

ORDINANCE NO. 2023-003

AN ORDINANCE AMENDING CHAPTER III, ARTICLE V, REGARDING "TREES"; CHAPTER VI, ARTICLE 3 REGARDING "OFFENSES AGAINST PUBLIC AND PRIVATE PROPERTY, AND CHAPTER FIVE, ARTICLE THREE REGARDING SPEEDING VIOLATIONS OF THE CITY CODE OF THE CITY OF KILLDEER.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KILLDEER, NORTH DAKOTA, AS FOLLOWS:

Section 1: Chapter 3, Article 5, entitled "TREES" is hereby amended as follows:

3.0503 TERM OF OFFICE.

The term of the five persons ~~to be appointed by election~~ shall be two and four year terms. ~~the same as their Park Board~~ In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the un-expired portion of the term.

First Reading March 15, 2004, Final Reading and Passage April 5, 2004.

Section 2: ARTICLE 6, CHAPTER 3 entitled "OFFENSES AGAINST PROPERTY" is hereby amended and re-enacted as follows:

6.0301 AGAINST PUBLIC AND PRIVATE PROPERTY

a. Injury or Removal. No person in the city shall willfully, maliciously, wantonly, negligently or otherwise injure, deface, destroy or remove real property or improvements thereto, or moveable or personal property, belonging to the city or to any person in the city.

b. Scattering Rubbish. No person in the city shall throw or permit to be deposited or scattered upon any sidewalk, alley, street, bridge or public passageway, or upon any private property, any waste or other material of any kind.

c. Posting Notices. No person in the city shall fasten in any way any show-card, poster or other advertising device upon public or private property in the city unless legally authorized to do so.

d. Tampering with Vehicles. No person in the city shall, without the consent of the owner or person in charge of a vehicle, climb into or upon such vehicle with the intent to commit any crime, malicious mischief or injury thereto, or who, while a vehicle is at rest and unattended, shall attempt to manipulate any of the levers, starting devices, brakes or other mechanism thereof or to set such vehicle in motion. Except, the provisions of this section shall not apply when such act is done in an emergency in furtherance of public safety or convenience or by or under the direction of an officer in the regulation of traffic or the performance of any other official duty.

Section 3: City Code section 5.0302 entitled “Fines for Speeding Violations” is hereby enacted as follows:

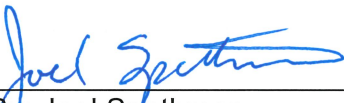
5.0302 FINES FOR SPEEDING VIOLATIONS

The penalty for exceeding any posted speed limit is as provided by NDCC Section 39-06.1-06(4), ~~plus an additional one hundred percent for a total of double the statutory fine for violations.~~

Section 4: Repeal of Ordinances in Effect. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 5: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Ordinance shall continue in full force and effect.

Section 6: Effective Date: This Ordinance shall be in full force and effect from and after final passage.



By: Joel Spethman
City Commission President,
City of Killdeer

ATTEST:



Matt Oase, City Auditor

First Reading: 04-03-2023
Second Reading: 04-17-2023
Final Reading: 04-17-2023