIREMENTS:***
 - A. Front yard – 25 feet.

- B. Side yard – 15 feet.
- C. Rear yard – 15 feet.
- 6. **MAXIMUM LOT COVERAGE BY BUILDINGS:** No more than fifty percent of the lot shall be covered by the principal and accessory buildings.
- 7. **MAXIMUM HEIGHT OF BUILDINGS:** The maximum height of any building shall be 45 feet.

SECTION 9. GENERAL COMMERCIAL DISTRICT (C-2)

- 1. **INTENT AND PURPOSE:** This district is established for the purpose of grouping together in a small city a full range of businesses to serve the needs of the residents within the trade area for each city.
- 2. **PERMITTED USES:** The following uses shall be permitted in this district.
 - A. Small business machine sales, repair and service shops, auto supply stores, bicycle shops, carpenter and cabinet shops, and household appliance repair shops.
 - B. Amusement places, taverns or lounges, package liquor store, theaters, bowling alleys, commercial recreation uses.
 - C. Antique shops and stores, providing all merchandise is displayed and sold inside a building, art and art supply stores.
 - D. Apparel and accessory stores, clothing and costume rental shops, custom dressmaking shops, furrier shops, tailor shops, department stores, jewelry and metal and handcraft stores, watch repair shops, leather goods and luggage stores, shoe and shoe repair stores, sporting and athletic goods stores, toy stores, and variety stores.
 - E. Governmental services, auditorium and similar places of public assembly, libraries, museums.
 - F. Banks and other savings and lending institutions, office and office buildings, office supply and office equipment stores, newspaper offices, printing offices, publishing offices.
 - G. Barber and beauty shops, dry cleaning and laundry establishments, book and stationery stores, cigar and tobacco shops, drug stores, florist, and gift shops.

- H. Schools and child care facilities.
 - I. Churches and parish houses.
 - J. Delicatessen and catering establishments, grocery stores, and restaurants.
 - K. Furniture and home furnishing stores, hardware stores, household appliance stores, interior decorating shops, and lumber yards.
 - L. Hotels, motels, private clubs, fraternities, sororities, and lodging houses.
 - M. Medical, dental, and health clinics; medical and orthopedic appliance stores; optician and optometrist shops.
 - N. Mortuaries.
 - O. Railroads and railroad right-of-ways.
 - P. Multiple family dwellings.
 - Q. Automobile and mobile home sales, auto service and repair shops, gasoline or service stations, car washes, and tire repair shops.
 - R. Wholesale establishments.
 - S. Plumbing and sheet metal shops.
 - T. Animal hospitals or veterinary clinics, provided they are in a completely enclosed building, and pet shops.
 - U. Bed and breakfast facilities as defined in Chapter 23-09.1, N.D.C.C.
3. ***CONDITIONAL USES:*** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been obtained in accordance with these zoning regulations.
- A. Commercial grain elevators.
 - B. Farm implement sales, service, and repair.
 - C. Truck sales, service, and repair.
 - D. Electric and telephone substations.
 - E. Welding shops.

F. Feed and seed stores.

G. Machinery sales, service, and storage.

4. ***PROHIBITED USES:*** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
5. ***LOT REQUIREMENTS:*** None.
6. ***MINIMUM YARD REQUIREMENTS:*** None, except those to meet fire regulations.
7. ***MAXIMUM LOT COVERAGE:*** No requirements, except those to meet fire regulations.
8. ***MAXIMUM HEIGHT OF BUILDINGS:*** No building shall exceed 45 feet in height, except grain elevators.

SECTION 10. INDUSTRIAL DISTRICT (I-1)

1. ***INTENT AND PURPOSE:*** This district is intended to provide areas for industrial development and those land uses which are generally not compatible with agricultural, commercial or residential land uses.
2. ***PERMITTED USES:*** The following uses shall be permitted in this district.
 - A. Small business machine sales, repair and service shops, auto supply stores, carpenter and cabinet shops, and household appliance repair shops.
 - B. Taverns, lounges, package liquor stores, and bait shops.
 - C. Furniture and home furnishings stores, hardware stores, household appliance stores, interior decorating shops.
 - D. Plumbing shops, sheet metal shops, roofing shops, mini-storage buildings.
 - E. Airports, railroads, and public service installations.
 - F. Grain and feed mills, grain elevators.
 - G. Animal hospitals or veterinary clinics.

- H. Radio or television transmitting stations, vocational or training schools.
 - I. Underground oil and gas storage facilities, as approved by Fire Code Regulations.
 - J. Storage of flammable liquids above grade, and wholesale, subject to Fire Code regulations.
 - K. Storage of liquefied gases, subject to Fire Code regulations.
 - L. Light manufacturing industries consisting of the processing and treatment of goods and foodstuffs, except alcohol or alcoholic beverages, fish, meat products, vinegar and yeast.
 - M. Farm implement dealerships.
 - N. Automobile, airplane, and other assembly plants.
 - O. Building material yards, contractor yards, and lumber yards.
 - P. Concrete mixing and concrete products manufacturing plants.
 - Q. Gasoline or service stations, and car washes.
 - R. Other wholesale, light manufacturing, construction, or service uses which are similar in character to those enumerated above; and will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare; and will not impair the use, enjoyment, or value of any property.
3. **CONDITIONAL USES:** The following uses shall be considered conditional uses and shall be permitted only after a conditional use permit has been obtained in accordance with this ordinance.
- A. Pipe yards.
 - B. Acid manufacturers.
 - C. Cement, lime, gypsum, or plaster of paris manufacture.
 - D. Distillation of bones, coal, tar, petroleum, refuse, grain, or wood.
 - E. Glue manufacture.
 - F. Replace disposal areas conducted under a landfill or sanitary landfill

method.

- G. Drilling for or removal of oil, gas or other hydrocarbon substances.
 - H. Fat rendering and fertilization manufacture.
 - I. Gas manufacture.
 - J. Smelting of tin, copper, zinc, or iron ores.
 - K. Petroleum or petroleum products refining.
 - L. Temporary storage of hazardous materials as regulated by Federal and State laws.
 - M. Bulk storage of flammable liquids of 1,000 gallons or more above grade, and wholesale, providing all applicable safety regulations are complied with.
 - N. Tannery.
 - O. Junk yard, auto wrecking yard or salvage yard.
 - P. Adult entertainment center provided it is at least 500 feet from a R-1, R-2, A-2, or C-1 zoning district.
 - Q. Commercial bulk storage of chemicals.
 - R. Essential public utilities. (refer to article 2 section 9, utility regulations) (as amended 12/16/03)
- 4. ***PROHIBITED USES:*** Any land uses which are not listed in this Article as a permitted use or as a conditional use shall be considered a prohibited use and shall not be allowed in this zoning district.
 - 5. ***LOT REQUIREMENTS:*** None.
 - 6. ***MINIMUM YARD REQUIREMENTS:*** None.
 - 7. ***MAXIMUM LOT COVERAGE:*** None.
 - 8. ***MAXIMUM HEIGHT OF BUILDINGS:*** The maximum height of any building shall be 100 feet.

ARTICLE 4 – ADMINISTRATION AND ENFORCEMENT

SECTION 1. PLANNING COMMISSION: The administration and enforcement of these Zoning Regulations is hereby vested in the Planning Commission of Pierce County. Members of the Planning Commission shall be appointed by the County Commission in accordance with State Statutes. Duties of the Planning Commission shall include:

1. Issuance of all permits.
2. Inspection for permit compliance in accordance with these Zoning regulations.
3. Maintenance of the records for the regulations and permits.
4. Collection of any fees instituted by the County Commission in the administration of this ordinance.
5. Interpret district boundaries on the Official Zoning Map.
6. Establishment of rules, regulations and procedures for the purpose of administering these zoning regulations.
7. Periodic review of the provisions of these regulations.
8. Conduct public hearings on conditional use permits, variance permits, regulation amendments, and any other business pertaining to these zoning regulations which may require a public hearing.
9. The Planning Commission shall serve as an advisor to the County Commission and make recommendations regarding the implementation of these Zoning Regulations. The County Commission shall have final review of Planning Commission decisions with regard to conditional use permits, variance permits and zoning regulation amendments.
10. The Planning Commission may request the County Commission to officially appoint a Zoning Administrator to conduct the business of the Planning Commission for any part of the above mentioned duties.

SECTION 2. BOARD OF ZONING APPEALS: A Board of Zoning Appeals is hereby created. Such Board shall consist of the County Commission and shall have the authority to grant variances to these regulations.

