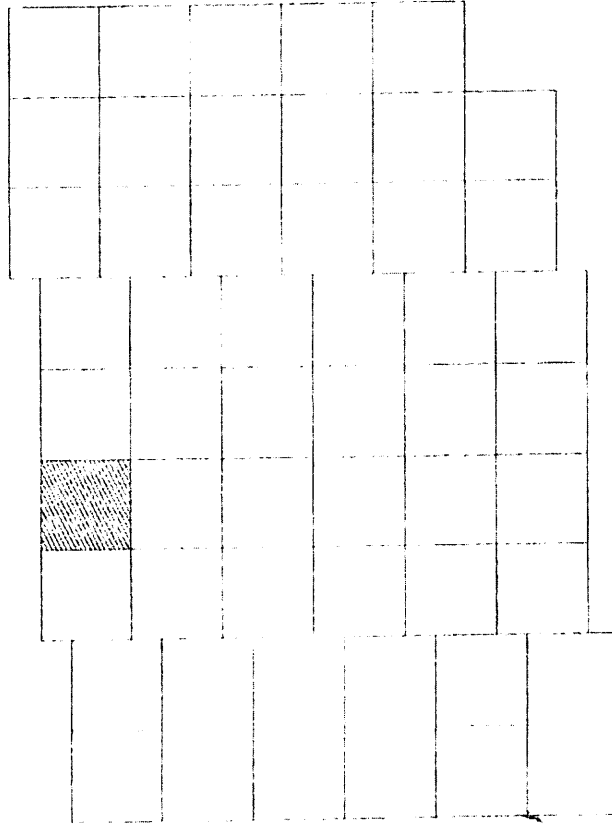


North Prairie Township

McHenry County, North Dakota



Zoning Regulations

36 PU-17-102 Filed: 8/18/2017 Pages: 24
Exhibit 10 - North Prairie Township Zoning
Regulations

Northern States Power Company



TABLE OF CONTENTS

Preamble		1
Article 1	Introduction	
1	Title	2
2	Purpose	2
3	Repeal	2
4	Severability	2
5	Authority	2
6	Effective Date	2
Article 2	General Provisions	
1	Jurisdiction	3
2	Compliance	3
3	Agriculture Exempted	3
4	Interpretation	3
5	Nonconforming Uses	3
6	Utilities	4
7	Mineral Exploration & Mineral Production	4
8	Sanitary Regulations	5
9	Waste Disposal Sites	5
Article 3	District Regulations	
1	Classes of Districts	7
2	Location of District Boundaries	7
3	Official Zoning Map	7
4	Ag-Agricultural District	7
Article 4	Administration & Enforcement	
1	Zoning Administrator	10
2	Township Zoning Board	10
3	Appeals	10
4	Building Permit	11
5	Amendments	12
6	Conditional Use	12
7	Variance	14
8	Certificate of Compliance	15
9	Schedule of Fees and Charges	16
10	Penalties	17
Article 5	Definition of Terms Used in This Regulation	
1	Rules	18
2	Definitions	18
Official Zoning Map		22

PREAMBLE

A REGULATION ESTABLISHING COMPREHENSIVE ZONING
REGULATIONS FOR NORTH PRAIRIE TOWNSHIP

The intent is to:

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

Preserve and maintain agricultural lands for farm use; —

Preserve the quality and supply of surface and ground water;

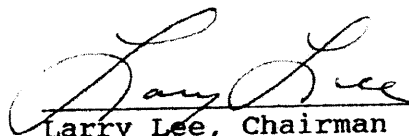
Encourage nonfarm growth to locate within existing communities or community-served districts;

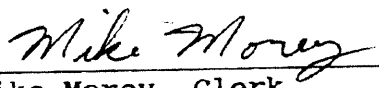
Promote a healthy and visually attractive environment;

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

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

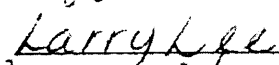
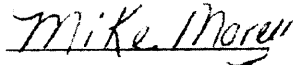
THIS REGULATION IS HEREBY ADOPTED EFFECTIVE THIS 12th DAY OF
April, 1993.

