
SUBJECT: SPECIAL ASSESSMENT DISTRICTS

ADOPTED DATE: JULY 1, 1996

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ASPHALT ROADS

1. Cass County will receive a petition for the creation of the special assessment district only when the project will cost \$12,000 or more. The petition must contain the signatures of at least sixty (60) percent of the landowners in the proposed district and attached a letter from the appropriate township board of supervisors supporting the petition. In the case of a lot, or lots, within the proposed special assessment district that do not have a residential or business structure located thereon, fifty (50) percent of the estimated cost of the improvement for that lot, or lots, must be deposited with the county prior to approval of the petition. If, however, 80% of the lots in the special assessment district are developed, either by residential or business structures, the deposit on unimproved lots shall not be required.
2. The petitioners must contract with an engineer registered by the state of North Dakota to prepare the improvements' plans and specifications. Prior to preparing plans and specifications, the contracted engineer must consult with the Cass county Engineer to determine the appropriate standards for the improvement. If the special assessment district fails to be approved, any billing by the engineer must be the responsibility of the petitioners. If the special assessment is approved, any billing by the engineer must be added to the project cost.
3. An amount equal to the project engineer's estimated cost of maintenance of the improvement for two years must be added to the project cost to cover the maintenance of the improvement. Said amount must be collected by the county and transferred back to the appropriate township board of supervisors. The township shall have authority over the funds as to how, when, and what maintenance the funds shall be used on maintenance of the improvement.
4. An amount equal to \$1,000 plus 3% of the total project cost (but never to exceed \$10,000) must be added to the project cost to cover administrative expense for the county.
5. Plans and specifications must be submitted to the appropriate township board of supervisors for their consideration and approval.
6. Plans and specifications must be submitted to the Cass County Engineer for his consideration and approval.

ASPHALT ROADS (cont.)

7. The project will not be approved if over 40% of the landowners are opposed to the creation of the special assessment district.
8. If any funds remain after the special assessment improvement bond has been paid, 75% of such funds shall be transferred to the appropriate township board of supervisors for maintenance of the improvement. The township shall have authority over the funds as to how, when, and what maintenance the funds shall be used. The remaining 25% shall be held by the county in a fund to cover future potential deficient special assessments.