

March 18, 2026
City of Wilton
Agenda

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Meeting Minutes
5. Finalize Agenda
6. Public Comment
7. City Maintenance Report

8. Old Business
 - A. Improvement Project
 - a. Moore Engineer
 - B. Flood Plan Ordinance Update
 - a. Second Reading
 - C. Chapter 1 Ordinance Updates
 - a. Second Reading
 - D. Chapter 2 Ordinance Updates
 - E. Chapter 3 Ordinance Updates
 - F.
 - G.

9. New Business
 - A. Autumn Bower
 - a. Student Dance
 - B. Bond Payments
 - a. Refunding Bond of 2014
 - b. Refunding Bond of 2013
 - c. Refunding Bond of 2006
 - C.
 - D.

10. Reports
11. Bills
12. Adjournment

March 4, 2026

Unofficial Minutes

A regular meeting of the Board of City Commissioners was held on March 4, 2026, at 7:00 p.m. at the City Meeting Room. Present Commissioners Jim Tooke, Lisa Hedstrom, Bernell Hedstrom, Mike Schmit and President LeeAnn Domonoske-Kellar.

Motion made by Schmit and seconded by B. Hedstrom to approve the meeting minutes the February 18, 2026 with corrections. All present voted aye, motion carried.

Motion made by B. Hedstrom and seconded by L. Hedstrom to approve the special hearing minutes from February 25, 2026 as presented. All present voted aye, motion carried.

Motion made by L. Hedstrom and seconded by Schmit to approve the special meeting minutes from March 2, 2026 as presented. All present voted aye, motion carried.

Motion made by L. Hedstrom and seconded by B. Hedstrom to approve the agenda as presented. All present voted aye, motion carried.

No public comment cards were submitted prior to the meeting being called to order.

Motion made by Schmit and seconded by B. Hedstrom to approve the first reading of *Chapter 1 – Government Organization* ordinance updates as presented. All present voted aye, motion carried.

The Board of Equalization meeting was set for April 1, 2026 at 6:45 p.m.

Drafts of *Chapter 2 – Ordinances* and *Chapter 3 – Public Places and Property* were presented to the board for review.

Motion made by Schmit and seconded by Tooke to approve the update to the Procurement Policy as presented. All present voted aye, motion carried. The policy was updated to include suspensions and debarment.

Motion made by Schmit and seconded by B. Hedstrom to approve the first reading of the Floodplain Ordinance update. All present voted aye, motion carried. The update aligns the ordinance with the North Dakota Century Code

The City will hold a public meeting at the Wilton Memorial Hall on April 22, 2026 at 7:00 pm and on May 13, 2026 at 7:00 p.m. The meetings will allow the public to ask questions regarding the proposed 1% sales tax increase that will appear on the June 2026 ballot.

Motion made by L. Hedstrom and seconded by Tooke to pay bills as presented. All present voted aye, motion carried.

With no other items for discussion, Pres. Domonoske-Kellar declared the meeting adjourned at 7:16 p.m.

-99525 Verizon Wireless 170.00	22492 Tru Community Bank 100.00
-99524 Visa 1,024.80	22493 Black Mountain Software 300.00
-99523 Union Bank 20.00	22494 Workforce Safety & Insurance 1,581.85
-99522 BCBS of ND 1,097.73	22495 Advanced Business Methods 88.93
-89437 Dennis Dockter 1,656.76	22496 Void
-89436 Pattie Solberg 2,050.00	22497 Tand Construction 15,050.38
-89435 NDPERS 1,545.74	22498 Circle Sanitation 9,596.00
-89434 NDPERS 135.00	22499 Debra Archambeau 150.00
-89433 US Treasury 4,418.46	22500 Valarie Smallbeck 150.00
1080 Tand Construction 375,000.00	22501 Nordak North Publications 517.11
22491 Lori Grey 240.11	

Pattie Solberg, City Auditor

LeeAnn Domonoske-Kellar, Pres.

MODEL AMENDMENT
FLOODPLAIN MANAGEMENT

SECTION 1.0
STATUTORY AUTHORIZATION

The _____ of _____,
(governing body) (local unit)
North Dakota does hereby amend its floodplain management ordinance as follows:

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-05, 11-11 and 58-06, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

PASSED THIS _____ of _____, _____.

APPROVED:

CHIEF EXECUTIVE OFFICER

ATTEST:
(seal)

(Auditor or Clerk)

FLOODPLAIN MANAGEMENT ORDINANCE

ORIGINAL

SECTION 1.0
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-47, 11-33 and 58-03, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Therefore, the Commission of Wilton, North Dakota does ordain as follows:

1.2 FINDINGS OF FACT

- (1) The flood hazard areas of Wilton, North Dakota are subject to periodic inundation which can endanger life, result in loss of property, create health and safety hazards, disrupt commerce and governmental services, cause extraordinary public expenditures for flood protection and relief, and impair the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) Flood losses caused by the cumulative effect of obstructions in the special flood hazard areas cause increases in flood heights and velocities. Inadequately floodproofed, elevated or otherwise unprotected structures also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in special flood hazard areas;

CHAPTER ONE - GOVERNMENT ORGANIZATION

Article 1: Jurisdiction

1.0101 Over Persons and Property

The jurisdiction of the City of Wilton, North Dakota, extends to all persons, places and property within its boundaries, and such extra-territorial jurisdiction as is granted to it under the provisions of the North Dakota Century Code and amendments.

1.0102 Defining City Limits

There shall be included within the municipal limits of the City of Wilton all areas duly platted and recorded as being within said City; all lots and blocks shall also include all streets, alleys and public ways included within the area and adjacent thereto which are defined as within the confines of the City limits. The City Commission shall have jurisdiction within the corporate City limits and over any common or public grounds belonging to the City, and in and over all places within ~~one-half~~ **one mile** of the municipal limits for the purpose of enforcing health ordinances and regulations, and police regulations and ordinances adopted to promote the peace, order, safety and general welfare of the municipality. (Source: North Dakota Century Code section 40-06-01)

The jurisdiction and police powers of the City shall include, extend to and include all property owned by the Montefiore School District Number 1, within the city limits of the City of Wilton.

1.0103 Division of City into Precincts

There shall be one precincts within the City of Wilton to be known and designates as Wilton and each of said precincts shall consist of all that part of the City of Wilton which lies within the boundaries hereinafter set forth for each of the precincts and the polling place in each precinct shall be located at the site hereinafter set forth to wit: Wilton Memorial Hall

1.0104 City Fines and Penalties Limited

The provisions of Section 40-05-06 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

1. Except as provided in subsection 2 and 3, the fine or penalty for the violation of any ordinance, resolution, or regulation of a city shall not exceed five hundred dollars and the imprisonment shall not exceed thirty days for one offense.
2. For every violation of a city ordinance regulation the operation or equipment of motor vehicles or regulation traffic, except those ordinances listed in section 39-06.1-06
3. For every violation of a city ordinance prohibiting shoplifting, vandalism, criminal mischief, or malicious mischief, the penalty may not exceed a fine of one thousand dollars, imprisonment for thirty days, or both such fine and imprisonment.

This section shall not be construed to prohibit the utilization of the sentencing alternatives, other than a fine or imprisonment, provided by NDCC Section 12.1-32-02 for the violation of a City ordinance, nor shall this section limit the use of deferred or suspended sentences pursuant to NDCC Chapter 12.53.

Article 2: Governing Body- Board of City Commissioners

1.0201 Regular Meetings*

The Board of City Commissioners shall meet regularly at the City Hall on the first and third Wednesday of each month at the hour of ~~8:00~~ **7:00** PM unless some other time and place specifically fixed by the board. The board shall meet in addition thereto, as often as required by Section ~~40-08-10~~ **40-09-11** of the North Dakota Century Code.

1.0202 Special Meetings

Special meetings may be called at any time by the President or any two (2) members of the governing body to consider matters mentioned in the call of such meetings. Written notice of any special meeting shall be given to each member of the governing body at least ~~three~~ **two** hours before the time of the meeting.

1.0203 Meeting to be Public- Journal of Proceeding to be Kept

All meetings of the governing body shall be open to the public, and a journal of its proceedings shall be kept. Notice of the regular meeting time or of special meeting shall be given as provided by Section 44-04-20 of the North Dakota Century Code and ~~amendments thereto~~ **all subsequent amendments**.

1.0204 Quorum

The provisions of Section 40-06-03 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

A majority of the members of the governing body of a municipality shall constitute a quorum to do business but a smaller number may adjourn from time to time. The governing body may compel the attendance of absentees under such penalties as may be prescribed by ordinance, and may employ the police of the municipality for that purpose.

1.0205 Reconsidering or Rescinding Votes of a Special Meeting

The provisions of Section ~~40-09-08~~ **40-06-04** of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

No vote of the governing body shall be reconsidered or rescinded at a special meeting unless there is present at such special meeting as large a number of members as were present when such vote was taken.

1.0206 Rules and Order of Business

Rules and order of business for the parliamentary government of the governing body shall be governed by Robert's Rules of Order. **(Source: North Dakota Century Code section 40-06-05)**

~~(* See Appendix)~~

Article 3: Elective Officers

1.0301 Board of City Commissioners*

The governing body of the City of Wilton shall be the Board of City Commissioners which shall be composed of the President of the Board of City Commissioners and four City Commissioners. The President and four City Commissioners shall be elected as provided by law. **(Source: North Dakota Century Code sections 40-09-01, 40-09-03)**

1.0302 Commissioners- Terms of Office- Terms of Members of the First Board- Resignations

The provisions of Section 40-09-04 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

~~*Each commissioner and the president of the board of city commissioners shall hold office for four years commencing on the fourth Tuesday in June of the year in which the officer was elected and until a successor has been duly elected and qualified. The commission shall establish by ordinance a procedure whereby one-half of all commissioners, as nearly as practicable, are elected biennially. The president or any other member of the board may resign from office by filing a written resignation with the city auditor, who shall submit the resignation to the board of city commissioners at its next regular meeting or at a special meeting called for consideration of the resignation. The resignation is effective upon its acceptance by the board.*~~

Each commissioner and the president of the Board of City Commissioners shall hold office for four years from and after the date of election, and until a successor has been duly elected and qualified. The president and any other member of the Board may resign from office by filing a written resignation with the city auditor, who shall submit the resignation to the Board of City Commissioners at its next regular meeting, or at a special meeting called for consideration of such resignation. The resignation is effective upon its acceptance by the Board. (Source: North Dakota Century Code section 40-09-04)

1.0303 President of Board of Executive Officer- Duties- No Veto Power

The provisions of Section 40-09-08 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

The president of the board of commissioners shall be the executive officer of the City and **he** shall see that all the laws of the city are enforced. **He The president** shall have the right to vote as a member of the board, but he shall have no veto power.

1.0304 Vice- President and Acting President of the Board- Powers to Act

The provisions of Section 40-09-09 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

At the first meeting of the board after each biennial election, one of its own members shall be elected vice-president. The vice-president shall perform all the duties of the office of president in the absence or inability of the president to act. In the absence or inability to act of both the president and the vice president, the board shall elect one of its members as acting president, who shall have all the powers and perform all the duties of the president during **his the president's** absence or disability.

1.0305 How Vacancies in Board Filled

The provisions of Section 40-09-10 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

If a vacancy occurs in the office of the city commissioner or president of the Board of City Commissioners, the board may call a special city election to fill such vacancy for the unexpired term, or may, after fifteen days from the date of such vacancy appoint a person to fill such vacancy until the next city election, at which election the unexpired terms shall be filled. Upon petition of five percent of the electors, as determined by the total number of votes cast in the city in the last general election, the commission shall call a special city election to fill a vacancy occurring more than six months prior to the next city election, provided such petition has been submitted within fifteen days of the date of such vacancy.

1.0306 Departments of Administration of City Divided Among Commissioners- Duties

The provisions of Section 40-09-12 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

The Board of City Commissioners, by a majority vote of all members thereof, shall designate from among its members:

1. A police and fire commissioner who shall have under **his that commissioner's** special charge the enforcement of all police regulations of the city and the general supervision of the fire department of the City.

2. A commissioner of streets and improvements who shall have under ~~his~~ **that commissioner's** special charge the supervision of the streets and alleys of the city and who shall be charged with responsibility for the lighting, cleaning, and sanitary condition of the streets and alleys and with the enforcement of all rules and regulations relating thereto, and with the preservation for the health of the inhabitants of the City. ~~He that~~ **commissioner** shall have under ~~his~~ **that commissioner's** special charge the supervision of all public improvements and the conditions of all grants of franchises or privileges are compiled with faithfully and performed;
3. A waterworks and sewerage commissioner who shall have under ~~his~~ **that commissioner's** special charge the waterworks and sewerage department of the city and who shall see to the enforcement of all regulations with respect to said departments and all revenue pertaining thereto; and
4. A commissioner of finance and revenue who shall have under ~~his~~ **that commissioner's** special charge the enforcement of all laws for the assessment and collection of taxes of every kind and the collection of all revenues belonging to the City, from whatever source the same may be derived, and who shall examine into and keep informed as to the finances of the city.