1. **RECORDS:** The Board shall keep minutes of its proceedings, show evidence presented, findings of fact by the Board, decisions of the Board, and voting upon each question. Records of all official actions of the Board shall be filed in its office and shall be a public record.
2. **PUBLIC HEARING AND NOTICE:** The Board of Zoning Appeals shall

within thirty days of filing fix a date for the hearing of an appeal. Notice of the time, place and subject of such hearing shall be published once in the official county newspaper at least ten days prior to the date fixed for the hearing. A copy of said notice shall be mailed to each party to the appeal.

3. **POWERS AND JURISDICTIONS:** The Board of Zoning Appeals shall administer the details of appeals or other matters referred to it regarding the application of the zoning regulations. The Board shall have the following specific powers:

- A. To hear and decide on appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the planning commission in the enforcement of the zoning regulations.
- B. To interpret the provisions of these regulations in such a way as to carry out the intent and purpose of the adopted comprehensive plan and, as shown upon the zoning district maps.
- C. The concurring vote of three-fourths of all members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the planning commission or to decide in favor of the applicant any matter upon which it is required to pass under this ordinance or to affect any variation of these regulations.

4. **PROCEDURE:** The appeals process is outlined below:

- A. Appeals to the Board of Zoning Appeals may be taken by any person aggrieved, by any officer of the County or by any governmental agency or body affected by any decision of the official administering the provisions of these zoning regulations.
- B. Appeals shall be taken within thirty days of filing provided by the rules of the Board, by filing a notice of appeal specifying the grounds thereof and payment of the required filing fee.
- C. Appeals and requests to the Board for variances and exceptions to these zoning regulations shall be prepared and submitted on forms furnished by the County.
- D. The Board of Zoning Appeals shall advertise and hold a public hearing as required in Section 2.2 of this Article.
- E. Notice of the decision of the Board of Zoning Appeals shall be in writing and transmitted within fifteen days to the appealant. A copy of such

decision shall also be transmitted to the official administering the regulations for action, if action is required.

SECTION 3. BUILDING PERMITS: No building or structure, other than those associated with the normal incidents of agriculture, shall be erected, moved, added to, or structurally altered without a building permit. No building permit shall be issued except in conformity with the provisions of this ordinance unless a written order has been received from the County Commission in the form of a conditional use or the Board of Zoning Appeals in the form of an administrative review or variance as provided by this ordinance. No permit is required for maintenance of any building or structure which does not structurally alter the building. If no construction takes place in a year from the issuance of a building permit, the permit shall expire.

1. **PROCEDURE:** The building permit process is outlined below:
 - A. All applicants who wish to build or alter any structure as defined in these zoning regulations must apply to the Planning Commission for a permit.
 - B. If the applicant's plans meet district regulations as prescribed in these zoning regulations and any other applicable ordinances, the Planning Commission or designated Zoning Administrator collects any applicable fees and issues the building permit.
 - C. If the applicant's plans do not comply with district regulations, the amendment, variance, conditional use procedures or appeals sections of these regulations may be applied.

SECTION 4. CONDITIONAL USE PERMITS

1. **REQUIREMENTS FOR CONDITIONAL USES:** A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:
 - A. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
 - B. The existing permitted uses in the area will not be substantially impaired or diminished by the establishment of the conditional use;
 - C. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
 - D. Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided;

- E. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public roads and streets; and
- F. The conditional use shall conform to all provisions of the district in which it is located.

The Conditional Use Permit may be issued for a specified period of time with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

- 2. **APPLICATIONS:** Application for a Conditional Use Permit shall be submitted by the property owner to the Planning Commission on forms provided by the Commission. The application shall include:
 - A. The name and address of the applicant.
 - B. The date of the application.
 - C. A description of the site and the immediate surrounding area.
 - D. A preliminary map showing boundary lines and location of structures to be developed on the site.
 - E. Location of existing structures on adjacent property.
 - F. Parking plan showing off street parking areas and/or loading areas.
 - G. Names and addresses of adjacent property owners.
 - H. Any reasonable information the Planning Commission deems necessary.
 - I. Payment of the required filing fee.
- 3. **PLANNING COMMISSION RECOMMENDATION:** The Planning Commission upon receipt of an application for a Conditional Use Permit, shall at its next regular or special meeting, specify a time and date within the next thirty days for a public hearing for the proposed conditional use. Following the public hearing, the Planning Commission shall consider the application and make a recommendation to the County Commission within thirty days.
- 4. **PUBLIC HEARING AND NOTICE:** The Planning Commission shall publish a notice of the public hearing in the official county newspaper at

least ten days before the hearing. Notice shall include the date, time, place, and purpose of the hearing. In addition to the published notice, the Planning Commission may require that notice be mailed to those persons designated by the Planning Commission.

5. **COUNTY COMMISSION:** Upon receipt of the Planning Commission's recommendations, or if the Planning Commission has not acted within the required time limits of this Article, the County Commission shall hold a public hearing on the proposed conditional use. Following the public hearing, the County Commission may either grant the proposed conditional use, grant the proposed conditional use with additional conditions, or deny the proposed conditional use.

SECTION 5. VARIANCE PERMITS: To permit a variation in the yard, setback and height requirements of any district where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, or topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare, or where variations may be permitted which allow unusual arrangement on the lot and still clearly and unmistakably accomplish the intent of these regulations. The Board must find that the granting of such variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable or unusual hardship or difficulty.

The Variance Permit may be issued for a specific period of time with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the variance has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

1. **APPLICATIONS:** Application for a Variance Permit shall be submitted by the property owner to the Planning Commission on forms provided by the Commission. The application shall include:
 - A. The name and address of the applicant.
 - B. The date of the application.
 - C. A description of the site and the immediate surrounding area.
 - D. A preliminary map showing boundary lines and location of structures to be developed on the site.
 - E. Location of existing structures on adjacent property.
 - F. Parking plan showing off street parking areas and/or loading areas.

G. Names and addresses of adjacent property owners.

H. Any reasonable information the Planning Commission deems necessary.

I. Payment of the required filing fee.

2. **PLANNING COMMISSION RECOMMENDATION:** The Planning Commission upon receipt of an application for a Variance Permit, shall at its next regular or special meeting, specify a time and date within the next thirty days for a public hearing for the proposed variance. Following the public hearing, the Planning Commission shall consider the application and make a recommendation to the County Commission within thirty days.

3. **PUBLIC HEARING AND NOTICE:** The Planning Commission shall publish a notice of the public hearing in the official county newspaper at least ten days before the hearing. Notice shall include the date, time, place, and purpose of the hearing. In addition to the published notice, the Planning Commission may require that notice be mailed to those persons designated by the Planning Commission.

4. **COUNTY COMMISSION:** Upon receipt of the Planning Commission's recommendations, or if the Planning Commission has not acted within the required time limits of this Article, the County Commission shall hold a public hearing on the proposed variance. Following the public hearing, the County Commission may either grant the variance permit, grant the variance permit with additional conditions, or deny the variance permit.

SECTION 6. AMENDMENTS: The County Commission may from time to time amend, supplement or change the district boundaries or regulations contained in these zoning regulations. A proposal for an amendment or a change in zoning may be initiated by the County Commission, by the Planning Commission, or upon application of the owner of the property affected.

1. **APPLICATIONS:** The party desiring any change in zoning district boundaries or zoning regulations as to any lot, tract or area of land, shall file with the County Auditor an application upon forms provided, and such application shall be accompanied by such data and information as may be prescribed by the Planning Commission.

2. **PUBLIC HEARING AND NOTICE:** Before the Planning Commission shall, by proper action, formulate its recommendation to the County Commission on any such proposed or requested change of zoning district boundary or regulation, whether initiated by the County Commission, the Planning Commission or by the property owner, the Planning Commission shall hold a public hearing on such proposal. The Planning Commission shall cause a notice of public hearing to be published once a week for two successive weeks prior to the time set for

the said hearing in the official county newspaper. Such notices shall contain:

- A. The time and place of the hearing.
 - B. A description of any property involved in any zoning change, by street address and/or other legal description.
 - C. A description of the nature, scope and purpose of the proposed regulation, restriction or boundary.
 - D. A statement of the times at which it will be available to the public for inspection and copying at the office of the County Auditor.
3. **COUNTY COMMISSION APPROVAL:** Upon receipt of the recommendation of the Planning Commission on any amendment, or in the event of the failure of the Planning Commission to so report after thirty days from the time of the filing of the proposed amendment to the Planning Commission, the County Commission shall hold a public hearing. Notice of the public hearing shall be published once a week for two successive weeks prior to the time set for said hearing. The notice shall contain the same information required for the Planning Commission public hearing listed in Section 6.2 of this Article. A majority decision of the County Commission shall be sufficient to approve an amendment of the zoning regulations.