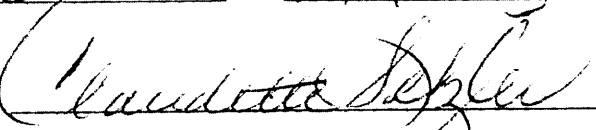

Larry Lee, Chairman
North Prairie Township


Mike Morey, Clerk
North Prairie Township

McHenry County
State of North Dakota

Township 154

Range 80
Personally appeared before me  and 
on this 9th day of Mar 19, 94.


My Commission Ends _____

ARTICLE 1

INTRODUCTION

- Sec. 1 - **Title:** This regulation shall be known as the "Zoning Regulation of North Prairie Township."
- Sec. 2 - **Purpose:** The purpose of this regulation is to preserve the agricultural use of the land, promote the health, safety, morals, general welfare, and orderly development of North Prairie Township.
- Sec. 3 - **Repeal:** All other regulations of North Prairie Township in conflict with this regulation are hereby repealed.
- Sec. 4 - **Severability:** If any provision or section of this regulation is adjudged invalid by a court of competent jurisdiction, the remainder of this regulation shall not be affected.
- Sec. 5 - **Authority:** This regulation is adopted under the authority granted in Chapter 58-03 of the North Dakota Century Code.
- Sec. 6 - **Effective Date:** This regulation shall become effective after a public hearing and adoption by the North Prairie Township Board.

ARTICLE 2

GENERAL PROVISIONS

- Sec. 1 - **Jurisdiction:** The jurisdiction of this regulation shall include all areas within the civil boundaries of North Prairie Township as organized under Chapter 58-02 of the North Dakota Century Code.
- Sec. 2 - **Compliance:** Except as hereinafter provided, no building, structure or land shall be erected, repaired or used except in conformance with these regulations.
- Sec. 3 - **Agriculture Exempted:** Nothing in this regulation 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.
- Sec. 4 - **Interpretation:** In the interpretation and application of this regulation, the provisions of this regulation shall be held to minimum requirements. Where this regulation imposes a greater restriction than existing law, the provisions of this regulation shall govern.
- Sec. 5 - **Nonconforming Uses:**
- A. Lawful, nonconforming uses of land or buildings existing at the date of adoption of these regulations may continue provided no structural alterations, except those required by law, are made and such nonconforming uses shall not be extended to occupy a greater area of land than occupied at the time of adoption.
 - B. No land, building or structure where a nonconforming use has been discontinued for a continuous period of two (2) years or has changed to a permitted use shall again be devoted to a nonconforming use.
 - C. A nonconforming structure destroyed or damaged less than 50 percent of its fair market value may be reconstructed within one (1) year of such casualty. If damaged more than 50 percent of its fair market value, such building shall be reconstructed in conformance with these regulations.
 - D. The provisions of this section shall be applicable to any uses made non-conforming by a change in district regulations.
 - E. The provisions of this section shall not be applicable to conditional uses, provided that this regulation shall not be so interpreted to waive any conditions for a conditional use.

- F. The use of land if changed from a non-conforming use, shall be in conformity with the provisions hereof.

Sec. 6 - Utilities:

- A. All new utilities shall be considered as a conditional use and, as such, shall conform to all requirements put on them by the Township Board.
- B. No conditional use permit shall be issued unless satisfactory provisions for the following has been made:
1. 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.
 - a. Above ground utilities shall be placed in a manner which will not place undue hardship on normal farming operations.
 - b. Utility placement shall conform with section lines, highway (state and federal) and railroad right-of-ways.
 2. The activities will not result in undue damage or injury to roads, bridges, right-of-ways in the township or to any township, public, or private property.
 3. Excavation costs for purposes of construction or maintenance of a utility shall be borne by the contractor or owner of said utility.