The duties assigned to the various members of the board by this section may be otherwise distributed by a majority vote of the board's members.

1.0307 Accounts Audited by Respective Commissioners- Approved by Board

The provisions of Section 40-09-13 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

The commissioner who is the head of each department shall audit all accounts against it, but before payment the accounts shall be acted upon and approved by at least three members of the Board of City Commissioners. Approval by at least three members of the Board of City Commissioners shall be recorded in the record of the board and this shall be sufficient to indicate approval without requiring the approving members to sign or initial the voucher or order for payment of the account.

1.0308 Rules and Regulations Governing Departments and Agencies of City Made by Board

The provisions of Section 40-09-14 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

The Board of City Commissioners shall have the sole authority to pass and adopt rules and regulations concerning the organization, management, and operation of all the departments of the City and the other agencies created by it for the administration of the City's affairs.

1.0309 Board May Summon and Compel Attendance of Witnesses and Books- Punish for Contempt- Process

The provisions of Section 40-09-16 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

Whenever it is necessary for the more effective discharge of its duties, the Board of City Commissioners may summon and compel the attendance of witnesses and the production of books and papers before it. The board may punish for contempt of the board with the same ~~of the county court~~ **finest and penalties as a district judge may inflict for contempt of the district court**. All process necessary to enforce the powers conferred by this section shall be signed by the president of the board, attested by the city auditor, and served by any member of the police force of the City.

1.0310 Restrictions of Member of Board

The provisions of Section 40-09-17 of the North Dakota Century Code and all subsequent amendments shall be and hereby are incorporated by reference in this ordinance.

1. Except as provided ~~in subsection 2~~ **herein**, a member of the board of city commissioners may not:
 - a. Be eligible to any other office the salary of which is payable out of the city treasury;
 - b. Hold any other office under the city government; and
 - c. Hold a position of remuneration in the employment of the city.
2. A member of a board of city commissioners may serve as an ambulance crew member employed by the city or under a contract with the city and be remunerated for those services or as a volunteer firefighter or ambulance crew member for the city and be compensated for attending training or responding to emergency calls or may be reimbursed for expenses incurred in attending training or in responding to emergency calls

(See Appendix)*

Article 4: Appointive Offices

1.0401 Municipal Judge

There shall be elected each four years, a municipal judge who shall hold office until his successor is elected and qualified. The municipal judge shall perform all the duties prescribed by law and the ordinances of this City. He shall receive an annual salary as full compensation for all services rendered. **(Source: North Dakota Century Code sections 40-15-01, 40-15-02, 40-18-06)**

1.0402 Report to Board of City Commissioners

It shall be the duty of the municipal judge to make a full report under oath, of all proceedings in the actions and matters before him in the City of Wilton is a party, or interested therein, to the governing body of the City of Wilton, at the close of each month. Until such report has been filed with the City Auditor, no salary shall be paid the judge for such work.

1.0403 Contents of Report

Such report shall contain the names of the parties to such actions or proceeding, a statement of all orders made whether the defendants be committed, fined or released from custody, the judgment, the extent thereof, the costs, the amount of costs and fine paid, if any, with the disposition thereof, together with an itemized account of any fees of all officers and witnesses and the names of each, the name of each person making the complaint, and the nature and date thereof.

1.0404 Receipt of Accompany Report

The report will be accompanied by the duplicate receipt or receipts of the City Auditor for the total amount of the fees and money so collected on behalf of the City.

1.0405 Court Hours

The municipal judge shall be in attendance at municipal court for the transactions of business that may come before him and shall devote the time necessary to handle and dispose of the business coming before him.

1.0406 Duties of Municipal Judge

Additional duties of the municipal judge shall be as provided by the provisions of Chapter 40-18 of the North Dakota Century Code and all amendments thereto.

1.0402 Report to City Auditor

It shall be the duty of the municipal judge to make a full report under oath of all fees, fines, costs, forfeiture, and any other monetary consideration collected by the court to the city auditor at the close of each month. The report shall be accompanied by all monetary consideration collected. Until such report has been filed with the city auditor, no salary shall be paid the judge for such work. (Source: North Dakota Century Code section 40-18-06)

1.0403 Court Hours

The municipal judge shall be in attendance at municipal court for the transaction of business that may come before the court and shall devote the time necessary to handle and dispose of the business coming before the court.

1.0404 Duties of Municipal Judge

Additional duties of the municipal judge shall be as provided by chapter 40-18 of the North Dakota Century Code and all amendments.

1.0405 Victim Witness Fee

The municipal judge may assess a fee of not more than twenty-five (25) dollars as part of a sentence imposed on a defendant who pleads guilty to or is convicted of violating a municipal ordinance for which the maximum penalty that may be imposed by law for the offense includes imprisonment. The fee assessed under this section is in addition to any fine, penalty, costs, or administrative fee prescribed by law. The municipal judge may assess the fee when sentence is imposed or when sentence is suspended or imposition of sentence is deferred, unless the defendant is indigent and unable to pay the fee. All fees paid to the municipal court under this section shall be deposited in the general fund for allocation by the governing body to:

1. A private, nonprofit domestic violence assault program;
2. A victim and witness advocacy program of which the primary function is to provide direct services to victims of and witnesses to crime; or
3. The statewide automated victim information and notification system (SAVIN), administered by the North Dakota Attorney General. (Source: North Dakota Century Code section 27-01-10)

Article 5: Appointive Offices

1.0501 Appointive Officers- Right to Dispense with Offices

At the first meeting after the qualification of its members, or as soon thereafter as possible, the Board of Commissioners shall appoint the following officers;

1. City Auditor
2. City Attorney
3. City Assessor
- ~~4. City Health Officer~~
- ~~5. Chief of Police~~
6. City Engineer
- 7. Such other officers or boards as the Board of City Commissioners may deem necessary.**

~~In addition, governing body may appoint a Treasurer, additional assessors, a street commission, a chief of the fire department, one or more policemen, a board of public works, and such other officers or boards as the Board of City Commissioners may deem necessary, or may, by a majority vote, dispense with any appointive office, and provide that the duties thereof shall be performed by other officers or boards, by the Board of City Commissioners, or by a committee or committees thereof.~~ **The Board of City Commissioners may, by a majority vote, dispense with any appointive office, and provide that the duties thereof shall be performed by other officers or boards, by the Board of City Commissioners or by a committee or committees thereof. (Source: North Dakota Century Code section 40-15-05)**

1.0502 Term of Appointive Officers

The provisions of Section 40-15-06, **40-13-02 and chapter 26.1-21** of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

~~The terms of all appointive officers of a city operating under the commission system of government commences on the first day of July succeeding their appointment unless otherwise provided by ordinance, and the officers shall hold their respective offices for the term provided by ordinance, and until their respective successors are qualified.~~ **The term of all appointive officers shall begin on the day after the first meeting in July and shall continue for a term of two years until their successors have been appointed and qualified. Any person appointed to fill a vacancy shall hold his office for the unexpired**

term unless appointed as an “acting” officer. An acting officer shall serve at the pleasure of the governing body. Before entering upon the duties of their office, appointed officers shall take the oath and give the bond required by law

1.0503 Postponement of Appointments

The Commission may, upon the concurrence of two-thirds of the Commissioners present, postpone action on such appointments, or any of them, to a special session of the Commission to be held not later than one week from the date of such adjournment.

1.0504 Appointive Officers- Removal Upon Hearing- Suspension Appointments and Removal of Temporary Officers

The provisions of Section 40-15-07 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any person appointed to any office of a city operating under the commission system of government and any employee of the city may be removed by a majority vote of all the members of the board of city commissioners, but no officer or employee shall be removed except for cause and unless charges are preferred against him and he is accorded an opportunity to be heard in his own defense. Within ten days after charges are filed against any such person in the office of the city auditor, the board shall proceed to hear and determine the case upon its merits. The president of the board of city commissioners, or the board, by a majority of the vote of its members, may suspend any officers or employee against whom charges have been preferred until the disposition of the charges. The president may appoint a person to fill any vacancy temporarily until charges against the incumbent of such office have been disposed of. Any person appointed by the president without confirmation may be removed by him when he deems it is for the best interest of the city.

1.0503 Appointive Officers - Removal Upon Hearing - Suspension Appointment and Removal of Temporary Officer

The provisions of section 40-15-07 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

Any person appointed to any office of a City operating under the commission system of government and any employee of the City may be removed by a majority vote of all the members of the Board of City Commissioners, but no officer or employee shall be

removed except for cause and unless charges are preferred against him and he is accorded an opportunity to be heard in his own defense. Within ten days after charges are filed against any such person in the office of the city auditor, the board shall proceed to hear and determine the case upon its merits. The president of the Board of City Commissioners, or the board, by a majority vote of its members, may suspend any officer or employee against whom charges have been preferred until the disposition of the charges. The president may appoint a person to fill any vacancy temporarily until charges against the incumbent of such office have been disposed of. Any person appointed by the president without confirmation may be removed by him when he deems it is for the best interests of the City.

1.0505 10504 General Duties of the City Auditor

It shall be the duty of the city auditor to issue the calls for all special meetings of the City Commission when requested to do so by the President or Presiding Officer or any two (2) members of The City Commission. ~~He~~ **The city auditor** shall also keep a full and complete record of all meetings of the City Commission and shall keep a book titled as the “Ordinance Book” and shall record therein at length all ordinances of the City. ~~He~~ **The city auditor** shall keep a book to be styled the “Special Assessment Book” in which ~~He~~ **The city auditor** shall keep all records of special assessments. All such books shall have full and complete indexes of the contents thereof. ~~He~~ **The city auditor** shall report to the City Commission at the end of every month a list of all warrants, interest coupons, bonds or other evidence of indebtedness which may have been redeemed or paid by him during the month and ~~He~~ **The city auditor** shall duly give to the commission a copy of ~~his~~ **a** receipt therefore. ~~He~~ **The city auditor** shall further handle all correspondence, permits and licenses and shall do and perform each, every and all duties and things prescribed ~~for him to do~~ by statutes of this state, or by an ordinance, resolution or proper instruction of the City Commission. (**Source: North Dakota Century Code Section chapter 40-16**)

1.0506 1.0505 General Duties of the City Attorney

~~The City Attorney shall conduct all the law business of the City and of the departments thereof, and all law business in which the City shall be interested; he shall, when requested, furnish written opinions upon the subjects submitted to him by the City Commission, or any other department. It shall also be his duty to draft all ordinances, bonds, contracts, leases, conveyances and such other instruments as may be required by the officers of the City; to examine and inspect tax and assessment rolls and all other proceedings in reference to the levying and collection of taxes and to perform each and every and all duties and things prescribed by him to do by statutes of the state, or by an ordinance, resolution or proper instruction of the City Commission.~~ **The city attorney shall conduct all the law business of the City and of the departments thereof, and shall,**

when requested, furnish written opinions upon the subjects submitted by the City Commission, or any other department. The city attorney shall also draft all ordinances, bonds, contracts, leases, conveyances and such other instruments as may be required by the officers of the City, examine and inspect tax and assessment rolls and all other proceedings in reference to the levying and collection of taxes, and perform all other duties prescribed by statutes of the state, or by an ordinance, resolution or proper instruction of the City Commission. (Source: North Dakota Century Code section 40-20-01)

1.0507 1.0506 General Duties of Other Appointive Officers

All other appointive officers shall perform such duties as directed by the Board of City Commissioners, directed by these ordinances, or directed or authorized by the Laws of the State of North Dakota.