SECTION 7. CERTIFICATE OF COMPLIANCE

1. A certificate of compliance is required before any structure, building or land can be occupied which has been built or structurally altered such that it requires a building permit.
2. The certificate of compliance process is outlined below:
 - A. Upon notification of completion of any work requiring a building permit, the Planning Commission conducts an onsite inspection of the work specified on the building permit.
 - B. If the completed work is found to be in accordance with the zoning ordinance, the Planning Commission will issue a certificate of compliance.
 - C. Reasons for refusing to issue a certificate of compliance must be stated by the Planning Commission in writing within fifteen days after the request of the applicant for the certificate. Notice of such refusal shall be sent in writing to the applicant within one week after such refusal is made.

SECTION 8. SCHEDULE OF FEES AND CHARGES: The County Commission shall establish a schedule of fees, charges and expenses and a collection procedure for permits, appeals and other matters pertaining to these regulations. The schedule of fees shall be posted in the office of the County Auditor and may be altered or amended only by the County Commission.

Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

1. The fee schedule will be as follows:

- A. Conditional Use Permits \$500.00
- B. Variance Permits \$500.00
- C. Amendment \$500.00
- D. Building Permits (Determined by the estimated value of construction, an or Improvements)

Residential

0- 25,000	\$ 25.00
25,000- 100,000	\$ 50.00
Over 100,000	\$100.00

Commercial

\$1.00/\$1,000 or fraction thereof with a minimum of \$100.00

SECTION 9. PENALTIES

1. **ENFORCEMENT:** The County Sheriff and the Sheriff's staff shall enforce these zoning regulations. Appeal from the decision of the Sheriff may be made to the County Commission.
2. **COMPLAINTS:** Any person may file a written complaint whenever a violation of these regulations occurs, or is alleged to have occurred. Such complaint shall state the cause and basis thereof and be filed with the County Sheriff. The County Sheriff shall record the complaint, promptly investigate, and take action thereon as provided by these regulations.
3. **VIOLATIONS:** If any building or structure is erected, reconstructed, repaired, altered, enlarged, converted, maintained, or moved; or if any building, structure, or land is used in violation of these regulations, the County Sheriff shall order in writing, the correction of such violation.

The County Sheriff, States Attorney or other official designated by the County Commission, or any affected citizen or property owner, may institute appropriate action or proceedings for the purpose of:

- A. Prosecuting any violation.
 - B.
 - C. Restraining, correcting or abating such violation.
 - D. Preventing the occupancy of any building, structure or land in violation of these regulations.
 - E. Preventing any illegal act, conduct, business, or use in or about any buildings, structure or land in violation of these regulations.
4. **PENALTY:** Any persons, firm or corporation violating the provisions of these regulations shall constitute the maintenance of a public nuisance and shall be a Class B misdemeanor. Nothing herein contained shall prevent the County from taking such other lawful action to prevent or remedy any violation of the zoning regulations.

ARTICLE 5 – DEFINITIONS

SECTION 1. RULES: For the purpose of these regulations, the following rules shall apply.

- 1. Words used singularly shall include the plural. Words used in the plural form shall include the singular. Words used in the present tense shall include the future.
- 2. The word “persons” includes a corporation, members of a partnership, a business organization, a committee, board, trustee, receiver, agent, or other representative.
- 3. The word “shall” is mandatory. The word “may” is permissive.
- 4. The word “including” shall mean including, but not limited to.

SECTION 2. DEFINITIONS: The following words, terms and phrases are hereby defined and shall be interpreted in the same fashion throughout these regulations. Terms not herein defined shall have the meaning customarily assigned to them.

ACCESS: A way or means of approach to provide physical entrance to property.

ACCESSORY BUILDINGS AND USES: A subordinate building or portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises. An accessory use is one which is incidental to the main use of the premises.

ADULT BOOKSTORE: An enclosed building having as a substantial or significant portion of its stock in trade, books, magazines, or other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.

ADULT CINEMA: An enclosed building used on a regular basis for presenting pictorial materials or other visual images by way of direct or indirect projection, which materials are distinguished or characterized by any emphasis on the depiction of specified sexual activities or specified anatomical areas, for observation by patrons therein in return for the payment of a consideration, irrespective of the number of patrons who may be able to view the presentation at one time.

ADULT ENTERTAINMENT CENTER: An adult bookstore or adult cinema, or both.

AGRICULTURE: The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, or any mutation or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products, fur animals; trees and forest products; fruits of all kinds including grapes, nuts and berries; vegetables, nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

AIRPORT: A place where aircraft can land and take off, usually equipped with hangers, facilities for refueling and repair and various accommodations for passengers.

ALTERATION: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions; any change in doors, windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically; or the moving of a building or structure from one location to another.

ANIMAL HOSPITAL: A place where animals or pets are given medical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

ANIMAL KENNEL: An establishment in which more than four dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained, or sold.

ANIMAL UNIT: Each animal unit shall consist of the number of animals of each kind as listed, plus its young: 1 mature beef or dairy animal; 1 horse; 1.5 feeder cattle; 2 swine.

BASEMENT: Any floor level below the first story in a building.

BUILDING: A structure having a roof supported by columns or walls.

BUILDING ACCESSORY: A subordinate structure on the same lot as the principal or main building or use, occupied or devoted to a use incidental to the principal use.

BUILDING, HEIGHT OF: The vertical distance from the grade to the highest point of the coping of a flat roof; or the deck lines of a mansard roof; or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

CHILD CARE CENTER: A child care facility where supplemental care is regularly provided to nineteen or more children which is subject to requirements as set forth in Chapter 50-11.1 of the North Dakota Century Code.

CHILD CARE FACILITY (Public or Private): Any facility where supplemental parental care is regularly provided, whether the facility is known as a day care home, day care center, day nursery, nursery school, kindergarten, child play school, progressive school, child development center, preschool, or known by any other name.

COMMERCIAL FEED LOT: Any building, structure, enclosure, or premises used, designed, or intended for the commercial feeding of two or more animals which is operated as a separate pursuit and not incidental to farming.

CONDITIONAL USE: A use which generally would not be suitable in a particular zoning district, which would be acceptable under certain circumstances. The permit shall be granted for a particular use and not for a particular person or firm.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structure, mining, dredging, filling, grading, paving, excavation, or drilling operations located within the area of special flood hazard.

DISTRICT: A section or sections of Pierce County for which regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

DWELLING: Any building or portion thereof which is designed and used exclusively for residential purposes.

DWELLING, MULTIPLE FAMILY: A single building designed for and occupied by more than two families.

DWELLING, SINGLE FAMILY: A dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWELLING, TWO FAMILY: A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall, except for a common stairwell exterior to both dwelling units.

EXISTING USE: The use of a lot or structure at the time of enactment of these

regulations.

FAMILY CHILD CARE HOME: An occupied private residence in which supplemental parental care is regularly provided for no more than seven children from more than one family or no more than four children ages two and under.

FARM: A parcel of land used for agricultural purposes.

FARM RESIDENCE: A residential dwelling located on and directly associated with a farm.

GROUP CHILD CARE HOME (Facility): A child care facility where supplemental care is regularly provided for eight to eighteen children, which is subject to requirements as set forth in Chapter 50-11.1 of the North Dakota Century Code.

HOME OCCUPATIONS: An occupation or activity carried on in the principal building and accessory building.

JUNK YARD: An area of more than two hundred square feet, or any area not more than fifty feet from any street, used for the storage, keeping, or abandonment of junk, including scrap metals or other scrap materials or goods, used for dismantling, demolition or abandonment of automobiles or other vehicles or machinery, or parts thereof.

KENNEL: An establishment in which more than four dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained, or sold.

LODGING HOUSE: A building or place where lodging or lodging and boarding is provided (or equipped to provide lodging regularly) by prearrangement for definite periods of time, for compensation, for five or more persons in contradistinction to hotels open to transients.

LOT OR PARCEL: A piece, plot, or area of land, or contiguous assemblage as established by survey, plat or deed, occupied or to be occupied by a building, or a unit group of buildings, and/or accessory buildings thereto or for other use, together with such open spaces as may be required under these regulations and having its frontage on a street or officially approved place.

LOT WIDTH: The distance as measured by a straight line between side lot lines at the points of intersection with the building line.

NONCONFORMING USES: Use of a building or of land that does not conform to the regulations as to use for the district in which it is situated.

NURSING HOME: An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who by reason of advanced age, chronic illness or infirmity are unable to care for themselves.

OUTDOOR STORAGE: The keeping in an unroofed area of any goods, junk, material, merchandise, or abandoned vehicles in the same place for more than 24 hours.

PARK: A tract of land designated and used by the public for active and passive recreation.

PARKING SPACE: An area 9 feet 6 inches by 18 feet, or greater, which is sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile. Required off-street parking shall be provided in a manner that vehicles do not encroach on a public right-of way.

