



# Township 101



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# What is a township?

- A township is a cadastral (mapping) unit, nominally 6 miles on a side
- This system probably originated with the Land Ordinance of 1785
- These map units are sometimes called Congressional Townships

# How many townships in North Dakota?

• <b>Full townships</b>	<b>1,842</b>
• <b>Townships split between Counties</b>	<b>84</b>
• <b>Border fractional</b>	<b>119</b>
• <b>TOTAL</b>	<b>2,045</b>

# Civil townships

- A township which has organized and formed a government
- Consists of one or more Congressional Townships
- Total of 1,333 in North Dakota

# Statutory Road Authority (historical)

**Section 8 of the Mining Act of 1866** - Revised Statute 2477, commonly known as RS 2477 was enacted by the United States Congress in 1866 to encourage the settlement of the Western United States by the development of a system of highways. Its entire text is one sentence: "**the right-of-way for the construction of highways across public lands not otherwise reserved for public purposes is hereby granted.**"

33 feet each side of the section lines

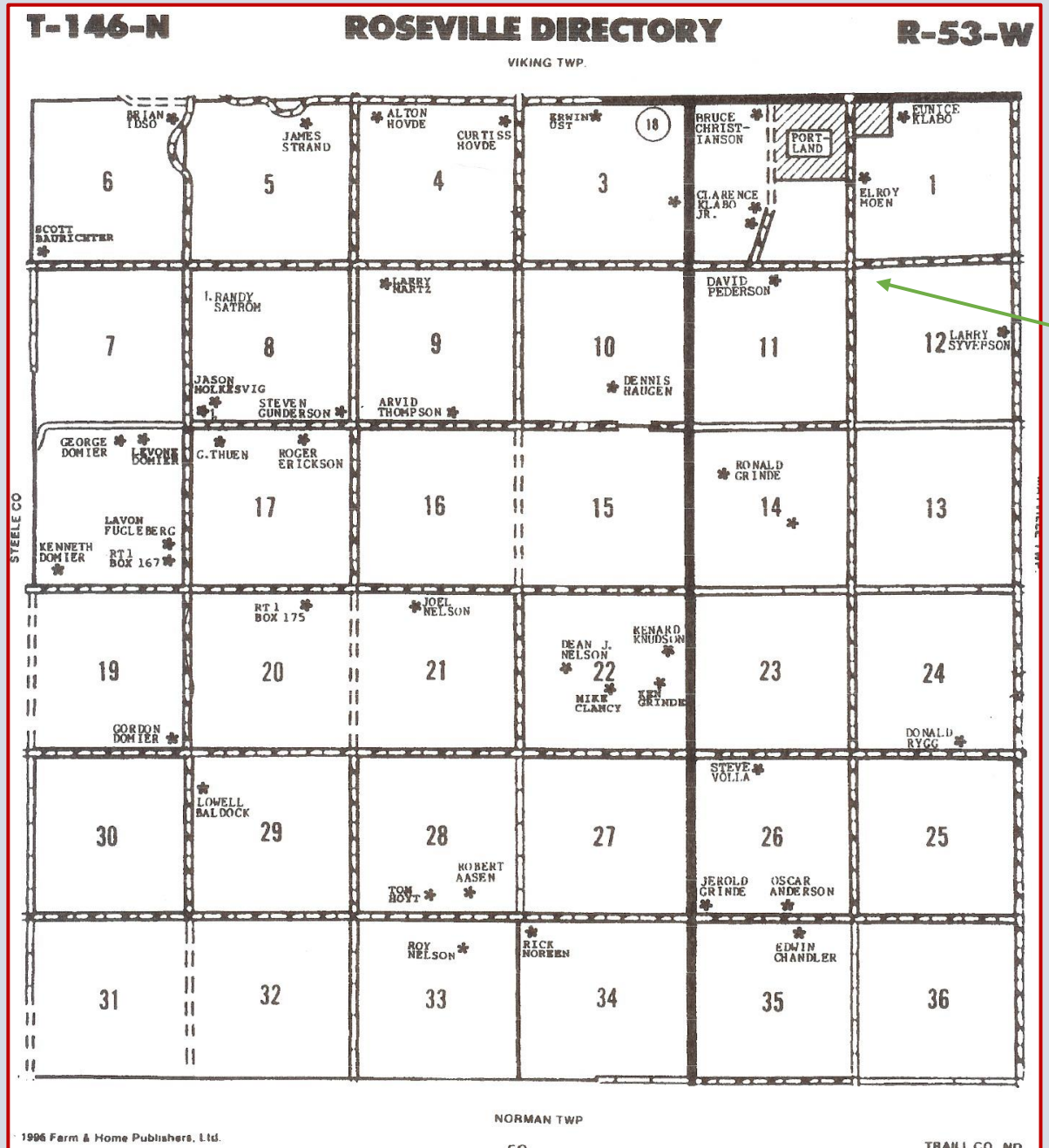
**NDCC 24-07-03**

# Statutory Road Authority (historical)

The law enacted by the Dakota Territory in 1871, stated that “hereafter all section lines in this territory shall be and are hereby declared public highways as far as practicable.” *Id.* After North Dakota achieved statehood in 1889, the statute was amended in 1895 without substantial change to the relevant portion quoted above. N.D. Revised Code § 1050 (1895).