Article 6: Special Provision Regarding City Officers

1.0601 Bonds of Municipal Officers and Employees

The following officers and employees of the City of Wilton shall be bonded in the sums as hereinafter set forth:

1. President of the City Commission
2. City Auditor
3. Deputy City Auditor
4. Municipal Judge
5. Police Officers
- ~~6. Water Department Superintendent~~
- ~~7. Street Department Superintendent~~
8. City Assessor

~~Said officers or employees shall be bonded from the State Bonding Fund in accordance with the provisions of Chapter 26-23 North Dakota Century Code and in such amounts as are set by the laws of the State of North Dakota, the Board of City Commissioners, or the Commissioner of Insurance. Each Commissioner, before entering upon the duties of his office, shall furnish bond in the penal sum of \$3,000.00, conforming to the provisions of law applicable to the bonds of state officers. Section 40-13-02 and Chapter 26.1-21.~~ **Said officers or employees shall be bonded from the State Bonding Fund in accordance with the provisions of section 40-13-02 and chapter 26.1-21 of the North Dakota Century Code and in such amounts as are set by the laws of the state of North Dakota, the Board of City Commissioners or the Commissioner of Insurance.**

1.0602 Oaths of Municipal Officers

Every person appointed to any municipal office, before he enters upon the discharge of the duties thereof, shall take and subscribe the oath of office prescribed for civil officers and, except in the case of the ~~treasurer and~~ auditor, shall file the same with the city auditor within ten (10) days after notice of his or her election or appointment has been given. The oath of ~~the municipal treasurer and of~~ the auditor shall be filed in the office of the County Auditor. ~~In addition, each commissioner shall take an oath that he is not under any direct or indirect obligation to appoint or elect any person to the office of policeman, fireman, or any other office, position or appointment under the city government.~~ **Refusal to take the oath of office shall also be deemed a refusal to serve and, therefore, a failure to qualify for the office pursuant to NDCC section 44-02-01. (Source: North Dakota Century Code Section 40-13-03)**

1.0603 Salaries of City Commissioners

The salary of the president of the City Commission and of the other members of the City Commission shall be set by ordinance within the limitations set by North Dakota Century Code section 40-09-06.

~~Beginning January 1, 2015,~~ The monthly salary of the President of the City Commission shall be 150% of the rest of the commission. The monthly salary of the City Commission shall be set by the City Commission. The President of the Commission and City Commissioners shall be paid \$50.00 for special meetings. Such salary may be declined by a commissioner upon written notice to the City Auditor.

1.0604 Salaries of City Officials and Appointive Officers

Salary of City Officials and Appointive Officers, except as otherwise provided by law, shall be in such sums and amounts as may be, by resolution of the governing body, fixed from time to time.

1.0605 ~~Meals and Lodging~~ Meals, Lodging, and Mileage - Amount Allowed

Each elective or appointive officer, employee, representative, or agent of this City, or of any of its subdivisions, board, or commissions may make claim and shall upon approval of such claims, be paid an allowance for meals and lodging while engaged within this State, in the discharge of a public duty away from his normal working and living residence for all or any part of any quarter of a day at the rates specified by state law. Verification of claims shall not be required for the first three quarters listed above and only a lodging receipt shall be required for the fourth quarter; provided however, the amount paid for such lodging shall not be required to be listed.

~~Such persons engaged in travel outside the State shall claim a sum in excess of that allowed by state law a day for meals and in addition thereto actual lodging expenses. Verification by receipt for such out-of-state travel expense shall be required only for lodging expense claimed. Verification of any other type of expenses not prescribed by this section shall be by sworn statement and receipts shall be required for taxi or cab fares up to and including the sum of five dollars.~~

~~Any person filing a false claim with the City of Wilton for mileage or expenses as herein permitted is guilty of an offense, and may be punished by a fine of not to exceed \$500.00 and imprisonment not to exceed 30 days.~~

Such persons engaged in travel outside of the state shall not claim a sum in excess of that allowed by state law a day for meals and in addition thereto actual lodging expenses. Verification by receipt for such out-of-state travel expense shall be required only for lodging expense claimed. Verification of any other type of expenses not prescribed by this section shall be by receipt.

Mileage expenses shall be reimbursed at the rate provided for under state law for state officials and employees. (Source: North Dakota Century Code section 54-06-09) Any person filing a false claim with the City for mileage or expenses as herein permitted is guilty of an infraction.

1.0606 Personal Interest in Contract by Public Officer- Prohibited

No contract for the furnishing of supplies to the City, or buying of property from the City shall be entered into by any officer of the municipality, provided, however, that such contracts may be entered into with an officer of the City, if such contract is unanimously approved by other members of the governing body of the City by a finding unanimously adopted by such other members, and entered in the official minutes of the governing body, to be necessary for the reason that the services or property are not otherwise available at equal cost. **(Source: North Dakota Century Code section 40-13-05)**

1.0607 Retiring Officer to Turn Over Books

Any person having been an officer of the City shall, within five days after notification and request, deliver to his successor in office, all property, books and effects of every description in his possession belonging to the City or appertaining to his office; and upon his refusal to do so, shall be liable for all damages caused thereby, and guilty of an ~~offense and may be punished by a fine of not to exceed \$500.00 and imprisonment of not to exceed 30 days~~ **infraction.**

1.0608 Administrative Policy and Procedures

~~PERFORM DUTIES:~~ Each officer shall:

1. Perform all duties required of ~~his~~ **their** office by law or ordinance and such other duties not in conflict as may be required by the governing body.
2. Be immediately responsible to the governing body for the effective administration of their departments and all activities assigned thereto.
3. Keep informed as to the latest practices in their particular field and shall inaugurate with approval of the governing body such new practices as appear to be of benefit to the service and to the public.

4. Submit such reports of activities of their departments as the governing board may request.
5. Be responsible for the proper maintenance of all City property and equipment used *by his in their* departments.
6. Establish and maintain records in sufficient detail to furnish all information needed for proper control of department activities and to form a basis for reports to the governing board.
7. Cooperate with other officers, departments and employees.
8. Have power to direct and supervise all department subordinates.
9. **Be available during the hours designated by the City governing body.**

1.0609 Obstructing a Public Official- Prohibited

Every person who willfully delays or obstructs a public officer in the discharge or attempt to discharge any duty of his office shall be guilty of an infraction. Upon conviction, for a violation of this section, such person shall be fined not more than \$500.00.

Article 7: Purchasing and Disposition of Property

1.0701 Competitive Bidding Requirements

~~All purchase of and contracts for supplies and contractual services with a cost in excess of one hundred thousand dollars shall be based on competitive bids.~~

1.0701 Competitive Bidding Requirements- Construction of Public Improvement

When the estimated costs for the construction of a public improvement is in excess of two hundred thousand dollars, competitive bidding is required. (Source: North Dakota Century Code sections 48-01.2-04, 48-01.2-02.1)

If the estimated cost for construction of a public improvement is in excess of two hundred thousand dollars, plans, drawings and specifications for the improvement shall be procured from an architect or engineer. Plans, drawings, and specifications of an architect or engineer must be stamped and sealed by the date of the initial bid advertisement. (Source: North Dakota Century Code sections 48-01.2-02, 48-01.2-02.1)

“Construction” means the process of building, altering, repairing, improving, or demolishing any public structure or building or other improvement to any public property. The term does not include the routine operation or maintenance of existing facilities, structures, buildings, or real property or demolition projects costing less than one hundred fifty thousand dollars. (Source: North Dakota Century Code section 48-01.2-01(4))

“Public Improvement” means any improvement undertaken by a governing body for the good of the public and which is paid for with any public funds, including public loans, bonds, leases, or alternative funding, and is constructed on public land or within an existing or new public building or any other public infrastructure or facility if the result of the improvement will be operated and maintained by the governing body. (Source: North Dakota Century Code section 48-01.2-01(21))

1.0702 Procedure

~~All supplies and contractual services except as otherwise provided herein, when the estimated cost thereof shall exceed \$100,000.00 shall be proposals. Due notice shall be given by advertising for the sale and purchase of the property or service by giving written notice in the official newspaper of the City for three (3) consecutive weeks and the opening~~

~~of the bids so received not less than 21 days after the first publication thereof. The lowest responsible bidder shall be the bidder who, in addition to price, has the best ability, capacity and skill to perform the contract or provide the service required promptly or within the specified time without delay or interference. There shall also be considered character, integrity, reputation, judgment, experience and efficiency of the bidder, the quality of performance of previous contract, sufficiency of financial resources and previous and existing compliance with state law and City ordinances.~~ If the estimated cost for the construction of a public improvement is in excess of two hundred thousand dollars, the governing body shall advertise for bids by publishing for three consecutive weeks. The first publication of the advertisement must be at least twenty-one days before the date of the opening of bids. The advertisement must be published in the official newspaper of the political subdivision in which the public improvement is or will be located, in a daily newspaper having a general circulation in the area where the project is located, and in a trade publication, electronic plan service, builders exchange, or other industry-recognized method of general circulation among the contractors, building manufacturers, and dealers in this state, except the advertisement for a public improvement financed by special assessments need be published only once each week for two weeks in the official newspaper with the first publication being at least fourteen days before the bid opening. (Source: North Dakota Century Code sections 48-01.2-01, 48-01.2-02.1, 48-01.2-04)

1.0702.1 Consider Consulting Engineer or Architect

If the city undertakes the construction of a public improvement and there is reason to believe that engineering or architectural services are necessary to protect the health, safety, or welfare of the public, the city shall consider consulting with an engineer or architect.

1.0703 Open Market Purchases- Emergency

~~When the City governing body decides by unanimous vote that an emergency requires the immediate purchase of supplies or contractual services, the purchases may be made in the open market without competitive bidding.~~ When the City governing body declares an emergency situation exists, the governing body may contract for the construction of a public improvement without seeking bids. (Source: North Dakota Century Code section 48-01.2-04)

“Emergency situation” means a sudden generally unexpected occurrence that requires immediate action to protect public health, safety, or property and which ends when the immediate threat to public health, safety, or property ceases and services are restored. The term does not include a lack of planning on the part of the

city council, architect, engineer, landscape architect, or contractor. (Source: North Dakota Century Code section 48-01.2-01(13))

1.0704 Accounts Against City to be in Writing *and Verified*

Accounts, claims and demands against the City of Wilton, North Dakota, for any property or services for which said City shall be liable, shall be ~~reduced to writing in items and the claimant shall verify the same in the manner hereinafter set forth.~~ **made in writing and shall include an itemized statement of the property or services provided.**

1.0705 Form of Verification

~~The claimant shall execute a verification printed on vouchers to be furnished by the City Auditor and reading as follows:~~

~~“Verification. I do hereby certify that the within bill, claim, account, or demand is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged, and that no part of such bill, claim, account or demand, has been paid; and that the goods therein charged were actually delivered and were of the value charged.~~

Signed _____

~~(If signed for a firm or company, show authority on this line)”~~

1.0705 Further Verification May be Required

It is hereby provided that any officer of the Board of City Commissioners before whom any bill, claim, account or demand against the City shall come for audit and approval may require to be furnished a statement made under oath, containing such other information as is deemed necessary for the further verification of any bill, claim, account or demand against the City, or any of its undertakings.

1.0706 Conveyance, Sale, Lease or Disposal of Property

Real property belonging to the municipality shall be conveyed, sold, leased or disposed of, only as approved of by a two-thirds vote of all members of the governing body. Personal property shall be conveyed by a majority vote of all members of the governing body. When the property to be disposed of, whether real property or personal property is estimated, by the governing body of the municipality to be of a value of less than \$2,500.00, such property may be sold at private sale upon the proper resolution of the governing body. In all other cases, such property may be sold only at public sale or as

provided under section 40-11-04.2 of the North Dakota Century Code (Source: North Dakota Century Code section 40-11-04). Bids for the purchase or lease of real property belonging to the municipality, whether or not advertisement therefore has been made, shall be made directly to the governing body and submitted to the city auditor, who shall present any and all such bids to the governing body at its next regularly scheduled meeting. When specific statutory provisions contained in the North Dakota Century Code provide for a procedure which is in conflict with this section, governing the conveyance, sale, lease or disposal of real property, this section shall not apply insofar as it is in conflict with such state law. Said statutory procedures include the following:

1. Lease of airports or landing fields, or portions thereof shall be under authority granted in chapter 2-02 of the North Dakota Century Code. Said lease shall further be in compliance with regulations and directives of appropriate federal agencies.
2. Conveyance of right of way for any state highway shall be as provided in chapter 24-01 of the North Dakota Century Code.
3. Leasing of oil and gas lands shall be as provided in sections 38-09-02 through 38-09-04 and sections 38-09-14 through 38-09-20 of the North Dakota Century Code.
4. Conveyance of property to a municipal parking authority shall be as provided in section 40-61-05 of the North Dakota Century Code.
5. Lease of public buildings or portions thereof shall be as provided in chapter 48-08 of the North Dakota Century Code.
6. Granting of concessions for cafes, restaurants and confectioneries in public buildings or on public grounds shall be as provided in chapter 48-09 of the North Dakota Century Code.
7. Granting of right-of-way for a railway, telephone lines, electric light system or a gas or oil pipeline system shall be as provided in section 49-09-16 of the North Dakota Century Code.

1.0707 Real Property Transfer Requirements

The provisions of sections 40-11-04.1 and 40-11-04.2 of the North Dakota Century Code and all subsequent amendments are hereby incorporated by reference in this ordinance.