PERMITTED USE: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PLANNING COMMISSION: The Planning Zoning Commission of Pierce County, North Dakota.

PRINCIPAL USE: The primary or predominant use of any lot.

PROHIBITED USE: A use that is not permitted in a zone district.

PUBLIC HEARING: A meeting announced and advertised in advance and open to the public, with the public given an opportunity to talk and participate.

PUBLIC UTILITY: Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under public regulations, to the public: electricity, gas, heat, power, steam, telephone, telegraph, transportation, or water.

QUASI-INSTITUTIONAL HOMES: A profit or nonprofit boarding home, rest home, or other home for the sheltered care of juvenile or adult persons, which in addition to providing food and shelter to four or more persons unrelated to the proprietor also provides any personal care of service beyond food, shelter and laundry.

SATELLITE DISH: A large dish antenna such as is used for receiving television signals.

SCHOOL: Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge.

SIGN: Any surface, fabric, device, or display which bears lettered, pictorial or sculptured matter, including forms shaped to resemble any human, animal, or product, designed to convey information visually and which is exposed to public view. For purposes of these regulations, the term "sign" shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related

elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered to be a single sign.

SIGN, BILLBOARD: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

SIGN, BULLETIN BOARD: A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.

SIGN, ILLUMINATED: A sign lighted by or exposed to artificial lighting either by lights on or in the sign (directly illuminated) or directed toward the sign (indirectly illuminated).

SIGN, MARQUEE: Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

SIGN, PORTABLE: A sign that is not permanent, affixed to a building, structure or the ground.

SIGN, ROOF: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

SIGN, TEMPORARY: A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

SIGN, WALL: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 12 inches from such building or structure.

STREET: Any thoroughfare or public space which has been dedicated to, and accepted by, the public for public use and includes all the right-of-way sidelines.

STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location of the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, and arbors or breezeways, but excepting utility

poles, fences, retaining walls, and ornamental light fixtures.

STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girder, or any complete rebuilding of the roof or exterior walls.

SUPPLEMENTAL PARENTAL CARE: The care, supervision, education, or guidance of a child or children, unaccompanied by the child's parent, guardian, or custodian, which is, or is anticipated to be, ongoing for periods of four or more hours per day or for three or more days per week.

TEMPORARY USE: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

USE: The purpose for which land or a building or structure thereon is designed, arranged, intended, or maintained or for which it is or may be used or occupied.

VARIANCE: The relaxation of the terms of the Zoning Regulations in relations to height, area, size, and open spaces where specific physical conditions, unique to the site, would create an unreasonable hardship in the development of the site for permitted uses.

WASTEWATER TREATMENT PLANT: The facility or group of units used for the treatment of wastewater from public sewer systems and for the reduction in handling of solids removed from such wastes and which serves ten or more families or an industry employing ten or more persons.

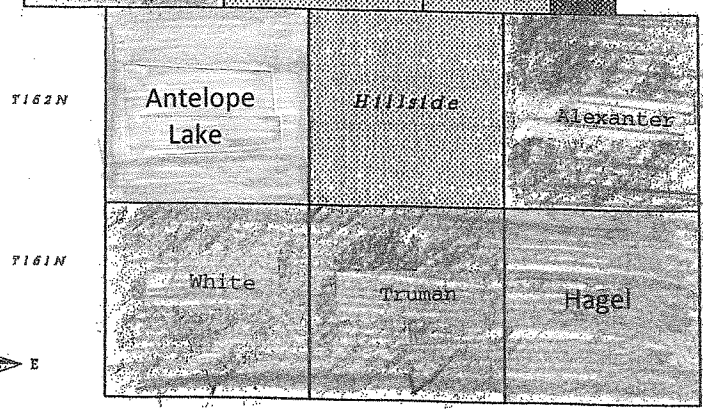
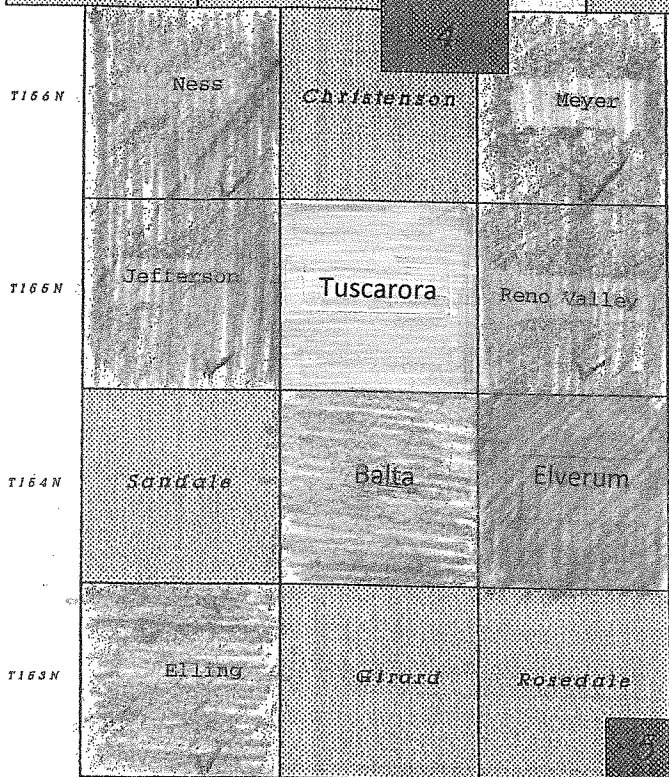
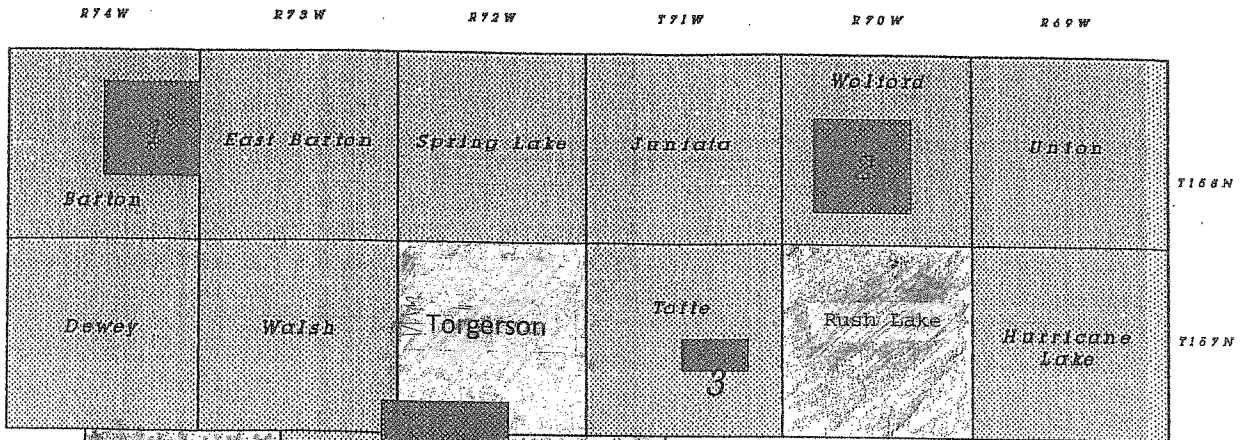
YARD: An open space on the same lot with a building, unoccupied and obstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT: A yard extending across the front of a lot between the side lot lines and extending from the front lot line to the front of the main building or any projections thereof. The front yard shall be on the side of the lot which has been established as frontage by the house numbering system.

YARD, REAR: A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building including any projections. On interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

YARD, SIDE: A yard extending from the front yard to the rear yard and being the space between the side lot line and the side of the main building including any projections.

ZONING MAP: The map or maps which are a part of the zoning ordinance and delineate the boundaries of the zoning districts.



Official Zoning Map Pierce County

 Areas under the jurisdiction of these regulations. (All areas under this jurisdiction are zoned "A-1", unless otherwise noted.)

 Insets (Please refer to following pages for a more detailed depiction of these areas.)