Sec. 7 - Mineral Exploration and Mineral Production:

- A. All mineral exploration and mineral production activities shall be considered as a conditional use and, as such, shall conform to all requirements put on them by the Township Board.
- B. No conditional use permit shall be issued unless satisfactory provision for the following has been made:
1. The activities will not result in undue damage or injury to roads, bridges, right-of-ways in the township or to any township public or private property.
 2. Evidence of a reclamation agreement with the surface owner.
 - a. Reclamation of project shall be finished within one (1) year, of the completion of the

mineral exploration and/or production activities.

3. Evidence of compliance with all county, state and federal regulations.
4. Evidence that the activity is in compliance with distance requirements in relation to adjacent residents, property owners and water sources as set by the Township Board.

Sec. 8 - Sanitary Regulations: All residential, commercial or industrial structures shall conform to the North Dakota health regulations as they pertain to wells, irrigation, septic and sanitary systems.

Sec. 9 - 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 Township Board may require compliance to other conditions.

A. 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.

1. Private waste disposal sites shall avoid low and steep areas and be a minimum of two hundred fifty (250) feet (76m) away from waterways.

B. 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.

1. The site, operation, or facility must meet or exceed all applicable federal, state and local laws, rules, and regulations.
2. 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.
3. All areas for excavation and filling operations shall maintain a minimum setback of 150 feet from all property lines.

4. No fires shall be permitted, except by permission of the Township Board. Any smoldering flame or spontaneous combustion at the site shall be immediately extinguished.
5. 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.
6. Entrance to the site shall be controlled at all times to prevent improper dumping on the site.
7. 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.
8. 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.
9. Provisions, approved by the Township Board, 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.
10. 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.
11. 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.
12. 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.

ARTICLE 3

DISTRICT REGULATIONS

Sec. 1 - **Classes of Districts:** For the purpose of these regulations, North Prairie Township is zoned as shown on the accompanying Township Zoning Map.

Sec. 2 - **Location of District Boundaries:**

A. Where the district boundary lines on the official zoning map are indicated to follow highway, road or railroad right-of-way, such boundary lines shall be construed to be the center line of said right-of-way unless clearly shown to the contrary.

B. Where any uncertainty exists as to the exact location of the zoning district boundary line, the Township Board shall determine the location of such boundary line.

Sec. 3 - **Official Zoning Map:** The boundaries of these districts are established as shown on the map entitled the "Official Zoning Map of North Prairie Township." This map and any attached map sections are made part of this regulation.

Sec. 4 - **Ag - Agricultural District:**

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

B. **Permitted Uses:**

1. Agriculture and agriculture-related buildings and farm dwellings (provided that such uses are maintained in connection with a farm or farming operation where the primary source of the operator's income is derived from farming).

2. Park and outdoor recreational facilities and related buildings for outdoor recreation.

3. Churches and facilities related to religious activities.

4. Public and parochial schools.

5. Non-farm dwellings.

C. **Conditional Uses:**

1. Mineral extraction--including sand and gravel operations (in accordance with Article 2, Section 7).

2. Mobile home parks.
 3. Feedlots.
 4. Radio or TV towers, utility lines, and substations (in accordance with Article 2, Section 6).
 5. Junk yards and automobile salvage operations provided all operations are conducted within an area enclosed on all sides with a solid fence or wall not less than 8 feet (2.4m) in height.
 6. Private waste disposal sites. (see Article 2, Section 9.A)
- D. Shelterbelts: No shelterbelts or major tree planting shall be established closer than seven rods (115 ft.) for planting on the windward side (generally north and west) and six rods (99 feet) for planting on the south and east. This is to be measured from all section lines and the centerlines of all township and county roads.
- E. Residential Development: The following regulations shall be applied to the construction of nonfarm dwelling units: (these terms shall exclude the immediate family of the surface owner, only if the surface owner is engaged in agriculture)
1. Lot Size: Not less than three (3) acres.
 2. Lot Density: Not more than one nonfarm dwelling per 40 acres.
 3. Lot Location: The development and location of all lots related to nonfarm dwellings shall abut an existing improved road. (An improved road is one which is gravel or hard surfaced and is regularly maintained in good driving condition.)
- F. Dimensional Standards:
1. Building and Structure Setbacks:
 - a. One hundred fifty (150) feet (46m) from all section lines and the centerlines of all township and county roads.
 - b. Two hundred fifty (250) feet (76m) from the centerlines of all state and federal highways.