1.0706 Further Verification May Be Required

It is hereby provided that any officer of the Board of City Commissioners before whom any bill, claim, account or demand against the city shall come for audit or approval may, if

~~deemed necessary in his or their discretion, require to be furnished a statement made under oath, containing such other information as is deemed necessary for the further verification of any bill, claim, account or demand against the City, or any of its undertakings.~~

1.0707 Blank Forms to Have Verification Printed Thereon

~~All blank vouchers forms for bills, claims, accounts, and demands against the City shall have printed thereon the language of Section 1.0705~~

1.0708 Conveyance, Sale, Lease or Disposal of Property

~~Real property belonging to the municipality shall be conveyed, sold, leased or disposed of, only as approved of by a two-thirds vote of all members of the governing body. Instruments affecting such conveyance, sale, lease or disposal shall be valid only when duly executed by the President of the City Commissioners and attested by the City Auditor. Personal property shall be conveyed by a majority vote of all members of the governing body. When the property to be disposed of, whether real property or personal property is estimated, by the governing body of the municipality to be of a value of less than \$2,500.00, such property may be sold at private sale upon the proper resolution of the governing body. In all other cases, such property may be sold only at public sale. Bids for the purchase or lease of real property belonging to the municipality, whether or not advertisement therefore has been made, shall be made directly to the governing body and submitted to the city auditor, who shall present any and all such bids to the governing body at its next regularly scheduled meeting. When specific statutory provisions contained in the North Dakota Century Code provide for a procedure which is in conflict with this section, governing the conveyance, sale, lease or disposal of real property, this section shall not apply insofar as it is in conflict with such state law. Said statutory procedures include the following:~~

~~Lease of airports or landing fields, or portions thereof shall be under authority granted in Section 2-02-15, NDCC. Said lease shall further be in compliance with regulations and directives appropriate federal agencies.~~

~~Conveyance of right of way for any state highway shall be as provided in Section 24-01-46, NDCC.~~

~~1. Leasing of oil and gas lands shall be as provided in Sections 38-09-02 through 38-09-04 and Sections 38-09-14 through 38-09-20, NDCC.~~

~~2. Conveyance of property to a municipal parking authority shall be as provided in Section 40-61-05, NDCC.~~

~~3. Lease of public buildings or portions thereof shall be as provided in Chapter 48-08, NDCC.~~

- ~~4. Granting of concessions for cafes, restaurants and confectioneries in public buildings or on public grounds shall be as provided in Chapter 48-09, NDCC.~~
- ~~5. Granting of right of way for a railway, telephone lines, electric light system or a gas or oil pipeline system shall be as provided in Section 49-09-16, NDCC.~~

1.0709 Real Property Transfer Requirements

~~The provisions of Section 40-11-04.1 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.~~

Article 8: Municipal Elections

1.0801 Qualified Electors in Municipal Elections- Restrictions

The provisions of Section 40-21.01 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Every resident of a municipality who is qualified to vote therein at general elections may vote at all municipal elections held therein. ~~When elections are held by wards or precincts, no person may vote in any place other than the ward or precinct of which he is a resident.~~

1.0802 Elections in Commissioned Cities- When Held- Notice, Polls, Judges and Inspectors

The provisions of Section 40-21-02 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Biennial municipal elections shall be held on the second Tuesday in June in each even numbered year at such place or places as the Board of City Commissioners shall designate. Ten days notice of the time and place of holding each election and offices to be filled at such election shall be given by the city auditor by publication in the official newspaper of the City as provided by section 40-01-09 of the North Dakota Century Code. The polls shall be opened and closed as provided by state law for the opening and closing of polls at primary, general and special elections.

~~Biennial municipal elections must be held on the second Tuesday in June in each even numbered year.~~

- ~~1.—Thirty days before the filing deadline for candidate names to be printed on the ballot, an official notice of this deadline along with a list of the offices to appear on the ballot must be published in the official newspaper of the city as provided by section 40-01-09.~~
- ~~2.—Ten days' notice of the time and place of the election and of the offices to be filled at the election must be given by the city auditor by publication in the official newspaper of the city as provided by section 40-01-09.~~
- ~~3.—The governing body of a city shall enter into an agreement with the governing body of the county or counties in which the city lies concerning the use of a single canvassing board, the sharing of election personnel, the printing of election materials, the publishing of legal notices, and the apportioning of election expenses.~~

- ~~4.—For city elections that are not held under an agreement with any county, the governing body of the city shall appoint one inspector and two judges of election for each polling place in the city at least ten days before the election is held and the polls must be opened and closed as provided for the opening and closing of polls at statewide elections. In voting precincts in which over three hundred votes are cast in any previous election, the governing body may appoint two election clerks for each polling place. For a city election that is not held under an agreement with any county in a precinct in which seventy-five or fewer votes were cast in the last city election, the governing body of the city may appoint one inspector and one judge for each polling place.~~
5. ~~When a city enters into an agreement with the county to hold the city election in conjunction with the county election, the deadline for giving notice of the city election along with the offices to be filled at the election may be adjusted in order to meet the publishing requirements of the county. Each city governing body that enters into an agreement with the county must notify the county auditor, in writing, immediately after the candidate filing deadline on the sixty-fourth day before the election of the offices to be filled at the election and any measures to appear on the ballot.~~

1.0803 Designation of Polling Places for Municipal Elections

The governing body of any city at the time of calling any general or special municipal election, or prior to the time of registration for said election, if such registration is required by law, shall by resolution designate such voting precincts and polling places for said election as it may deem necessary for the conduct of the same and shall in giving notice of said election designate such voting precincts and polling places. *(Source: North Dakota Century Code section 40-21-03.1)*

1.0804 Compensation of Inspectors, Judges and Clerks at Municipal Elections

The provisions of Section 40-21-05 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Each inspector, judge, or clerk of any regular or special municipal election shall receive compensation as determined for election officials in section 16.1-05-05. The amounts determined to be due election officials at municipal elections shall be paid from the funds of the municipality holding the election. In the event a special municipal election is held on the same date as a statewide, districtwide, or countywide election, and if the same election officials perform services for both elections, the city shall not be required to pay

the election officials, except for any extra officials necessary for such special municipal election.

1.0805 Reference to Party Ballot or Affiliation in Petition of Candidate for Municipal Office- Prohibited- Principals Stated

The provisions of Section 40-21-06 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

No reference may be made to a party ballot nor to the party affiliation of a candidate in a petition to be filed by or in behalf of a candidate for nomination to a public office in any incorporated City in this state.

1.0806 Petition for Nomination of Elected Official in Municipalities- Signatures Required- Contents

The provisions of Section 40-21-07 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

A candidate for any public office in the City may be nominated by filing with the city auditor, at least sixty-four days and before four p.m. on the sixty-fourth day prior to the holding of the election, a petition signed by not less than ten percent of the number of qualified electors who voted for that office in the last City election. If a petition is mailed, it shall be in the possession of the city auditor before four p.m. on the sixtieth day prior to the holding of the election. In no case shall more than three hundred signatures be required, and such signatures may be on separate sheets of paper. Each signer of such petition shall add to the petition the petitioner's mailing address.

~~*A candidate for any public office in an incorporated city may be nominated by filing with the city auditor, before four p.m. on the sixty-fourth day before the holding of the election at least sixty-four days and before four p.m. on the sixty-fourth day prior to the holding of the election, a petition signed by not less than ten percent of the number of qualified electors who voted for that office in the last city election. A candidate shall also file a statement of interests as required by section 16.1-09-02. If multiple candidates were elected to the office at the preceding city election at which the office was voted upon, the number of signatures must equal at least ten percent of the total votes cast for all candidates divided by the number of candidates that were to be elected to that office at that election. Qualified electors who sign a petition must reside within the ward or precinct in and for which that officer is to be elected, if the election is by wards, or within the corporate limits of the city, if the officer is elected at large. In cities operating under the commission system of government the required petition may be signed by the qualified electors at large residing*~~

~~within the city. If a petition is mailed, it must be in the possession of the city auditor before four p.m. on the sixty-fourth day before the holding of the election. However, no more than three hundred signatures may be required and the signatures may be on separate sheets of paper. Petitions must meet the specifications of nominating petitions pursuant to section 16.1-11-16. If a city election is not combined with a state or county election according to section 40-21-02, a candidate may be nominated by filing the required petition with the city auditor before four p.m. on the sixty-fourth day before the holding of the election. A candidate may withdraw the candidate's nominating petition at any time before the applicable deadlines for filing nominating petitions provided for in this section. Nominating petitions required by this section may not be circulated or signed prior to January first preceding the election. Any signatures to a nominating petition obtained before that date may not be counted.~~

~~A nominating petition for a special election may not be circulated or signed more than thirty days before the time when a petition for a special election must be filed. A candidate for city council may run for either the office of mayor or council member but not both in the same election. A candidate for the city commission may run for either the office of city commissioner or the office of president of the board of city commissioners but not both in the same election. A candidate may run for only one office in a city at any given election.~~

1.0807 Ballots in Municipalities- Markup

The provisions of Section 40-21-08 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

The auditor of the City shall place only the names of the persons nominated upon the ballot.

The auditor shall arrange the offices upon the ballot in the order in which they are named in the statutes. The auditor shall determine the arrangement of the names of the candidates upon the ballot by conducting a drawing ~~immediately after the candidate filing deadline on the sixty-fourth day before the election~~ **following the last day for the filing of the nomination papers**. The city auditor shall set the date, time, and location for conducting the drawing and shall give advance notice of the drawing to the candidates involved.

1.0808 Clerks Appointed to Fill Vacancies- Oath- Powers and Duties of Judges and Clerks of Municipal Elections

The provisions of Section 40-21-11 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

When necessary, the judges of election at a municipal election shall appoint clerks to fill vacancies. The judges and clerks of a municipal election shall take the same oath and have the same powers and authority as judges and clerks of general state elections.

1.0809 Counting Ballots- Returns- Canvass of Returns by Governing Body of Municipality

The provisions of Section 40-21-12 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Repealed by S.L.2005, ch.185, §18

1.0809 Municipal Elections to be Governed by Rules Applicable to County Elections - Absent Voting

The provisions of section 40-21-13 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

The manner of conducting, voting at, keeping poll lists and canvassing votes at municipal elections, recounts and contests of the results of such elections shall be governed, as nearly as possible and except as otherwise provided in this chapter, by the laws of this state applicable to elections and contests in the case of county officers. Absent voters' ballots must be available in municipal elections in accordance with the provisions of Chapter 16.1-07 of the North Dakota Century Code as amended

1.0810 Municipal Elections to be Governed by Rule Applicable to County Elections- Absent Voting

The provisions of Section 40-21-13 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

The manner of conducting, voting at, keeping poll lists, and canvassing votes at municipal elections, recounts, and contests of the results of the elections is governed, as nearly as possible and except as otherwise provided in this chapter, by the laws of this state applicable to elections and contests in the case of county officers. Absent voters' ballots must be available in municipal elections in accordance with chapter 16.1-07.

1.0811 1.0810 City Auditor to Notify Election or Appointments

The provisions of Section 40-21-14 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

The city auditor, within five days after the result of an election is declared or the appointment of an officer is made within the municipality, shall notify each person elected or appointed to municipal office of that person's election or appointment. Within the same period of time, the city auditor shall also notify the state supreme court of the election or the appointment of any municipal judge or alternate judge.

1.0811 - Omitted

1.0812 New Election Upon Failure to Elect

The provisions of Section 40-21-15 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

If there is a failure to elect an officer required to be elected, the governing body of the municipality may order a new election.

1.0813 Special Elections Conducted in Same Manner as General Elections

The provisions of Section 40-21-16 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Special municipal elections to fill vacancies or for any other purpose must be held and conducted by the inspectors and judges of election of the several polling places in the same manner and the returns must be made in the same form and manner as at regular municipal elections.

1.0814 Highest Number of Votes Elects in Municipal Election- Procedure for Tie Vote

The provisions of section 40-21-17 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

~~*The person having the highest number of votes for any municipal office shall be declared elected to such office. In case of a tie vote in the election of any municipal officer, the choice shall be determined by a coin flip in the presence of the governing body of the municipality and in such manner as it shall direct.*~~ **The person having the highest number of votes for any municipal office shall be declared elected to such office. In case of a**

tie vote in the election of any municipal officer, a recount must be conducted pursuant to Section 16.1-16-01 of the North Dakota Century Code. If a recount results in a tie vote, the choice shall be determined by a drawing of names in the presence of the governing body of the municipality and in such manner as it shall direct. A candidate involved in a tie vote may withdraw from consideration by signing a written statement to that effect in the presence of the filing officer of the election.