Districts

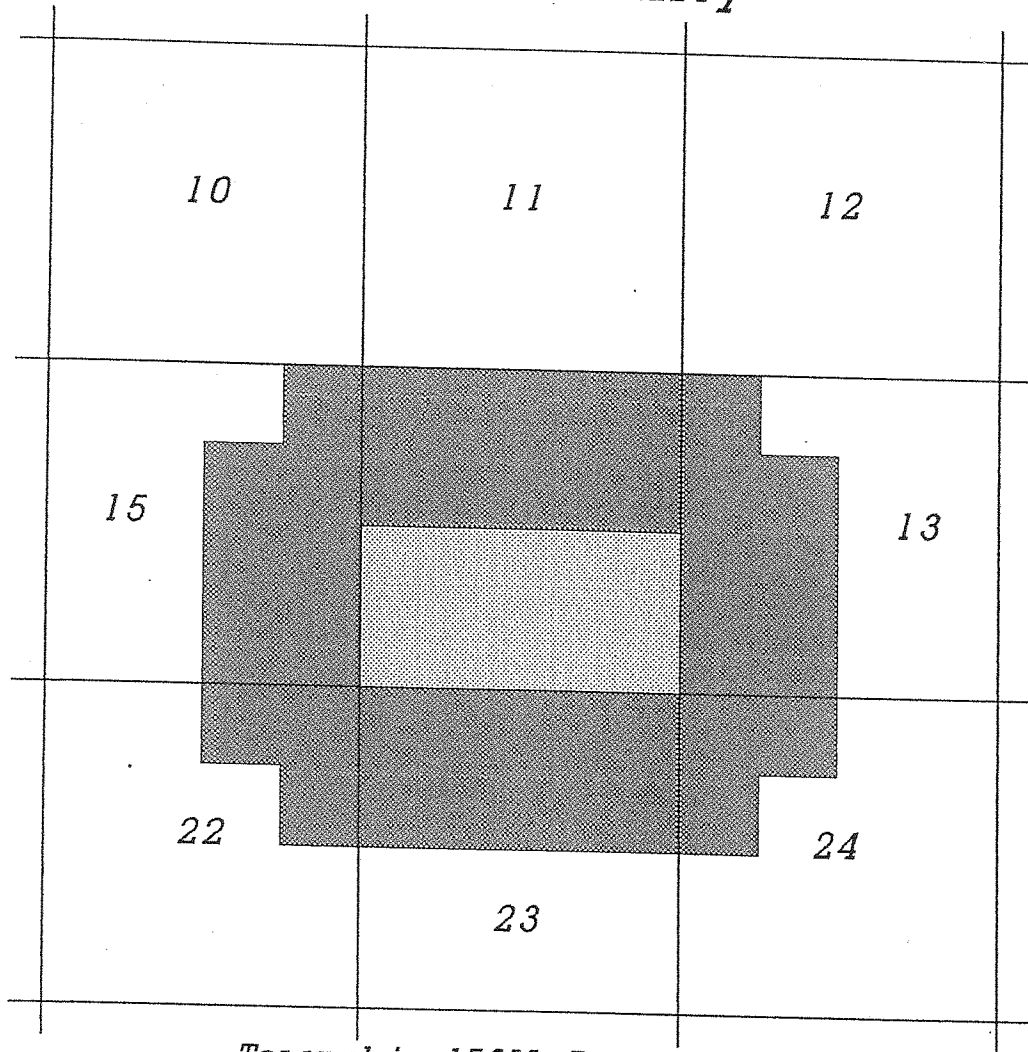
- A-1: Agricultural
- A-2: Rural Recreation
- R-1: Rural Residential
- R-2: City Residential
- C-1: Highway Commercial
- C-2: General Commercial
- I-1: Industrial

Commission Chairman

County Auditor

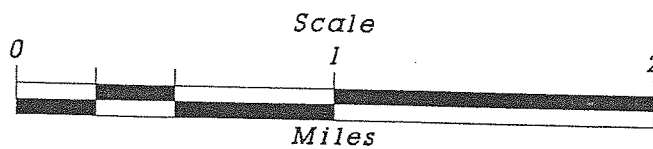
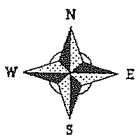
Date

Inset #1
Official Zoning Map
Pierce County



Township 158N, Range 74W

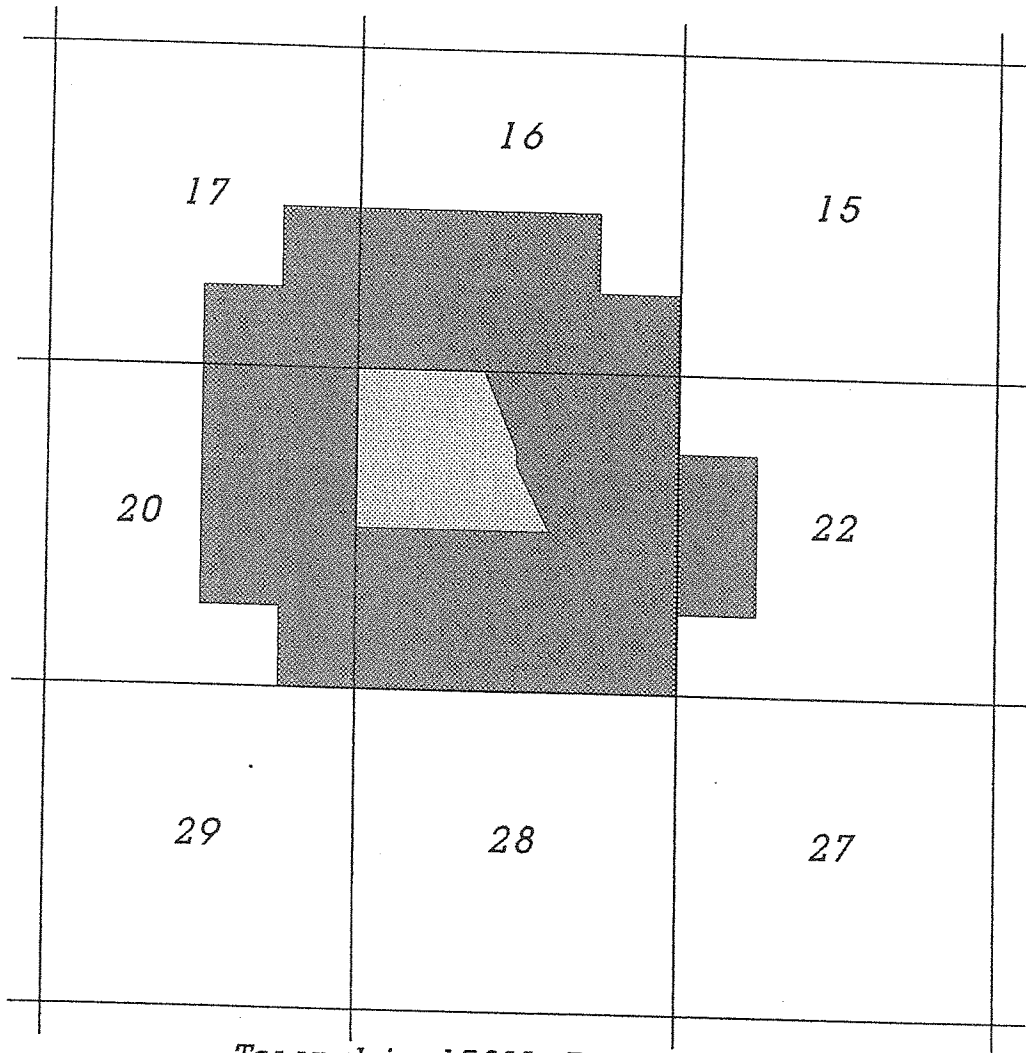
-  *City of Barton City Limits*
(Not under the jurisdiction of these regulations)
-  *Extraterritorial Zoning Limits of Barton*
(Not under the jurisdiction of these regulations)



Inset #2

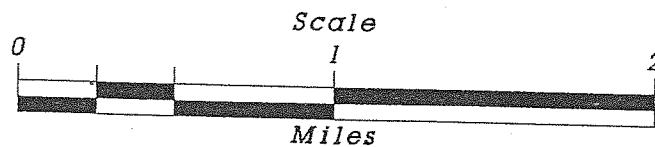
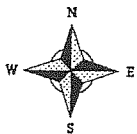
Official Zoning Map

Pierce County



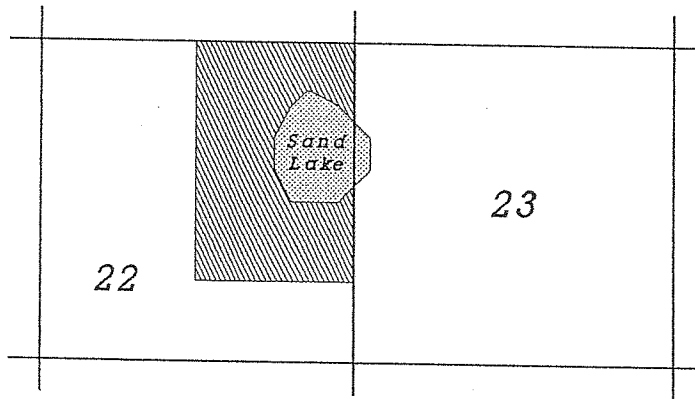
Township 158N, Range 70W

-  City of Wolford City Limits
(Not under the jurisdiction of these regulations)
-  Extraterritorial Zoning Limits of Wolford
(Not under the jurisdiction of these regulations)