G. Special Provisions:

1. The keeping of livestock (provided such uses are maintained and operated when less than fifty (50) percent of the operator's income is derived from farming operations) shall not exceed two (2) head of livestock for the first acre (.4Ha) of land and one (1) head of livestock for each acre (.4Ha) thereafter.

ARTICLE 4

ADMINISTRATION AND ENFORCEMENT

- Sec. 1 - Zoning Administrator:** The Zoning Administrator may be appointed by the Zoning Board. Duties of the Zoning Administrator shall include:
- A. Issuance of all permits
 - B. Inspection of buildings
 - C. Maintenance of the records for the regulations and permits
 - D. Transmission to the Zoning Board of all applications for appeals, variances or conditional use permits; and all applications for amendments to the Board of Township Supervisors.
 - E. Collection of any fees instituted by the Board of Township Supervisors in the administration of this regulation.
- Sec. 2 - Township Zoning Board:** Membership for the Board shall consist of the Board of Township Supervisors. Duties of the Board shall include:
- A. Establishment of rules, regulations and procedures for the purpose of administering the zoning regulation.
 - B. Assisting the Zoning Administrator in conducting inspections of buildings and administering the zoning regulation.
 - C. Hearing and deciding appeals where it is adjudged by the applicant that an error in judgment has been made by the Zoning Administrator.
 - D. Reviewing and studying from time to time the provisions of the regulations.
 - E. The Zoning Board shall serve as an advisor to the Township Board decisions. The Township Board shall have final review of all Zoning Board decisions.
- Sec. 3 - Appeals:** Any person aggrieved by the provisions of these regulations or by any order of determination of the Zoning Administrator may within sixty (60) days of such action petition for a hearing to the Township

Zoning Board. Such appeal shall be in writing and shall specify in detail the grounds for appeal.

A. Procedure:

1. Appeals shall be filed with the Zoning Administrator.
2. Within thirty (30) days of filing, the Township Zoning Board shall fix a date for a hearing.
3. Notice in writing shall be given to the petitioner at least five (5) days prior to the hearing.
4. Within fifteen (15) days after the hearing, the Township Zoning Board shall take action and shall mail by registered mail a copy of its order to the petitioner.

Sec. 4 - Building Permit:

- A. No land within the jurisdiction of this regulation shall be built upon and no structure or building shall be structurally altered or moved until a permit has been obtained from the Township Board. Structures, buildings, or alterations with a construction cost of less than \$1,500 are exempt from this provision.
- B. Any building permit issued must be in accordance with this regulation.
- C. No permit is required for maintenance of any building or structure which does not structurally alter the building.
- D. If no construction takes place in a year from the issuance of a building permit, the permit shall expire.
- E. The building permit process is outlined below:
 1. All applicants who wish to build or alter any structure as defined in this regulation must apply to the Township Board for a permit.
 2. If the applicant's plans meet district regulations as prescribed in this regulation, the Township Board or designated Zoning Administrator collects the fees and issues the building permit.
 3. If the applicant's plans do not comply with district regulations, upon the applicant's request the amendment, variance, conditional use or the appeals procedures shall be implemented.