ARTICLE 9 - Records Management Policy

1.0901 Adoption of Policy

The management of records in the City shall meet with the provisions of the records retention schedules published by the Records Management Division of the North Dakota Information Technology Department, a copy of which is available online on the Records Management Division of the North Dakota Information Technology Department. The records retention schedules are hereby made a part of this chapter by reference with the exceptions of the sections hereinafter set forth affecting local conditions in the City, which are amended, deleted or added to, for use and application in the City, and the City hereby adopts said records retention schedules as so modified.

1.0902 Amendments, Deletions, Additions to City Records Management Schedule

Sec. _____ shall be amended to read as follows:

Sec. _____ shall be deleted.

Sec. _____ shall be added to said manual to read as follows:

ARTICLE 10 – Definitions and General Penalty

1.1001 Definitions

In this Code, unless context requires otherwise:

1. "City" means the city of Wilton.
2. "Executive officer" means the commission president.
3. "Governing body" means the city commission.
4. "Land" and phrases "real estate" and "real property" include land, tenements, hereditaments, and all rights thereto and interests therein, equitable as well as legal.
5. "May" means permissive.
6. "Person" includes corporations, associations, clubs, societies, firms, partnerships, municipalities, and bodies politic and corporate as well as individuals.
7. "Personal property" means money, goods, chattels, evidences of debt, and things in action.
8. "Property" means real and personal property.
9. "Shall" means mandatory.

1.1002 General Penalty and Offense Classifications

Offenses against the ordinances of this city are divided into two (2) classes, as follows:

1. Offense or Class B Misdemeanor, for which a maximum penalty of thirty (30) days imprisonment, a fine of one thousand dollars (\$1,500.00), or both, may be imposed.
2. Infraction, for which a maximum fine of five hundred dollars (\$1,000.00) may be imposed. Any person convicted of an infraction who has, within one year prior to commission of the infraction of which he was convicted, been previously convicted of an offense classified as an infraction in state statutes or the ordinances of this or any other North Dakota city may be sentenced as though convicted of an offense. If the prosecution contends that the infraction is punishable as an offense, the complaint shall so specify unless the prosecution is unable with reasonable effort to learn of the prior conviction prior to execution of the complaint.
3. All violations of the provisions of the Ordinances of this city are offenses unless specifically labeled infractions or unless a different classification or punishment is specifically provided for.

4. **The provisions of section 40-05-06 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance. The penalties listed shall not be construed to prohibit the utilization of the sentencing alternatives, other than a fine or imprisonment, provided by section 12-1-32-02 of the North Dakota Century Code and Section 13.0502, for the violation of a city ordinance, nor does this section limit the use of deferred or suspended sentences. (Source: North Dakota Century Code sections 12.1-32-01 and 40-05-06)**

First Reading: 3-4-24

Second Reading:

Final Passage:

Publication:

CHAPTER TWO - ORDINANCES

Article 1: Procedure

2.0101 Enacting Clause for Ordinances

The enacting clause of every ordinance adopted by the **City of Wilton** ~~a municipal corporation~~ shall be: "Be it ordained by the Board of City Commission of the City of Wilton." Such caption, however, may be omitted when the ordinances are published in book form or are revised and digested. **(Source: North Dakota Century Code section 40-11-01)**

2.0102 Procedure in Passing Ordinances

All ordinances shall be read twice and the second reading and final passage shall not be had in less than one week after the first reading. After the first reading and before final passage, an ordinance may be amended. Except as otherwise specifically provided, a majority of all of the members of the governing body must concur in the passage of an ordinance and in the creation of any liability against the City and in expending or appropriating money. **(Source: North Dakota Century Code section 40-11-02)**

2.0103 Yea and Nay Vote on Passage- When Required

The yea and nay shall be taken and entered on the journal of the governing body's proceedings upon the passage of all ordinances and upon all propositions creating any liability against the City or providing for the expenditure or appropriation of money, and in all other cases at the request of any member. ~~The member of the governing body who passes his vote or who remains silent when the roll call on the vote is taken, shall be deemed to have voted yea, and a record of the yea shall be entered into the journal.~~ **(Source: North Dakota Century Code section 40-11-03)**

2.0104 Reconsideration or Rescinding Votes

No vote of the governing body shall be reconsidered or rescinded at a special meeting unless at such special meeting there is a present as large a number of members as was present when such vote was taken. **(Source: North Dakota Century Code section 40-06-04)**

2.0105 Publication of Ordinances

The title and penalty clause of every ordinance imposing any penalty, fine, imprisonment, or forfeiture for violation of its provisions after the final adoption of such ordinance, shall be published in one issue of the official paper of the municipality. **(Source: North Dakota Century Code section 40-11-06)**

2.0106 Effective Date of Ordinance

Ordinances finally approved by the governing body of a municipality and which require publication shall take effect and be in force from and after the publication thereof, unless otherwise expressly provided in the ordinance. Ordinances which do not require publication shall take effect and be in force from and after the final approval thereof unless otherwise expressly provided therein. **(Source: North Dakota Century Code section 40-11-07)**

2.0107 Effect of Repeal

When any ordinance, repealing a former ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided.

2.0108 Enactment and Revision of Ordinances

The provisions of Section 40-11-09 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

The executive officer of a municipality may appoint, by and with the advice and consent of the governing body of the municipality, one or more competent persons to prepare and submit to the governing body, for its adoption or rejection, an ordinance for the revision or amendment of existing ordinances or for the enactment of new and additional ordinances for such municipality. The attorney for the municipality, if it has an attorney, shall be appointed as one of the persons to prepare and submit such ordinance. The compensation of the revisor or revisors, including that of the attorney, shall be determined by the governing body and shall be paid out of the municipal treasury. Such revision, including any additional ordinances and amendments to existing ordinances contained therein, may be passed as a single ordinance and may be published in pamphlet or book form, by and under the authority of the governing body of the municipality, and shall be valid and effective without publication in a newspaper or posting.

2.0109 Action for Violating of Ordinance in Corporate Name- Previous Prosecution- Recovery or Acquittal- No Defense

The provisions of Section 40-11-10 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Any action brought to recover any fine, to enforce any penalty, or to punish any violation of an ordinance of any municipality shall be brought in the corporate name of the municipality as plaintiff. A prosecution, recovery, or acquittal for the violation of any such ordinance may not constitute a defense to any other prosecution of the same person for any other violation of any such ordinance, notwithstanding that the different claims for relief existed at the time of the previous prosecution and if united, would not have exceeded the jurisdiction of the court

2.0110 Summons to Issue on Violation of Ordinance- When Warrant of Arrest to Issue

The provisions of Section 40-11-11 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

In all actions for the violation of an ordinance, the first process shall be a summons, but a warrant for the arrest of the offender shall be issued upon the sworn complaint of any person that an ordinance has been violated and that the person making the complaint has reasonable grounds to believe the person charged is guilty of such violation. Any person arrested under a warrant shall be taken without unnecessary delay before the proper officer to be tried for the alleged offense.

2.0111 Commitment of Guilty Person for Non-payment of Fines or Costs

The provisions of Section 40-11-12 of the North Dakota Century Code and all subsequent amendments shall be and are hereby incorporated by reference into this ordinance.

Any person upon whom any fine or costs, or both, has been imposed for violation of a municipal ordinance may, after hearing, be committed upon order of the court to jail or other place provided by the municipality for the incarceration of offenders until the fine or costs, or both, are fully paid or discharged *by labor as provided in section 40-18-12*. The court may not commit a person under this section when the sole reason for the person's nonpayment of fines or costs, or both, is the person's indigence. An order of commitment under this section shall not be for a period in excess of thirty days. As used in this section, "fine" does not include a fee established pursuant to subsection 2 of section 40-05-06 **of the North Dakota Century Code. (Source: North Dakota Century Code section 40-11-12)**

2.0112 Costs of Prosecution

In every case of conviction of a violation of an ordinance, or any part thereof, the cost of prosecution shall be assessed against the person convicted as part of the punishment.

(Source: North Dakota Century Code sections 40-18-13 and 12.1-32-02)

2.0113 Judgment of Conviction

In all trials for offenses under the ordinances of the City of Wilton, if the defendant is found guilty, the municipal judge shall render judgment accordingly. It shall be a part of the judgment that the defendant stands committed until such judgment is complied with, and, at the discretion of the municipal court, **the defendant** ~~he~~ may be required to work for the municipality at such labor as the defendant's strength and health will permit, ~~not exceeding 8 hours in each working day. For that work, the defendant will be allowed for each day exclusive of his board, \$10.00 on account of the fines and costs assessed against him~~ **under the provisions of section 40-18-12 of the North Dakota Century Code.**

2.0114 Reserved

2.0115 Fines and Forfeitures for Violation of Ordinances Paid into Municipal Treasury

All fines, penalties and forfeitures collected for offenses against the ordinances of the City shall be paid into the City's treasury each month.

2.0116 Sentencing Alternatives

Subject to section 40-05-06 of the North Dakota Century Code, the municipal judge may use the sentencing alternatives provided by section 12.1-32-02 of the North Dakota Century Code. (Source: North Dakota Century Code section 40-05-06)

2.0114 Hard Labor Authorized

~~If in the opinion of the Court, a person to be sentenced is capable of performing manual labor, such Court may sentence such a person to confinement at hard labor.~~

2.0115 Refusal to Work

~~Any person refusing to perform manual labor in accordance with the sentence of the Court shall be deemed in contempt of Court and shall be punished accordingly. No credit shall be allowed such person on account such fines and costs for the date or days that such person refuses to perform manual labor, in accordance with the sentence of the Court.~~

2.0116 Fines and Forfeitures for Violation of Ordinances Paid into Municipal Treasury

~~All fines, penalties, and forfeitures collected for offenses against the ordinances of the City of Wilton shall be paid into its treasury. Under no circumstances shall the municipal judge remit fines or penalties or payments of costs~~

2.0117 Deferring or Suspending Sentence

~~The municipal judge may, in his discretion, upon the conviction of any person of any offense against any of the ordinances of the City of Wilton, then and there impose a sentence of imprisonment as may be regulated by such ordinances, or defer imposition of sentence or suspended the sentence imposed on such person for a period of not to exceed ninety (90) days from the date of such conviction; and may during such period, allow the defendant to go upon his own recognizance, or upon such bail as may be regulated by law or the ordinances of said City, or may suspend or defer such sentence upon such terms and conditions as the Judge may prescribed; and may, in his discretion, at or before the expiration of such period, have the defendant brought before him and commit such defendant or cause such sentence of imprisonment to be then and there imposed and executed in like manner, so far as applicable, as may be provided by law or the ordinance in cases where the commitment and imposition of the sentence of imprisonment is not deferred or suspended and may then and there forthwith commit such defendant and require that such sentence of imprisonment be executed and carried out.~~

CHAPTER THREE - PUBLIC PLACES AND PROPERTY

Highlights - decide on commissioner or public works supervisor

Highlights – decide on amount

Highlights – choose fine amount

Article 1: Construction and Repair

3.0101 Supervision

All construction maintenance and repair of public streets, alleys, sidewalks and other public ways shall be under the supervision of the city engineer or street commissioner or street superintendent. He shall be charged with the enforcement of all ordinance provisions relating to such public places (except traffic ordinances) and is hereby authorized to enforce such ordinance.

3.0102 Construction and Repair - Permits

It shall be unlawful to construct, reconstruct, alter, grade or repair any public street, sidewalk, driveway, curb or gutter without having first secured a permit therefore, unless said work is performed by the City contractor. Applications for such permits shall be made to the city auditor and shall state the location of the intended pavement or repair, the extent thereof and the person *or firm* who is to do the actual construction work. No such permits shall be issued except where the work will conform to the ordinances of the City.

3.0103 Bond

Each applicant shall file a bond in the amount of [redacted] with surety to be approved by the governing body conditioned to indemnify with City for any loss or damage resulting from the work undertaken or the manner of doing the same.

3.0104 Specifications

All construction, maintenance and repair herein shall be made in conformity with specifications laid down or approved from time to time by the governing body.