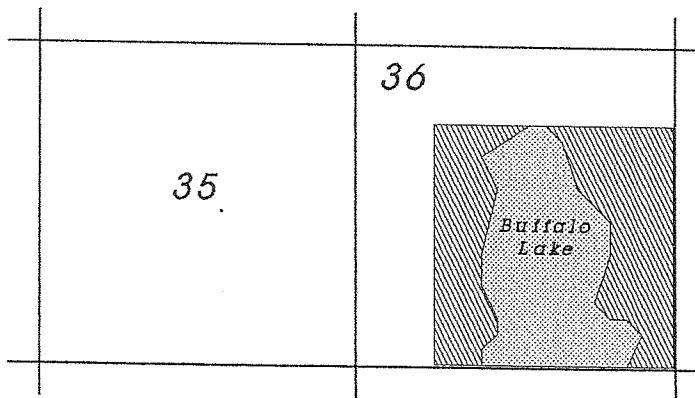
*Official Zoning Map
Pierce County*

Inset #3



Township 157N, Range 71W

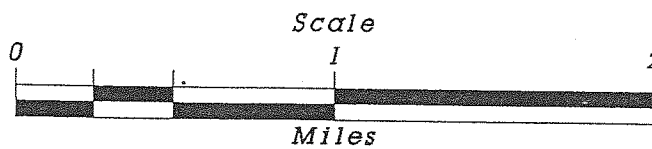
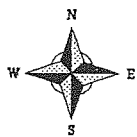
Inset #5



Township 153N, Range 72W

 *Rural Recreational District (A-2)*

 *Water Area*



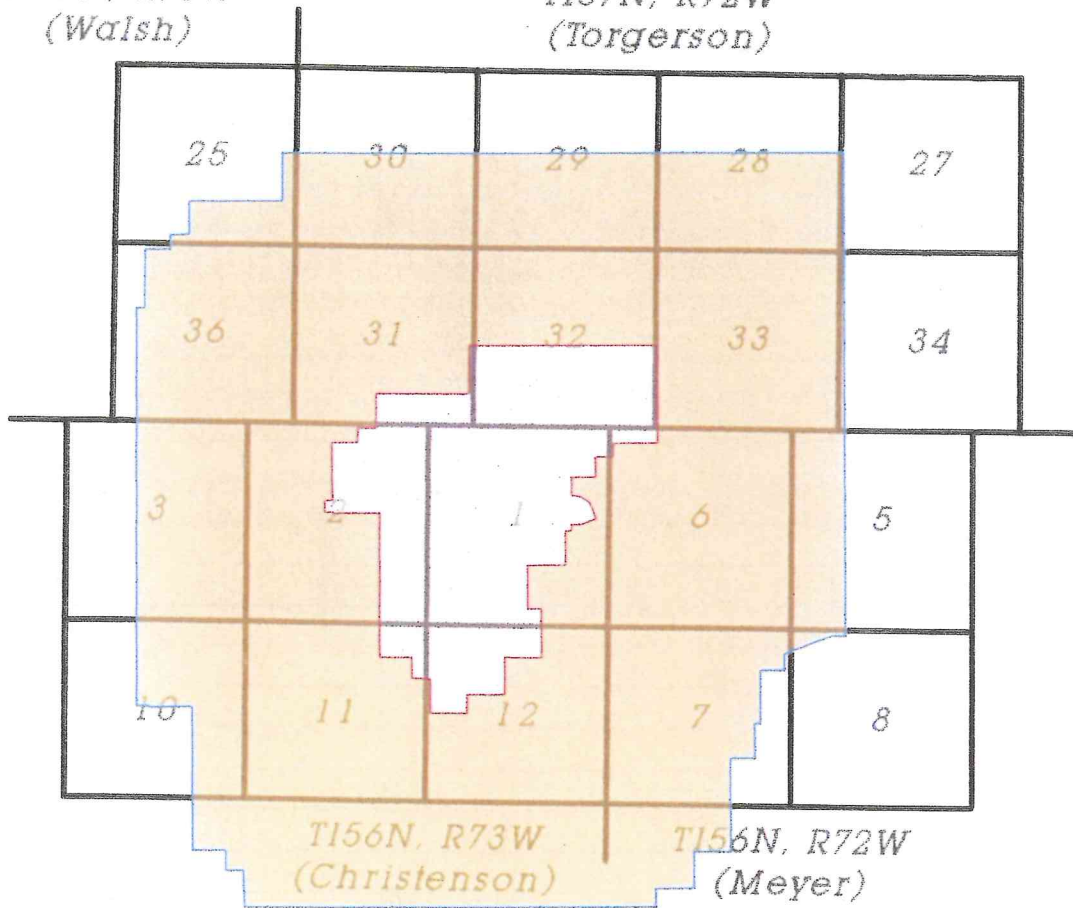
Inset #4

Official Zoning Map

Pierce County

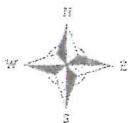
T157N, R73W
(Walsh)

T157N, R72W
(Torgerson)



-  City of Rugby City Limits
(Not under the jurisdiction of these regulations)
-  Extraterritorial Zoning Limits of Rugby- 1 mile
(Not under the jurisdiction of these regulations)

scale



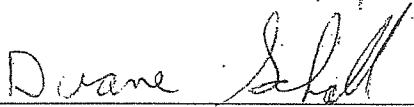
Miles

TO: Pierce County Commission

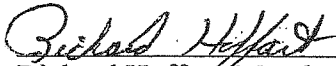
FROM: Jefferson Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted December 2, 2003, the Board of Supervisors of Jefferson Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Jefferson Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

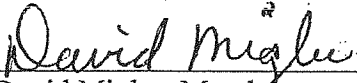
Date:



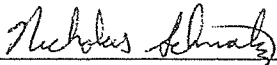
Duane Schall, Chairman



Richard Hoffart, Member



David Migler, Member



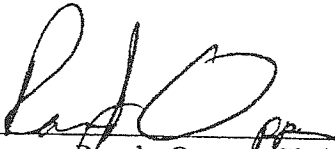
Nicholas Schmaltz, Clerk-Treas.

To: Pierce County Commission

From: Ness Township Board

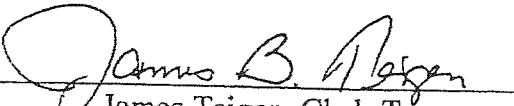
As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted December 2, 2003, the Board of Supervisors of Ness Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Ness Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

date: April 29, 2004


Randy Oppen, Chairman


Mark Koenig, Member


Blaine Schmaltz, Member


James Teigen, Clerk-Treas.

184726

Pg 1 of 54

Office of County Recorder
State of North Dakota)
County of Pierce)

Returned To: PIERCE COUNTY AUDITOR

Fees \$.00

PIERCE COUNTY PLANNING & ZONING
SUMMARY OF CHANGES

ADDITIONS:

Article 2, Section 9 Utilities - added 12/16/03 pg.7

Article 2, Section 10 Windpower Generation Facilities & Towers - added 12/16/03 pg.7

Article 2, Section 11 Animal Feeding Operations - added 5/1/07 pg. 8

CHANGES:

Article 3, Section 4 Permitted Uses – letter V. amended 12/16/03 pg.17

Article 3, Section 4 Conditional Uses – letter T. amended 2/5/02 pg. 18

Article 3, Section 4 Conditional Uses – letter U. amended 12/16/03 pg. 18

Article 3, Section 4 Conditional Uses – letter V. amended 12/16/03 pg. 18

Article 3, Section 4 Conditional Uses – letter W. amended 5/1/07 pg. 18

Article 3, Section 5 Conditional Uses – letter J. amended 12/16/03 pg. 21

Article 3, Section 6 Conditional Uses – letter E. amended 12/16/03 pg. 22

Article 3, Section 7 Conditional Uses – letter H. amended 12/16/03 pg. 24

Article 3, Section 10 Conditional Uses – letter R. amended 12/16/03 pg. 30

184726

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on
05/02/2007 at 04:30 PM in Book 113 MISC on Page 0519.
Denise Pieterick, Recorder

By Denise Pieterick

Recorder
Deputy

Fees \$.00



Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Richard Vetsch 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

Pierce County Auditor

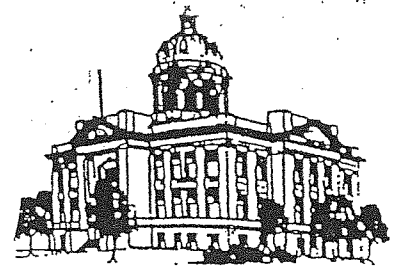
Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701) 776-5225

Fax # (701) 776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor
Karen Migler, Deputy Auditor

April 3, 2008

Pierce County Recorder

Addendum to the Pierce County Planning & Zoning Ordinance

Reno Valley Township, Alexanter Township, Truman Township and White Township

Book 100 MISC -Page 494

A handwritten signature in cursive script that reads "Karin Fursather".