Sec. 5 - Amendments:

- A. Should the need arise for an amendment to the zoning regulation or zoning district map, the applicant submits the proposed zoning change to the Township Board (the Township Board itself may wish to change the regulation text or map).
- B. The Township Board will publish a notice for a public hearing in the official county newspaper at least fifteen (15) days prior to the set time for said hearing. A notice shall also be posted in a conspicuous place of a public building, as well as on the property in question.
- C. If the zoning map is proposed to be changed, the applicant must notify by registered mail adjoining property owners at least fifteen (15) days prior to the public hearing. Adjacent property owners are all property owners fronting on or within 150 feet (46m) of the property in question.
- D. At the hearing, the applicant presents his proposal for amending the zoning regulation or zoning map. Also, at the hearing the public may comment and the adjacent property owners may state their opinions for the record. The Township Board then approves or disapproves the amendment.
- E. If there is a protest to the amendment by more than twenty (20) percent of the adjacent property owners, a two-thirds vote of approval is required by the Township Board prior to passing the amendment.

X **Sec. 6 - Conditional Use:** A conditional use may be approved by the Township Board only after finding that such conditional use would not be detrimental to the Township Rural Development Plan, the purposes of this regulation, the surrounding property or the township residents. A conditional use permit shall state the terms and conditions of the permit which may include, but is not limited to, conditions that will further the Township Rural Development Plan and the purposes of this regulation and will minimize any adverse impact upon the surrounding property and township residence.

- A. Applications for conditional use permits shall be submitted in writing in the same manner as for an amendment to the zoning regulation. Upon receipt of such application, a time and date shall be set for the hearing on such application before the Township Board and notice of such hearing shall be published in the official newspaper of the county 15 days prior to the date of the hearing.

- B. The application for a conditional use permit shall be in writing and shall be made by the owner of the property for which the conditional use permit is sought. The application shall be signed by the owner of the property and shall be accompanied by a sum sufficient to cover the cost of processing the application, publication of the notices of hearing, and providing the appropriate technical advice to the Township Board in reviewing the application.
- C. An application for a conditional use permit shall be considered within one year of the final action of the Township Board upon a prior application of the same owner concerning the same use or the same buildings on the same land.
- D. Every application for a conditional use shall include:
1. A plot plan showing:
 - a. Legal dimensions of the tract to be used.
 - b. Location of all structures and all existing and proposed improvements.
 - c. Building setback from all property lines.
 - d. Location and type of planting, screening or walls.
 - e. A timing schedule indicating the anticipated starting and completion dates of the development.
 - f. Names and addresses of adjacent property owners.
 - g. Any additional information the Township Board deems necessary to review the application.
 2. An accurate legal description of the property and also a specific description including a drawing or diagram, if appropriate, of the proposed use for which the permit is sought.
- E. Before the Township Board may approve an application for a conditional use permit, it shall find that the use for which a conditional use permit is sought:
1. Has received all regulatory and statutory permits and approvals.
 2. Meets any other conditions required by the Township Board.

3. Will not affect the health or safety of persons residing or working in the township.
 4. Will not be detrimental to the public welfare or injurious to property or improvements in the township.
 5. Will be in accordance with the purposes of this regulation and the Rural Development Plan.
 6. The Township Board may issue the conditional use permit provided that all other provisions of law and regulations shall have been complied with. In granting such conditional use permit, the Township Board may designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the foregoing requirements and that it will continue to do so.
- F. The issuance of a conditional use permit 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.
- G. Any conditional use permit granted in accordance with this section shall expire in one year unless the use authorized by said conditional use permit shall have commenced. The Township Board may, upon issuance of a conditional use permit, establish a specific termination date for such permit; the permit may be extended by the Township Board upon written application of the owner of the property provided that such extension is for the same use as specified in the original permit.

Sec. 7 - Variance:

- A. The applicant applies to the Township Board for a building permit.
- B. The Township Board shall hold a public hearing upon such application.
- C. The Township Board must find that the granting of a variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable or unusual hardship or difficulty that was not self-created. The following conditions must also exist:
 1. The property has exceptional, unique or special characteristics different from other property, particularly adjacent property.

2. Enforcement of the regulation with regard to properties having said characteristics results in unnecessary and undue hardship.
3. Granting of a variance would have no adverse effect on the public interest, safety, health, and welfare.
4. Granting of a variance would have no adverse effect on adjacent property owners.
5. The owner cannot otherwise obtain a reasonable return on the property.