3.0105 Duty of Owner to Maintain

~~It shall be the duty of the owner of any property along which a sidewalk has been constructed to maintain the same in good repair and safe condition. Should any such owner fail so to maintain such sidewalks, the city engineer or street commissioner shall direct him to make such repairs as may be necessary to restore such sidewalk to a safe condition. Should he fail, within a reasonable time, to follow the directions of the city engineer or street commissioner, the city engineer or street commissioner shall report the facts to the governing body, which shall then proceed as provided in Chapter 40-29 of the North Dakota Century Code.~~ It shall be the duty of the owner of any property adjoining a street, lane, or alley to construct, reconstruct, and maintain in good repair such sidewalks along the street, lane, or alley adjacent to the owner's property as have been constructed by the municipality or as have been ordered constructed by ordinance of the City. Should any such owner fail to construct, reconstruct, or maintain such sidewalks, the city engineer or street superintendent shall direct the owner to construct, reconstruct, or make such repairs as may be necessary to restore such sidewalk to a safe condition. Should the owner fail, within a reasonable time, to follow the directions of the city engineer or street superintendent, the city engineer or street superintendent shall report the facts to the governing body, which may then proceed as provided in chapter 40-29 of the North Dakota Century Code.

3.0106 Application for Permit

An applicant for a permit hereunder shall file with ~~the city engineer or~~ city auditor an application showing:

1. Name and address of the owner, or agent in charge, of the property abutting the proposed work area.
2. Name and address of the party doing the work.
3. Location of the work area
4. Attached plans or sufficient sketches showing details of the proposed alterations
5. Estimated cost of the alteration
6. Such other information as the city engineer or **street commissioner or street superintendent** shall find reasonable necessary to the determination whether a permit should be issued hereunder.

3.0107 Standards for Issuance of Permit

The city engineer or **street commissioner or street superintendent** shall issue a permit hereunder when it is determined:

1. That the work will be done according to the standard specifications of the City for public work of like character
2. That the operation will not unreasonably interfere with vehicular and pedestrian traffic, the demand and necessity for parking spaces and the means of the ingress and egress to and from the property affected and adjacent properties.
3. That the health, welfare and safety of the public will not be unreasonably impaired.

3.0108 Sidewalks Built to Grade Specifications

All sidewalks shall be constructed in accordance with the elevations and grade therefore to be furnished by the city engineer and shall be constructed under ~~his~~ **the** direction and supervision or under the direction and supervision of the street commissioner. All sidewalks shall meet the following requirements:

1. All sidewalks shall be constructed of concrete.
2. All sidewalks in residential areas shall be constructed not less than five (5) feet and shall have a minimum slope one-fourth (1/4) inch per foot from the inside edge toward the street.
3. All sidewalks shall be concrete and at least four (4) inches in thickness.
4. All sidewalks shall be laid out as follows:
 - a) In locations where the right-of-way is sixty (60) feet or less the sidewalks shall be constructed on the property line.
 - b) In locations where the right-of-way is greater than sixty (60) feet the sidewalk shall be constructed eighteen (18) inches out from the property line.
 - c) In no case in the residential district shall the sidewalk be constructed adjacent to the curb unless right-of-way and topographic features require it.
 - d) Notwithstanding any other provision herein all sidewalks shall be set out so that they are in conformity with existing sidewalks to which they may attach.
5. All sidewalks in commercial and/or industrial districts shall be constructed from the property line to the back of the curb and the width of sidewalk shall be governed by the width of street section; provided however, in areas where commercial development is not complete the entire sidewalk need not be constructed, a section six (6) feet in width adjacent to the curb shall be constructed thus leaving an area for structural foundation.

3.0109 Materials and Manner of Construction

The kind and quality of material which, and the manner in which driveways, curb and gutter, relaying of block walks and paving repairs shall be constructed shall be determined by the city engineer.

3.0110 City Contractor

The city auditor shall receive bids for the construction of sidewalks, driveways, curb and gutter and paving repairs as the City may find necessary to have done. Such bids shall be made upon blanks furnished by the city engineer or **street commissioner or street superintendent** and shall conform to specifications filed with the city auditor by the city engineer or **street commissioner or street superintendent** and approved by the governing body.

All sidewalks, driveways, curb and gutter and alley returns lying between the property line and the abutting street hereafter constructed within the City of Wilton must conform to this Chapter, and the specifications filed with the city engineer, and approved by the governing body must specify the details with respect thereto. When any contract for the construction of sidewalks, driveways, curb and gutter, relaying of block walks and paving repairs is about to be entered into by the City in accordance with the provisions of the laws of this state, the contractor to whom any such contract shall be awarded shall be required, before such contract is entered into, to give in addition to the contract bond required by the laws of the state of North Dakota, an additional bond in an amount to be determined by the governing body, running to the City of Wilton, conditioned that said contractor shall maintain and keep in good repair, for a period of two (2) years from date of final acceptance all sidewalks, driveways, curb and gutter and paving repairs so constructed by such contractor under the terms of such contract, and that in case of default under the part of such contractor to so maintain and keep such improvements in good repair made by him for the said period of two (2) years, or in case they shall within said time begin to crumble or disintegrate or become cracked or broken to such extent that, in the opinion of the city engineer or street commissioner, the same is not a satisfactory compliance with the specifications for the construction thereof, then the city engineer or street commissioner may direct that such sidewalks, driveways, curb and gutters or paving repairs be immediately repaired or re-laid in whole or in part as he shall deem best, and the contractor shall immediately cause the same to be repaired or failure so to repair or to relay the same, the City at any time within said two (2) year period or thereafter, may cause the same to be repaired or re-laid, and the cost thereof whether done by the City directly or through a contract, may be recovered against said contractor and the surety upon such bond.

All sidewalks, driveways, curb and gutter, and alley returns lying between the property line and the abutting street hereafter constructed within the City must conform to this Chapter, and the specifications filed with the city engineer, and

approved by the governing body must specify the details with respect thereto. When any contract for the construction of sidewalks, driveways, curb and gutter, relaying of block walks, and paving repairs is about to be entered into by the City in accordance with the provisions of the laws of this state, the contractor to whom any such contract shall be awarded shall be required, before such contract is entered into, to give in addition to the contract bond required by the laws of the state of North Dakota, an additional bond in an amount to be determined by the governing body, running to the City, conditioned that said contractor shall satisfactorily comply with the specifications for construction.

Article 2: Use and Care of Streets. Sidewalks and Public Places

3.0201 Obstructions - Penalty

It shall be unlawful for any person, firm or corporation to cause, create or maintain any obstruction of any street, alley, sidewalk or other public way, except as may be specified by ordinance or by the city engineer or commission of streets ~~and public improvement.~~

Any person violating the provisions of this section shall be guilty of an infraction and upon conviction thereof, shall be fined not less than Twenty-five and No/100 Dollars (425.00), nor more than Five Hundred and No/100 Dollars (\$500.00).

3.0202 Destruction of City Property - Prohibited - Penalty

It shall be unlawful for any firm, person or corporation to willfully and without just cause or excuse, to injure, deface or destroy any property owned by the City of Wilton or held by the City of Wilton for public use.

Any person violating the provisions of this section shall be guilty of an offense and fined not less than Twenty-five and No/100 Dollars (425.00), nor more than Five Hundred and No/100 Dollars (\$500.00), or be imprisoned in the city jail for not to exceed thirty (30) days or by both such fine and imprisonment.

3.0203 Encroachments

It shall be unlawful to erect or maintain any building or structure that encroaches upon any public street or property.

3.0204 Openings

It shall be unlawful to construct or maintain any opening or stairway in any public street or sidewalk or alley without a permit from the governing body. All such lawfully maintained openings shall be guarded by a suitable strong cover or railing to be approved by the street commissioner or street superintendent or the city engineer or the official who supervises public improvements.

3.0205 Wires

It shall be unlawful to erect any poles or wires or maintain any poles or wires over any public place, street, alley or other public way without having first secured permissions from the governing body.

Any person or company which maintains poles and wires in the streets, alleys or other public places, shall, in the absence of provisions in the franchise concerning the subject, keep such wires and poles free from and away from any trees and shrubs in such places as far as may be possible, and keep all such trees and shrubs near such wires and poles properly trimmed, subject to the supervision of the **street commissioner or street superintendent and Public Improvement or city engineer**, so that no injury shall be done either to the poles or wires or to the shrubs and trees by their contact.

3.0206 Littering - Prohibited

~~No person, firm or corporation shall throw or deposit or cause to be thrown or deposited any garbage, glass, bottles, boxes or rubbish of any kind upon any street or alley in the City of Wilton, North Dakota.~~ **It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited any garbage, glass, bottles, boxes, furniture, major appliances, or rubbish of any kind upon any public property or upon any private property not owned by that person, unless the property is designated for the disposal of said materials and that person is authorized to use the property for that purpose.**

3.0207 Burning

It shall be unlawful for any person, firm or corporation to burn any leaves, paper, rubbish or other substances upon any of the public streets, sidewalks or alleys in the City.

Fines:

First Offense: \$25.00

Second Offense: \$50.00

Third Offense: Mandatory Court Appearance with fines of not less than Twenty-five and No/100 Dollars (\$25.00), nor more than Five Hundred and No/100 Dollars (\$500.00), or be imprisoned in the city jail for not to exceed thirty (30) days or by both such fine and imprisonment.

3.0208 Distributing Hand Bills. Etc.

~~The scattering, throwing or placing of bills, posters, advertising matter, hand bills and other similar items on lawns, porches, yards, sidewalks, steps, streets, alley, public or public parking lots in the City of Wilton, by any person, firm, co-partnership, association or corporation, is hereby declared to be a nuisance and unlawful. It shall be unlawful for any person to scatter, throw, or place bills, posters, advertising matter, hand bills, and other similar items on private premises, sidewalks, streets, or other public places in the City in a manner that does not prevent the items from being blown about these premises, sidewalks, streets, or other public places~~ Any such person or entity violating the provision of this section shall be guilty of an infraction.

3.0209 Heavy Vehicles

No person, firm or corporation shall move, or cause to be moved over the paved streets, sidewalks, crosswalks, culverts, bridges and viaducts within the City any engine, tractor, wagon, truck or other vehicle, object or thing which will tend to injure the paving, sidewalks, crosswalks, culverts, bridges or viaducts over which the same are transported, or which exceeds in weight, 20,000 pounds per axle and exceeds 750 pounds per inch of tire widths, or any vehicle to the wheels of which are attached spurs, bars, angle irons or cleats which will tend to mar or deface the paving, sidewalks, crosswalks, culverts, bridges or viaducts, except under the direction and permission of the governing body and, in addition thereto, shall pay or cause to be paid to said City, upon demand, any and all damages done to the paving, sidewalks, crosswalks, culverts, bridges or viaducts, provided that when the specified load limits herein contained will cause damage to the City's paved streets, the governing body by resolution adopted, and made public, may lower said load limits for such period of time it may deem necessary. The provisions of this section shall not apply to state and federal highways through the City.

3.0210 Removal of Snow and Ice from Sidewalk

It shall be, and hereby is declared to be, the duty of the owner or occupant of each lot in the City of Wilton to remove from the sidewalk in front of or along the same, any ice or snow which forms, accumulates or obstructs such sidewalk, within twenty-four (24) hours after the ice forms or the snow ceases to fall thereon, however. Where the ice accumulated is of such character as to make the removal thereof practically impossible, the sprinkling of ashes or sand thereon within the time specified for removal in such manner as to make such sidewalk safe for the travel of pedestrians thereon, shall be deemed a compliance with the provisions of this Article.

A person may not move, dump or deposit by any means any snow or ice accumulated on private property onto any public street, alley, or public right-of-way. Violation of this section will be considered an offense, in which a fine of One Hundred Dollars (\$100.00) will be imposed.