Karin Fursather
County Auditor



185740

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 4/3/2008 at 2:48 PM in 114 MIS on Page 360
Denise Pieterick, Recorder

By Denise Pieterick Recorder Deputy Fees \$0.00

185740

Pg 1 of 5

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

Fees: \$0.00

TO: Pierce County Commission

FROM: Reno Valley Township

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996. The Board of Supervisors of Reno Valley Township passed a motion to request being included in the Zoning regulations of Pierce County, and hereby formally requests to be included in those zoning regulations. We understand that Reno Valley Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 7-26-07

Joe G. Wolf
Chairman

Duane Heilman
Member

Duane Heilman
Member

Steve Voeller
Clerk

Steve Voeller
Treasurer

FROM: Alexander Township

Date: 8-14-07

David Bachman
Chairman

Doug Wolfe
Member

Ed. B. Gumeringer
Member

Edmund Gumering
Clerk

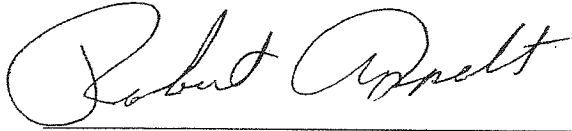
Treasurer

TO: Pierce County Commission

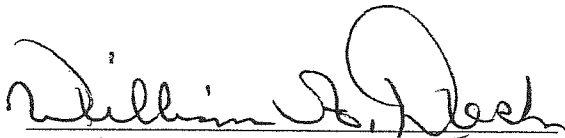
FROM: Truman Township

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996. The Board of Supervisors of Truman Township passed a motion to request being included in the Zoning regulations of Pierce County, and hereby formally requests to be included in those zoning regulations. We understand that Truman Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 3-11-08



Chairman



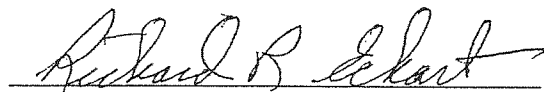
Member



Member



Clerk



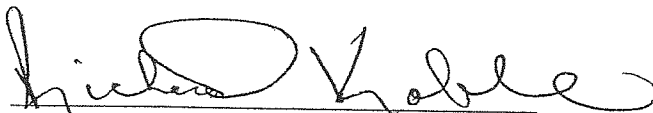
Treasurer

TO: Pierce County Commission

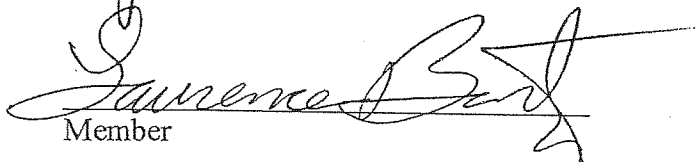
FROM: white Township

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996. The Board of Supervisors of white Township passed a motion to request being included in the Zoning regulations of Pierce County, and hereby formally requests to be included in those zoning regulations. We understand that white Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 3-18-08


Chairman


Member


Member


Clerk


Treasurer

Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Rick Larson 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

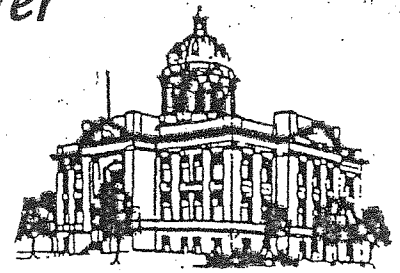
Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701)776-5225

Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer
Karen Migler, Deputy Auditor

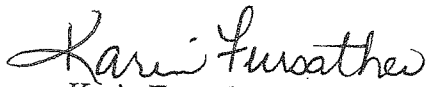
January 30, 2012

Pierce County Recorder

Addendum to the Pierce County Planning & Zoning Ordinance

Elling Township

Book 100 MISC-Page 494


Karin Fursather
County Auditor/Treasurer

190242

Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

\$0.00

TO: Pierce County Commission

FROM: Elling Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted December 29, 2011, the Board of Supervisors of Elling Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Elling Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 12-29-11

Rodney Schmitt

Rodney Schmitt, Chairman

Scott Senger

Scott Senger, Member

Wayne Leier

Wayne Leier, Member

Peter Burgard

Peter Burgard, Clerk-Treas.

190242

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 1/30/2012 at 3:38 PM in 118 MISC on Page 578

Lori Miron, Recorder

By Lori Miron Recorder Deputy Fees \$0.00



Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Rick Larson 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

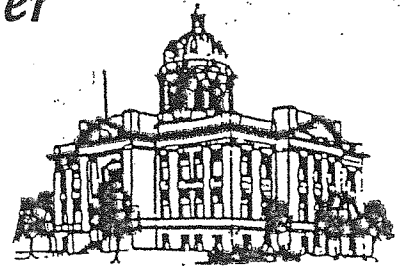
Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701)776-5225

Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer

Karen Migler, Deputy Auditor

April 17, 2012

Pierce County Recorder

Addendum to the Pierce County Planning & Zoning Ordinance

Meyer Township

Book 100 MISC-Page 494


Karin Fursather
County Auditor/Treasurer

190596 Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

\$0.00

TO: Pierce County Commission

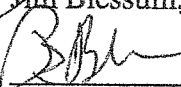
FROM: Meyer Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted March 20, 2012, the Board of Supervisors of Meyer Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Meyer Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

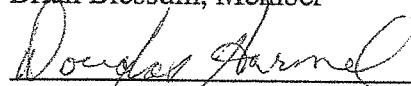
Date: 4-16-12



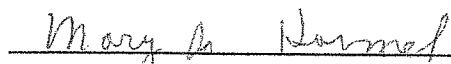
Jim Blessum, Chairman



Brian Blessum, Member



Doug Harmel, Member



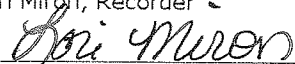
Mary Jo Harmel, Clerk-Treas.

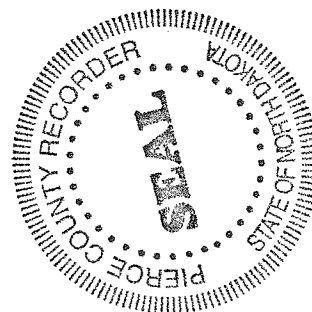
190596

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 4/17/2012 at 4:32 PM in 119 MISC on Page 64

Lori Miron, Recorder

By  Recorder Deputy Fees \$0.00



Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Rick Larson 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

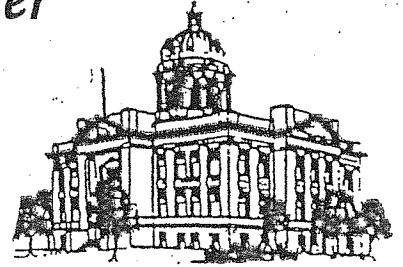
Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701)776-5225

Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer

Karen Migler, Deputy Auditor

April 24, 2012

Pierce County Recorder
Lori Miron

Addendum to the Pierce County Planning & Zoning Ordinance

Rush Lake Township

Book 100 MISC- Page 494

A handwritten signature in cursive script that reads "Karin Fursather".

Karin Fursather
County Auditor/Treasurer

190609

Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

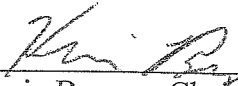
\$0.00

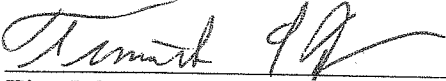
TO: Pierce County Commission

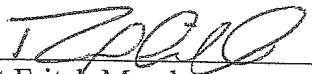
FROM: Rush Lake Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted December 29, 2011, the Board of Supervisors of ~~XXXX~~ ^{Rush Lake} Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Rush Lake Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 3-20-12


Kevin Borgen, Chairman


Tim Johnson, Member


Robert Fritel, Member


Gerald Bohl, Clerk-Treas.

190609

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 4/24/2012 at 9:26 AM in 119 MISC on Page 70
Lori Miron, Recorder

By  Recorder Deputy Fees \$0.00

190986

Pg 74 of 74

Return To: PIERCE COUNTY AUDITOR
240 2ND ST SE

RUGBY, 58368

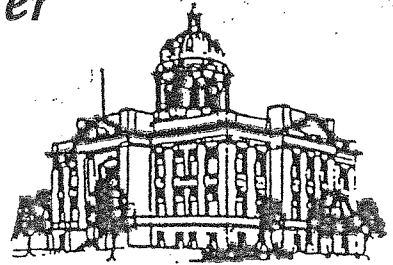


Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.
Mike Christenson 2nd Dist.
Rick Larson 3rd Dist
Duane Johnston 4th Dist
David Migler 5th Dist

Pierce County Courthouse
240 2nd St SE, Suite 6
Rugby, ND 58368
Tele (701)776-5225
Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer
Karen Migler, Deputy Auditor

March 22, 2013

Pierce County Recorder
Lori Miron

Addendum to the Pierce County Planning & Zoning Ordinance

Balta Township
Torgerson Township
Hagel Township

Book 100 MISC- Page 494

A handwritten signature in cursive script that reads "Karin Fursather".