D. Every application for a variance shall include:

1. A plot plan showing:
 - a. Legal dimensions of the tract to be used.
 - b. Location of all structures and all existing and proposed improvements.
 - c. Building setback from all property lines.
 - d. Location and type of existing planting, screening, or walls.
 - e. A timing schedule indicating the anticipated starting and completion dates of any development.
 - f. Names and addresses of adjacent property owners.
 - g. Explanation and/or description of reason(s) a variance is needed.
 - h. Any additional information the Township Board deems necessary to review the application.

E. If at any time during the application process the Township Board feels adjacent property owner should be notified of the application, the applicant is responsible for notifying the adjacent property owner and providing proof of such notification to the Township Board.

Sec. 8 - Certificate of Compliance:

- A. 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.

B. The certificate of compliance process is outlined below:

1. Upon notification of completion of any work requiring a building permit, a member of the Township Board conducts an onsite inspection of the work specified on the building permit.
2. If the completed work is found to be in accordance with the zoning regulation, the Township Board will issue a certificate of compliance.
3. Reasons for refusing to issue a certificate of compliance must be stated by the Township Board in writing within fifteen (15) days after the request of the applicant for the certificate. Notice of such refusal shall be sent in writing to the applicant within one (1) week after such refusal is made.

Sec. 9 - Schedule of Fees and Charges:

- A. A fee of \$50 shall be paid by the applicant upon filing an application for any amendment to the zoning regulation or zoning map or for any other activity which requires an advertised hearing.
- B. The following schedule shall be used for issuing building permits. The fee shall be paid by the applicant to the Township Board prior to receiving the permit. The fee is determined by the estimated current market value of the construction or improvements.

Value of construction or improvements:

	<u>Fee</u>
Less than \$2,500	\$ 5.00
More than \$2,500	<u>10.00</u>

- C. Tipping Fee: Owners of commercial waste disposal sites shall pay a reasonable quarterly tipping fee which shall be established by the Township Board. The tipping fee shall be paid to a waste disposal impact fund which shall be used to offset the costs attributable to the administration, enforcement, review, and monitoring of a commercial waste disposal site in this regulation and to provide a source of funds for any other costs attributable to a commercial waste disposal site incurred by the township.

Sec. 10 - Penalties:

- A. Anyone who violates the provisions of this regulation or fails to comply with any of its requirements shall be charged with a Class B misdemeanor and shall be fined accordingly.

- B. All fees and penalties with the exception of tipping fees established by this regulation shall be credited to the General Fund of North Prairie Township; tipping fees shall be credited to a waste disposal impact fund.

ARTICLE 5

DEFINITIONS OF TERMS USED IN THIS REGULATION

Sec. 1 - Rules:

1. Words used in the present shall include the future; the singular number shall include the plural.
2. The word "person" includes a firm, partnership, association, corporation, or individual.
3. The word "shall" is mandatory.

Sec. 2 - Definitions: For the purpose of this regulation, the following list of definitions is adopted:

Accessory Use or Accessory Structure: A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use, such as a garage or tool shed.

Agricultural Land: Means land used or capable of use in the production of agricultural crops, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit or other horticultural products but does not include any land zoned, or land use permitted by a local governmental unit, for a use other than, and non-conforming with, agricultural use.

Agriculture: The use of land for agricultural purposes, including the necessary buildings or structures for farm or farm labor use. Agriculture shall include farming, dairying, pasturing, horticulture, animal and poultry husbandry, and accessory uses and buildings for packing, treating or storing produce; providing accessory uses are secondary to normal agricultural activities.

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

Chemical Waste: Shall be defined as, but not limited to, any waste product associated with mineral exploration, production, or abandonment procedures.

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.

Dwelling: A building or portion thereof occupied exclusively for purposes of residing, but not including mobile recreational vehicles.

Dwelling - Farm: A single family dwelling or mobile home located on a farm which is occupied by the farm's owner or person employed thereon.