3.0211 Removal of Snow and Ice by City

In case the owner of any lot in the City refuses or neglects to remove such ice from such sidewalk in front of or along a lot therein, the ice or snow there from within the same time above stated or refuses to sprinkle ashes or sand on the same within the time specified for removal in such manner as to make such sidewalk safe for travel of pedestrians thereon, the same may be removed by or under the direction of the city engineer or **street commissioner or street superintendent** of the City, or ashes or sand sprinkled thereon, and the necessary expenses shall be charged against the abutting property by special assessment in the manner prescribed by law. **(Source: North Dakota Century Code section 40-29-18)**

3.0212 Assessments by Public Works Supervisor When Work is Done by City

Whenever the **street commissioner or street superintendent** shall, pursuant to Section 3.0211 of this article, remove or cause to be removed any snow or ice from any sidewalk or sidewalks along or in front of any building, grounds or premises, they shall assess the cost of the same against said property, and on or before the first day of May in each year, make and file in the office of the city auditor a list ~~of the property chargeable with such expense, the actual cost and expense of such removal and a description of the lot, lots or parcels of land along or in front of which is the sidewalk or sidewalks from which snow or ice has been removed~~ **showing separately the amount chargeable and assessed against each lot and tract and stating the name of the owner of each lot or tract as known to the street commissioner. (Source: North Dakota Century Code section 40-29-18).**

3.0213 **Snow and Ice Removal Assessments**, Publication by Auditor, Hearing by City Commissioners

The city auditor shall give notice by publication in the official newspaper of the hearing and confirmation of such report and assessment at the regular June meeting of the ~~City Council governing body, notifying all persons objecting thereto to appear and present their objections. such notice shall be published twice, once in each week's issue for two (2) consecutive weeks, the last publication to be not less than eight (8) days before the time fixed for the hearing.~~ **The notice shall be published once each week for two consecutive weeks in the official municipal newspaper, the last publication to be not**

less than eight days before the date set for the hearing. ~~At the June meeting of the City Council or at such later meeting as the hearing and confirmation of such assessment may be adjourned to, the City Council governing bod shall take up and consider said assessment and shall hear any objections thereto or to any part thereof, and after revising and correcting the same; The city auditor shall attach to such list his certificate that the same is correct as confirmed by the City Council and shall thereupon file said assessment list in his office as provided by law, and such assessment shall be certified to the county auditor by the city auditor at the same time and in the same manner that sidewalk assessments are certified.~~ **At the June meeting of the governing body or at such later meeting as the hearing and confirmation of such assessment may be adjourned to, the governing body shall consider said assessment and shall hear any objection to the snow and ice removal assessment, or to any part thereof, and after revising or correcting the assessment, if revision or correction is necessary, it shall approve and confirm the list. The city auditor shall attach to the assessment list the city auditor's certificate that the list is correct as confirmed by the governing body and shall file the same in the city auditor's office, and shall certify the assessment in the manner provided in section 40-24-11 of the North Dakota Century Code. (Source: North Dakota Century Code section 40-29-19, 40-29-20)**

3.0214 Street Cleaning- Snow Removal

Whenever, in the judgment of the governing body or the city engineer or **street commissioner or street superintendent** of the city, it shall be necessary that streets, alleys or public ways in the City shall be cleared of snow or ice or be cleaned by the use of street sweepers or other methods of cleaning such streets, or for marking for traffic purposes, the ordinances of the City regulating the parking of automobiles, trucks and other motor vehicles shall be suspended and it shall be unlawful for any automobile, truck or other motor vehicle to be parked or left standing between the hours hereinafter mentioned and during the period of time during which the said parking ordinances are suspended.

3.0215 Notice - Snow Removal or Street Cleaning

Whenever it becomes necessary to remove snow or ice or to sweep and clean streets, or to mark streets for traffic purposes in the City there shall be designated by the city engineer or **street commissioner or street superintendent** the area and streets to be cleared ~~of snow or ice or cleaned as aforesaid and the time during which such snow or ice removal and street cleaning and marking of streets shall be done and posting of such information in the area affected~~, **cleaned or marked and the time during which such activity will be done by the posting of such information in the area affected or some other means of public notice.**

3.0216 Impounding Vehicles and Equipment

Whenever any parked automobile, truck, machinery, vehicle or equipment shall be found in any place prohibited by these restrictions, and during the hours as provided herein, the same shall be impounded by the City at a place to be provided and it shall be unlawful for any person, firm or corporation to remove or attempt to remove any truck, automobile, machinery, vehicle or equipment from the place where impounded without first paying the cost of such impounding.

3.0217 Blocking Streets

No driver of any vehicle shall stop the same on any street, avenue, lane or alley of the City in such a manner as to hinder or prevent other vehicles or persons from passing at all times, unless in case of absolute necessity, nor shall any driver of any vehicle stop the same at any regular crossing of said street, alley, lane or avenue, so as to prevent the free passage of persons traveling or passing on foot.

Fines:

First Offense: \$25.00

Second Offense: \$50.00

Third Offense: Mandatory Court Appearance with fines of not less than Twenty-five and No/100 Dollars (\$25.00), nor more than Five Hundred and No/100 Dollars (\$500.00), or be imprisoned in the city jail for not to exceed thirty (30) days or by both such fine and imprisonment.

3.0218 Excavations- Permits

It shall be unlawful for any person, firm or corporation, except public utilities which have received a franchise from the City of Wilton, to tunnel under or to make any excavation in any street, alley or other public place in the City without having obtained a permit as is herein required, or ~~without complying with the provisions of this article or in violation of or variance from the terms of any such permit~~ **and complying with the provisions of this Article and the terms of any such permit.**

3.0219 Guarding or Excavations and Openings

It shall be unlawful for any person within the City limits to leave or keep open, uncovered or unguarded any cellar door, pit, grating, vault or other subterranean passage opening from, into or upon any street, alley or sidewalk, or upon any private property if not suitably guarded.

3.0220 Application for Excavation Permits

Applications for excavation permits shall be made to the city auditor, and shall describe the location of the intended excavation or tunnel, the size thereof, the purpose therefore, and the person, ~~firm or corporation~~ doing the actual excavating work and the name of the person, ~~firm or corporation~~ for whom or which the work is being done, ~~a statement of how applicant intends to backfill the excavation~~, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done

3.0221 Fees for Excavation Permits

The fee for such permits shall be:

1. Excavation in asphalt or Portland Cement concrete pavement or surface _____ \$ _____ per sq. ft.
2. Excavation in brick pavement or surface _____ \$ _____ per sq. ft.
3. Excavation in oil treated street surface _____ \$ _____ per sq. ft.
4. Excavation in untreated or unimproved street or surface _____ \$ _____ per sq. ft.

3.0222 Bond – Excavations

No permit shall be issued unless and until the applicant therefore has filed with the auditor a bond in the sum of **ten thousand dollars (\$10,000.00)**, conditioned to indemnify the City for any loss, liability or damage that may result or accrue from or because of the making, existence or manner of guarding or constructing any such tunnel or excavations. Such bond shall have as surety a corporation licensed to do business in the state as a surety company.

3.0223 Deposit – Excavations

No ~~such excavation~~ permit shall be issued unless and until the applicant therefore has deposited with the city auditor a cash deposit or bond in the sum of **\$100.00**, if no such pavement is involved, and if the excavation is in a paved area **\$600.00** to insure the proper restoration of ~~the ground and laying of the pavement if any~~ **the area involved**. ~~From this deposit shall be deducted the expense of the city of relaying the surface of the ground or pavement and of making the refill if this is done by the city at its expense, and the Any balance shall be returned to the applicant with interest after the tunnel or excavation is completely refilled and the surface or pavement is restored~~ **Any balance will be returned to the applicant without interest after the excavation area is restored.**

3.0224 Making Excavations - Notice

It shall be unlawful to make any such exaction or tunnel in any way contrary to or at variance with the terms of the permit therefore. Proper bracing shall be maintained to prevent the collapse of adjoining ground, and in ~~excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface,~~ **the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.** No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

No injury shall be done to any pipes, cables or conduits in the making of such excavations or tunnels, and notice shall be given to the persons maintaining any such pipes, cables or conduits or to the City department or officer charged with the care thereof, which are or may be endangered or affected by the making of any such excavation or tunnel before such pipes, cables or conduits shall be disturbed. **Notice shall be given as required by chapter 49-23 of the North Dakota Century Code.**

3.0225 Restoration of Excavations

Any person, firm or corporation making any excavation or tunnel in or under any public street, alley or other public place in the City shall restore the surface to its original condition if there is no pavement there. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall be left in the ground. Any opening in a paved or improved portion of a street shall be repaired and the surface re-laid by the applicant, in compliance with the ordinances of the City and under the supervision of the **street commissioner or street superintendent** or city engineer.

3.0226 Supervision of Excavation Work

The **street commissioner or street superintendent** or the city engineer shall from time to time inspect or cause to be inspected, all excavations or tunnels being made in or under any public street, alley or other public place in the city to see to the enforcement of the provisions of this Article. Notice shall be given to ~~him~~ **street commissioner or street superintendent or the city engineer** at least ten (10) hours before the work of refilling any such tunnel or excavation ~~commences~~ **is begun.**

3.0227 City Buildings, Equipment and Vehicles - Smoking

Smoking is not permitted in City buildings, equipment, and vehicles, except as provided under state law. (Source: North Dakota Century Code sections 23-12-09 through 23-12-11)

3.0227 3.0228 City Parks

All city parks in the City of Wilton shall have established hours of public access. The hours shall be from 6:00 AM to 11:00 PM each day. Notice of the same may be published in the official newspaper or posted at the public parks. Any variance from the above hours of use shall be under special permission granted by the Park Commissioner.

Article 3: Unclaimed and Abandoned Property

3.0301 Unclaimed and Abandoned Property- Defined

Personal property left upon the streets, alleys or other public ways in the City shall be deemed to be unclaimed or abandoned within the meaning of this Article when the same is permitted to remain in any one place upon said streets, alleys or other public ways for a period of ten (10) days or more.

3.0302 Seizure of Unclaimed or Abandoned Property

Whenever any unclaimed or abandoned personal property is found upon the streets, alleys or other public ways of the City, the same shall be seized and possession thereof taken by the Police Officer, **street commissioner or street superintendent** or other officer of the City.

3.0303 Holding of Personal Property - Notice of Sale

~~Such personal property as aforesaid~~ **Abandoned personal property** shall be held by the City for a period of not less than sixty (60) days after its seizure ~~as provided herein, and after the expiration of said sixty (60) days,~~ the city auditor shall cause notice to be published in the official newspaper of said city, said notice specifying and stating the description of the property seized and held, the location of the place where the ~~same~~ **property** was seized or taken by said City, and a further notice that said property will be sold at public auction, to the highest bidder for cash, not less than ten (10) days from and after the date of the publication of such notice and the hour, date and place where ~~said the sale~~ will be held. If prior approval is obtained from the governing body such unclaimed or abandoned property may be sold at a community auction provided that the chief of police or a police officer shall be responsible for the notice and reporting requirements of this Article. **(Source: North Dakota Century Code section 40-05-02(20))**

3.0304 Report of Abandoned Property Sale

~~At the time specified in said notice the said property shall be sold by the chief of police of the City or by any police officer designated by him person designated by the executive officer, at public auction, to the highest bidder for cash and within three (3) days after the date of said sale, the officer making the sale shall make a report thereof to the governing body. The report shall contain the description of the property sold, the time and place of the sale, the name or names of the purchaser or purchasers and the amount received thereof. The report shall be made under oath and subscribed by the officer making such~~

~~sale and shall be filed with the City Auditor within three (3) days after the date of such sale. The officer upon filing the report shall pay the City Auditor the proceeds of said sale~~ **At the time specified in the notice, the property shall be sold by the chief of police of the City or by any person designated by the executive officer, at a public sale. The officer making the sale shall make a report to the governing body. The report shall contain the description of the property sold, the time and place of the sale, the name or names of the purchaser or purchasers, and the amount received. The report shall be made under oath and subscribed by the officer making the sale and shall be filed with the city auditor within three days after the date of the sale. The officer upon filing the report shall pay the city auditor the proceeds of the sale.**

3.0305 Bill of Sale – Abandoned Property

Upon the receipt of the report as specified in section 3.0304 hereof the city auditor shall prepare a bill of sale of the property sold, conveying the same to such purchaser and the same shall be executed by the presiding ~~officer of the governing body executive officer~~ and attested by the city auditor and delivered to the purchaser.

3.0306 Proceeds of Sale – Abandoned Property

The city auditor shall retain the money as is received from the sales in a separate account for a period of six (6) months from and after the time of the sale and if proceeds of the sale are not claimed ~~as hereinafter provide by the owner of said property~~ **pursuant to Section 3.0307**, the ~~said~~ money shall ~~thereupon~~ be transferred to the general fund of the City.

3.0307 Redemption of personal Property Proceeds

Any person owning such personal property seized as ~~aforsaid~~ **pursuant to Section 3.0302**, may at any time prior to the sale and upon furnishing satisfactory proof of ownership ~~thereof~~ to the governing body, reclaim such property upon paying the expenses incurred by the City for the seizure, storage or advertising the sale ~~thereof and of the property~~.

~~Any person owning such property as aforsaid may at any time within six (6) moths after such sale~~ **Any person owning such property seized and sold pursuant to Sections 3.0302 and 3.0304 may, at any time within six months after the sale** and upon making satisfactory proof to the governing body of ownership ~~thereof~~, claim the proceeds of the sale, ~~upon payment to the city of the necessary expenses incurred by the city for the seizure, storage and sale of said property~~ **less the amount incurred by the City for the**

seizure, storage, and sale of the property. (Source: North Dakota Century Code section 40-05-02, subsection 20).