Karin Fursather
County Auditor/Treasurer

191867 Pg 1 of 4

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

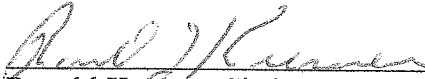
\$0.00

TO: Pierce County Commission

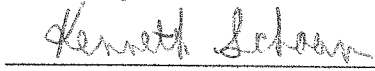
FROM: Balta Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted 3.19, 2013, the Board of Supervisors of Balta Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Balta Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date:



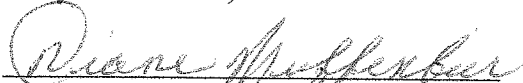
Ronald Kremer, Chairman



Kenneth Schaan, Member



Larry Muffenbier, Member



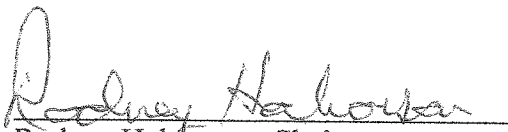
Diane Muffenbier, Clerk-Treas.

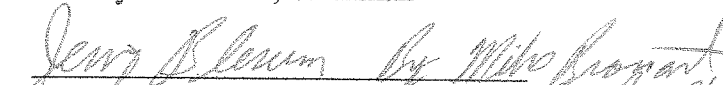
TO: Pierce County Commission

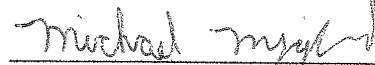
FROM: Torgerson Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted 3-19-, 2013, the Board of Supervisors of Torgerson Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Torgerson Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date:


Rodney Halvorson, Chairman


Jerome Blessum, Member *By Mike Brossart*
By Phone CONVO.


Michael Mygland, Member


Ken Mattern, Clerk


Michael Brossart, Treasurer

TO: Pierce County Commission

FROM: Hagel Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted 2-7, 2013, the Board of Supervisors of Hagel Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Hagel Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date: 2-7-2013

Daniel Held Chairman
Daniel Held, Chairman

Glen Keller
Glen Keller, Member

Wayne Schneider
Wayne Schneider, Member

Audrey Zeien
Audrey Zeien, Clerk-Treas.

191867

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 3/22/2013 at 2:44 PM as Document Number 191867

Lori Miron, Recorder

By Lori Miron

Recorder
Deputy

Fees \$0.00

Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Rick Larson 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

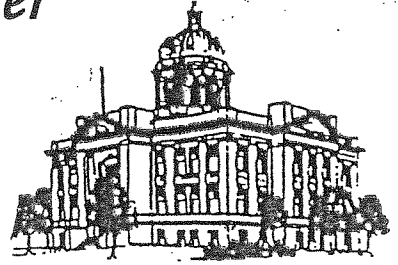
Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701)776-5225

Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer

Karen Migler, Deputy Auditor

May 6, 2013

Pierce County Recorder

Lori Miron

Addendum to the Pierce County Planning & Zoning Ordinance

Elverum Township Township 154, Range 72

Book 100 MISC- Page 494

A handwritten signature in cursive script that reads "Karin Fursather".

Karin Fursather

County Auditor/Treasurer

192019

Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

\$0.00

TO: Pierce County Commission

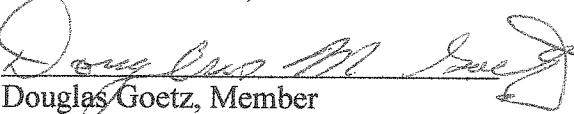
FROM: Elverum Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted Apr. 10th, 2013, the Board of Supervisors of Elverum Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Elverum Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date:


Todd Lysne, Chairman


Charles Duchscher, Member

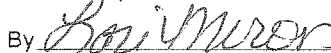

Douglas Goetz, Member

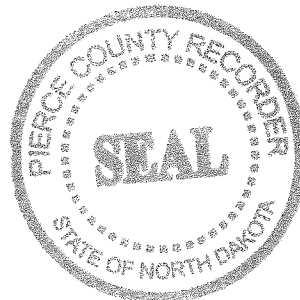

David Lindseth, Clerk-Treas.

192019

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 5/6/2013 at 9:26 AM as Document Number 192019
Lori Miron, Recorder

By  Recorder Deputy Fees \$0.00

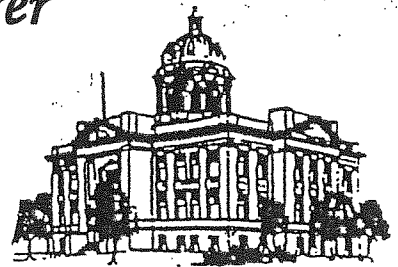


Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.
Mike Christenson 2nd Dist.
Rick Larson 3rd Dist
Duane Johnston 4th Dist
David Migler 5th Dist

Pierce County Courthouse
240 2nd St SE, Suite 6
Rugby, ND 58368
Tele (701)776-5225
Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer
Karen Migler, Deputy Auditor

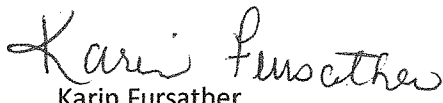
September 23, 2013

Pierce County Recorder
Lori Miron

Addendum to the Pierce County Planning & Zoning Ordinance

Tuscarora Township Twp.155, Range 73

Book 100 MISC-Page 494


Karin Fursather
County Auditor/Treasurer

192476 Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

\$0.00

TO: Pierce County Commission

FROM: Tuscarora Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted Sept 23, 2013, the Board of Supervisors of Tuscarora Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Tuscarora Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date:

Chad Duchscher

Chad Duchscher, Chairman

Rick Ostrem

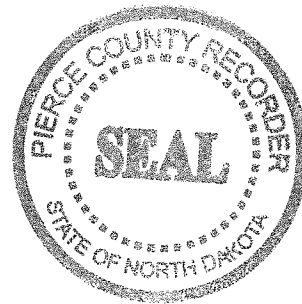
Rick Ostrem, Member

Derrick Klein

Derrick Klein, Member

Steve Axtman

Steve Axtman, Clerk-Treasurer



192476

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 9/23/2013 at 2:38 PM as Document Number 192476
Lori Miron, Recorder

By

Lori Miron

Recorder
Deputy

Fees \$0.00

Pierce County Auditor-Treasurer

Commissioners

Joe Bohl 1st Dist.

Mike Christenson 2nd Dist.

Rick Larson 3rd Dist

Duane Johnston 4th Dist

David Migler 5th Dist

Pierce County Courthouse

240 2nd St SE, Suite 6

Rugby, ND 58368

Tele (701)776-5225

Fax # (701)776-6942



PIERCE COUNTY COURTHOUSE

Karin Fursather, Auditor-Treasurer

Karen Migler, Deputy Auditor

September 26, 2013

Pierce County Recorder

Lori Miron

Addendum to the Pierce County Planning & Zoning Ordinance

Antelope Lake Township Township 152, Range 74

Book 100 MISC- Page 494

A handwritten signature in dark ink that reads "Karin Fursather". The signature is fluid and cursive, with the first name "Karin" being more prominent than the last name "Fursather".

Karin Fursather

County Auditor/Treasurer

192496

Pg 1 of 2

Office of County Recorder
State of North Dakota)
County of Pierce)

Return To: PIERCE COUNTY AUDIT
240 2ND ST SE

\$0.00

TO: Pierce County Commission

FROM: Antelope Lake Township Board

As provided in Article 2, Section 1 of the Zoning Regulations, Pierce County, North Dakota, adopted August 4, 1996, and including the Resolution Establishing Temporary Moratorium, adopted 3-19, 2013, the Board of Supervisors of Antelope Lake Township passed a motion to request being included in the Zoning Regulations of Pierce County, and hereby formally requests to be included in those Zoning Regulations. We understand that Antelope Lake Township may withdraw participation in these regulations at any time by filing a written request with the County Commission.

Date:

Clarence Lemer
Clarence Lemer, Chairman

Doug Martin
Doug Martin, Member

Jason Martin
Jason Martin, Member

Mike Senger
Mike Senger, Clerk-Treas.

192496

PIERCE COUNTY RECORDER

I hereby certify that the within instrument was recorded in this office on 9/26/2013 at 11:41 AM as Document Number 192496
Lori Miron, Recorder

By Lori Miron Recorder Deputy Fees \$0.00