Dwelling - Nonfarm: A single family dwelling or mobile home located on a farm or otherwise of which the occupant does not derive at least fifty (50) percent of his income from agricultural activities.

Family: A group of one or more persons occupying a single premise and living as a single housekeeping unit. (Immediate family shall be limited to the sons and daughters of the head of the household.)

Farm: Farm means a single tract or continuous tracts of agricultural land containing a minimum of ten acres (4.05 hectares) and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching with his and/or her source of primary annual income.

Farmer: Means an individual who normally devotes the major portion of their time to the activities of producing products of the soil, poultry, livestock or dairy farming and such products' unmanufactured state and who normally receives his and/or her source of primary income from any one or more of the foregoing activities; and the term also includes an individual who is retired because of illness or age and who at the time of retirement owned or occupied as a farmer, as above defined the residence in which he lives and which is exempt from taxation pursuant to the laws of North Dakota.

Feedlot: The use of land or buildings for the exclusive purpose of concentrated feeding or fattening of livestock for marketing and which less than fifty (25) percent of the feed is raised by the occupant.

Ha: Hectare

Junk Yard: Any land or building used for the storage, sale or dismantling of obsolete vehicles, junk and other machinery.

Km: Kilometer

Livestock: Domestic animals or types customarily raised or kept on farms for profit or other purposes.

Lot: A parcel of land sufficient to provide the yard requirements of the regulations.

M: Meter

Mineral Exploration: Use of any technique which when applied to the surface of the land will aid in the discovery or evaluation of coal, oil, potash, sand, gravel and/or rock, or other subsurface minerals as defined in North Dakota Century Code 38-12.

Mineral Production: Any activity when applied to the surface of land which will produce coal, oil, gas, potash, sand, gravel and/or rock, or other subsurface minerals as defined in North Dakota Century Code 38-12.

Mobile Home Park: Any park, court, camp, parcel, or tract of ground upon which mobile home sites are leased or used, whether for compensation or not, including all accessory uses.

Nonconforming Use: Any structure, land or building existing at time of adoption or amendment of this regulation which does not conform to the provisions of the regulations.

Setback: The open space extending the full width of a lot between a building and a public right-of-way line, easement or property line.

Shelterbelt: Barrier of trees and shrubs that is used to protect crops, farmsteads and nonfarm dwellings from wind and storms.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having permanent location on the ground, but not including fences.

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

Township Board: Shall mean the board of supervisors of North Prairie Township, or any person designated by the board to have the authority to enforce the provisions of this regulation.

Utilities: For the purposes of this regulation, the definition of utilities shall be limited to electrical transmission lines, oil pipelines, natural gas pipelines, salt water disposal lines, and high pressure gas injection lines. This definition shall exclude electrical distribution lines as a utility.

Variance: The grant of relief from the requirements of the regulation where it can be shown that due to unusual conditions of the property, strict application of the regulations would result in undue hardship.

Yard: A space on the same lot with the principle building or structure; open, unoccupied and unobstructed by buildings or structures from the ground upward.

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

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

Side - The yard between the front and rear yards. The depth is measured as the least distance from the side lot line and the side of the principle building.

Waste Disposal Site:

Private - A solid waste disposal site used exclusively by and only for the landowner engaged in farming.

Public/Commercial - A solid waste disposal site used by public entities or commercial waste haulers for the temporary or permanent storage or reclamation of solid waste generated through medical, industrial, municipal or household collection.

Zoning Administrator: Person or persons designated by the Township Board to administer the zoning regulation.



North Prairie Township Official Zoning Map

Township 154N; Range 80W

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Agricultural District

For the purposes of this Zoning Ordinance the entire jurisdiction of North Prairie Township is zoned Agricultural

Larry Lee
Township Chairman

Mike Morey
Township Clerk

April 12, 1993
Date

McHenry County
State of North Dakota

Personally appeared before me Larry Lee and Mike Morey
on this 12th day of April 1993

Claudette Sebler