3.0308 Annual Report - Unclaimed and Abandoned Property

The chief of police prior to June 1st of each year shall submit to the city auditor a written list of all unclaimed and abandoned property held by the City which has not been sold pursuant to the provisions of this Article. The city auditor shall bring such list to the attention of the governing body at the next regular meeting. **(see Section 5.0203)**

Article 4: House Numbering

3.0401 House Numbering Required

All lots, buildings and structures in the city shall be numbered in accordance with the following plan:

25' Lots:

1. Skip 2 numbers per lot.
2. Even numbers facing south, Odd numbers facing north

50' Lots:

1. Skip 4 numbers per lot
2. Even numbers facing south, Odd Numbers facing north

East and West houses:

1. Skip 4 numbers per half lot.
2. Even numbers facing east, Odd numbers facing west

3.0402 Numbers on Houses

It shall be the duty of the owner and occupants of every house in the city to have place thereon, in a place visible from the street, figures at least two and one-half (2 ½) inches high, showing the number of the house.

Article 5 – Trees

22.0101 3.0501 Definitions

“Street Trees” are herein defined as trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

“Park trees” are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

22.0102 3.0502 Separability

Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance, or any part thereof, other than the part declared to be invalid.

22.0103 3.0503 Street Tree Species to Be Planted

The following list constitutes the official Street Tree species for Wilton, North Dakota:

American Linden	Honey Locust
Bur Oak	Mountain Ash
Flowering Crabapple	Ohio Buckeye
Flowing Ash	Princess Kay Plum Tree
Hackberry	Red Maple

No species other than those included in this list may be planted as Street Trees without permission of the City Commission.

22.0104 3.0504 Prohibited Trees.

No person shall plant within the City Cottonwood trees or any species of Ash trees susceptible the Emerald Ash Borer.

22.0105 3.0505 Location and Spacing of Trees

The City shall have the authority to regulate the location and spacing of trees planted in the City.

22.0106 3.0506 Public Tree Care

The City shall have the right to plant, trim, spray, preserve and remove trees, plants, and shrubs within the lines of all streets, alley, avenues, lanes, squares, and public grounds, as may be necessary to ensure safety when servicing City utilities or to preserve the symmetry and beauty of such public grounds. The City Commission may remove or cause or order to be removed, any tree or part thereof which is an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect, or other pest.

22.0107 3.0507 Trimming, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall trim the branches so that such branches shall not obstruct the light from a streetlight or obstruct the view of any street intersection (clear sight triangle of twenty feet (20”) must be maintained as defined in the Zoning and Subdivision Ordinances) and so that there shall be a clear space of thirteen feet (13’) above the surface of the street right-of-way. Said owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to trim any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign, such trimming to be confined to the area immediately above the right-of-way.

22.0108 3.0508 Dead or Diseased Tree Removal on Private Property

The City shall have the right to cause the removal of any dead or diseased trees (trees infected with Dutch Elm disease fungus or other disease determined to be a nuisance by the City Commission), on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the City. The City Commission shall notify in writing the owners or the agent of such owner in writing. Removal shall be done by said owner or agent at their own expense within 30 days after the date of notice. In the event of failure of owners or agents to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owner’s property tax notice.

3.0509 Tree Care – Tree Topping

The City shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares, and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. Governing Board may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which

by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest. It shall be unlawful as a normal practice to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged or certain trees under utility wires or obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the Governing Board.

22.0109 3.0510 Interference

It shall be unlawful for any person to prevent, delay or interfere with the City Commission, or any of his agents, or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removal of any street trees, park trees, or trees on private grounds, as authorized in this ordinance.

22.0110 3.0511 Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$500.00, and thirty (30) days in jail or both fine and imprisonment.

Starion Bond Services
C/O Starion Bank
333 N. 4th Street
Bismarck, ND 58501
bonds@starionbank.com

Payment Address:
Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

STATEMENT

CITY OF WILTON
PO BOX 278
WILTON ND 58579

FEBRUARY 11, 2026
WILTONREF2014

RE: CITY OF WILTON
MCLEAN AND BURLEIGH COUNTIES, NORTH
DAKOTA \$1,225,000 REFUNDING IMPROVEMENT
BONDS OF 2014

Interest Due	2,470.00
Principal Due	95,000.00
Fees and Expenses*	605.00
Total Due	<u>98,075.00</u>

DUE DATE: 15 calendar days prior to 05/01/2026.
Please send payment via check or wire.

Checks can be mailed to the following address:
Make checks payable to Starion Bond Services

Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

Wires can be sent via the following instructions.
Please send wires by 10am CST.

Starion Bank
ABA Number 091310767
for further credit to Starion Bond Services
Account Number 10200614

Payment of these funds were authorized in the proceedings authorized and issuing the above bonds.
*INCLUDED ON THE NEXT PAGE IS A DETAIL OF THE FEES & EXPENSES LISTED ABOVE.
If you have any questions, please email bonds@starionbank.com.

Thank you!
Starion Bond Services
Operations Team

Starion Bond Services
 C/O Starion Bank
 333 N. 4th Street
 Bismarck, ND 58501
 bonds@starionbank.com

Payment Address:
 Starion Bond Services
 333 N. 4th Street
 PO Box 777
 Bismarck, ND 58501

WILTONREF2014
 CITY OF WILTON REF IMP 2014

CITY OF WILTON
 MCLEAN AND BURLEIGH COUNTIES, NORTH
 DAKOTA \$1,225,000 REFUNDING IMPROVEMENT
 PO BOX 278
 WILTON ND 58579

Invoice No: 3042
 Invoice Date: 02/11/2026

**Fee Detail: This is a detail of the Total Fees and Expenses from provided Statement.
 Do not need to remit additional payment outside of Statement Total Due.**

**Origination Fees ONLY: This is the only invoice that is sent.
 Please remit payment according to this invoice. No additional statement will be provided.**

CATEGORY	QUANTITY	RATE	AMOUNT
BALANCE CARRIED FORWARD:			\$0.00

PREVIOUS AMOUNT BILLED:		\$490.00	
AMOUNT RECEIVED:		\$490.00	

ACTIVITY FEE CHARGES			
SEMI-ANNUAL FEE - \$450			\$450.00
SINKING FUND - \$75			\$75.00
OTHER FEES AND EXPENSES			
WIRE FEE-\$40 FOR PRINC/\$40 FOR INT PMT			\$80.00
=====			
TOTAL DUE			\$605.00

DUE DATE: 15 calendar days prior to 05/01/2026
 Origination Fees are due Net 30 from Invoice Date noted above.
 Please send payment via check or wire.

Checks can be mailed to the following address:

Starion Bond Services
 333 N. 4th Street
 PO Box 777
 Bismarck, ND 58501

Wires can be sent via the following instructions:

Starion Bank
 ABA Number 091310767
 for further credit to Starion Bond Services
 Account Number 10200614

Please send wires by 10am CST.

Starion Bond Services
C/O Starion Bank
333 N. 4th Street
Bismarck, ND 58501
bonds@starionbank.com

Payment Address:
Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

STATEMENT

CITY OF WILTON
PO BOX 278
WILTON ND 58579

FEBRUARY 11, 2026
WILTONREF2013

RE: CITY OF WILTON
MCLEAN AND BURLEIGH COUNTIES, NORTH
DAKOTA \$805,000 REFUNDING IMPROVEMENT
BONDS OF 2013

Interest Due	1,500.00
Principal Due	50,000.00
Fees and Expenses*	605.00
Total Due	<u>52,105.00</u>

DUE DATE: 15 calendar days prior to 05/01/2026.
Please send payment via check or wire.

Checks can be mailed to the following address:
Make checks payable to Starion Bond Services

Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

Wires can be sent via the following instructions.
Please send wires by 10am CST.

Starion Bank
ABA Number 091310767
for further credit to Starion Bond Services
Account Number 10200614

Payment of these funds were authorized in the proceedings authorized and issuing the above bonds.
*INCLUDED ON THE NEXT PAGE IS A DETAIL OF THE FEES & EXPENSES LISTED ABOVE.
If you have any questions, please email bonds@starionbank.com.

Thank you!
Starion Bond Services
Operations Team

Starion Bond Services
C/O Starion Bank
333 N. 4th Street
Bismarck, ND 58501
bonds@starionbank.com

Payment Address:
Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

WILTONREF2013
WILTON REF IMP 2013

CITY OF WILTON
MCLEAN AND BURLEIGH COUNTIES, NORTH
DAKOTA \$805,000 REFUNDING IMPROVEMENT
PO BOX 278
WILTON ND 58579

Invoice No: 3142
Invoice Date: 02/11/2026

**Fee Detail: This is a detail of the Total Fees and Expenses from provided Statement.
Do not need to remit additional payment outside of Statement Total Due.**

**Origination Fees ONLY: This is the only invoice that is sent.
Please remit payment according to this invoice. No additional statement will be provided.**

CATEGORY	QUANTITY	RATE	AMOUNT
BALANCE CARRIED FORWARD:			\$0.00

PREVIOUS AMOUNT BILLED:		\$490.00	
AMOUNT RECEIVED:		\$490.00	

ACTIVITY FEE CHARGES			
SEMI-ANNUAL FEE - \$450			\$450.00
SINKING FUND - \$75			\$75.00
OTHER FEES AND EXPENSES			
WIRE FEE-\$40 FOR PRINC/\$40 FOR INT PMT			\$80.00
=====			
TOTAL DUE			\$605.00

DUE DATE: 15 calendar days prior to 05/01/2026
Origination Fees are due Net 30 from Invoice Date noted above.
Please send payment via check or wire.

Checks can be mailed to the following address:

Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

Wires can be sent via the following instructions:

Starion Bank
ABA Number 091310767
for further credit to Starion Bond Services
Account Number 10200614

Please send wires by 10am CST.

Starion Bond Services
C/O Starion Bank
333 N. 4th Street
Bismarck, ND 58501
bonds@starionbank.com

Payment Address:
Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

STATEMENT

CITY OF WILTON
PO BOX 278
WILTON ND 58579

FEBRUARY 11, 2026
WILTONWTRSEW2006

RE: CITY OF WILTON
MCLEAN AND BURLEIGH COUNTIES, NORTH
DAKOTA \$150,000 WATER AND SEWER REVENUE
BONDS OF 2006

Interest Due	225.00
Principal Due	10,000.00
Fees and Expenses*	705.00
Total Due	<u>10,930.00</u>

DUE DATE: 15 calendar days prior to 05/01/2026.
Please send payment via check or wire.

Checks can be mailed to the following address:
Make checks payable to Starion Bond Services

Starion Bond Services
333 N. 4th Street
PO Box 777
Bismarck, ND 58501

Wires can be sent via the following instructions.
Please send wires by 10am CST.

Starion Bank
ABA Number 091310767
for further credit to Starion Bond Services
Account Number 10200614

Payment of these funds were authorized in the proceedings authorized and issuing the above bonds.
*INCLUDED ON THE NEXT PAGE IS A DETAIL OF THE FEES & EXPENSES LISTED ABOVE.
If you have any questions, please email bonds@starionbank.com.

Thank you!
Starion Bond Services
Operations Team

Starion Bond Services
 C/O Starion Bank
 333 N. 4th Street
 Bismarck, ND 58501
 bonds@starionbank.com

Payment Address:
 Starion Bond Services
 333 N. 4th Street
 PO Box 777
 Bismarck, ND 58501

WILTONWTRSEW2006
WILTON WTR SEWER 2006

CITY OF WILTON
 MCLEAN AND BURLEIGH COUNTIES, NORTH
 DAKOTA \$150,000 WATER AND SEWER REVENUE
 PO BOX 278
 WILTON ND 58579

Invoice No: 3143
 Invoice Date: 02/11/2026

**Fee Detail: This is a detail of the Total Fees and Expenses from provided Statement.
 Do not need to remit additional payment outside of Statement Total Due.**

**Origination Fees ONLY: This is the only invoice that is sent.
 Please remit payment according to this invoice. No additional statement will be provided.**

CATEGORY	QUANTITY	RATE	AMOUNT
BALANCE CARRIED FORWARD:			\$0.00

PREVIOUS AMOUNT BILLED:		\$490.00	
AMOUNT RECEIVED:		\$490.00	

ACTIVITY FEE CHARGES			
SEMI-ANNUAL FEE - \$450			\$450.00
MATURITY - \$175			\$175.00
OTHER FEES AND EXPENSES			
WIRE FEE-\$40 FOR PRINC/\$40 FOR INT PMT			\$80.00
=====			
TOTAL DUE			\$705.00

DUE DATE: 15 calendar days prior to 05/01/2026
 Origination Fees are due Net 30 from Invoice Date noted above.
 Please send payment via check or wire.

Checks can be mailed to the following address:

Starion Bond Services
 333 N. 4th Street
 PO Box 777
 Bismarck, ND 58501

Wires can be sent via the following instructions:

Starion Bank
 ABA Number 091310767
 for further credit to Starion Bond Services
 Account Number 10200614

Please send wires by 10am CST.