# This is a Civil or Organized Township

The citizens of an Organized Township have the authority to exercise direct local control through the Annual Meeting held each year in March and by the elected town board.



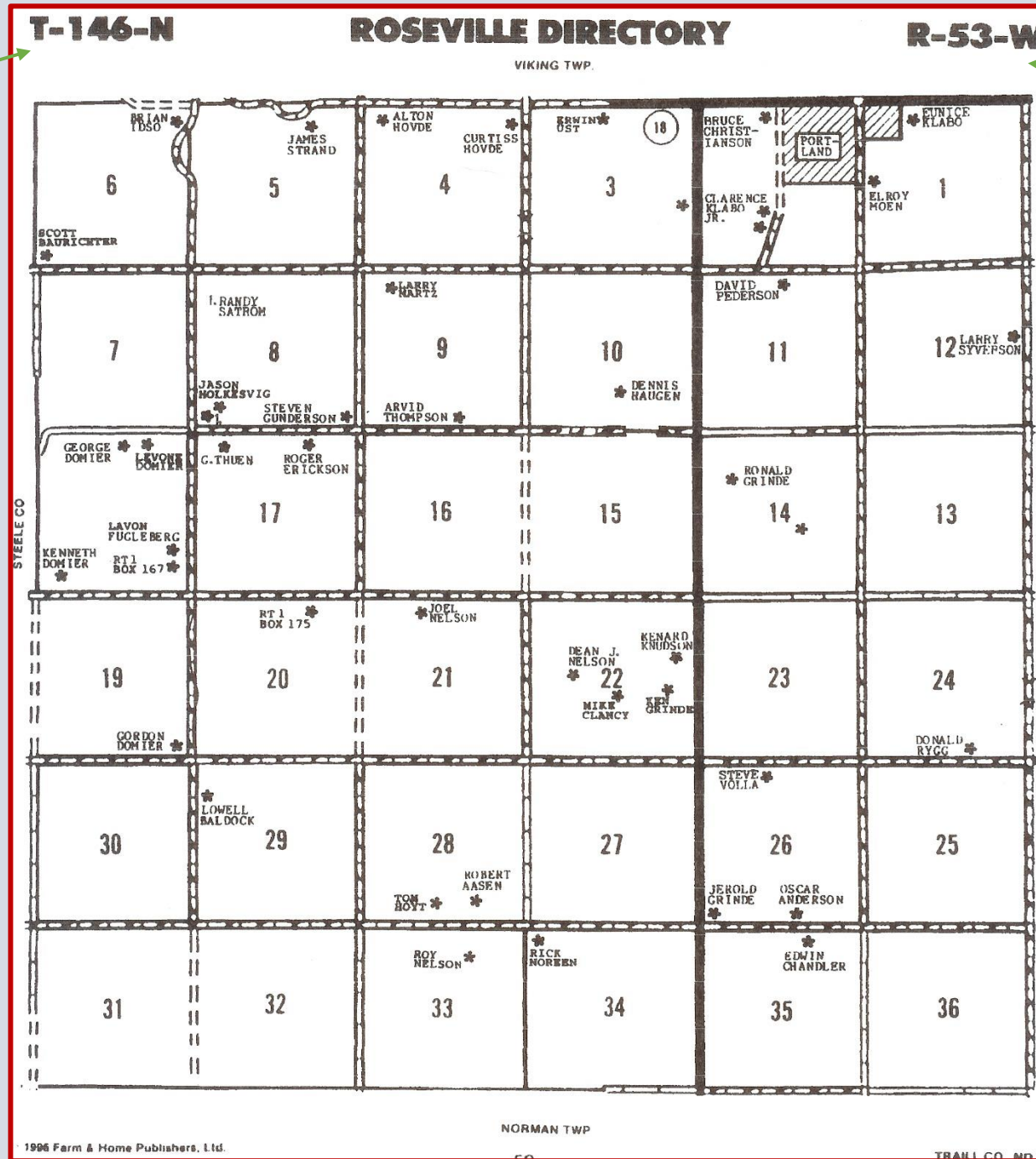
The grid seen on this map shows the section lines, (the boundaries between the one- mile square sections of land).



Township Number

Range Number

This is a Congressional Township. All Townships are identified by Township and Range Numbers. *Not all townships are named.*



The Township and Range Numbers locate each township in the grid system of the Public Land Survey System (PLSS)



# Organized Townships (1,464)

- NDCC § 58-02-01 Requires 25 qualified electors to organize a township
- Government is based on the annual meeting of the township
- NDCC § 58-04-01 Requires annual meeting to be held in March
- Notice of the meeting, time, and place must be published in the official newspaper.

# Unorganized Townships (581)

- Areas of sparse population that didn't reach the population requirement to organize a township
- Governed by the County Commission acting as the Township Board
- ND Century Code provides authority to "organize" or "unorganize" by a vote of qualified township electors

# ANNUAL MEETINGS

- The annual meeting is much like the old town meetings that carried over from the towns of the English countryside.
- **Everybody\* gets to vote on everything**

\*Qualified electors must be US Citizen, 18 years old, and reside in the township for the previous 30 days



# ANNUAL MEETINGS cont'd

- Called to order by Township Clerk
- Select a moderator to run the meeting
- Select three judges to oversee township officer elections

\*NOTE\* A special meeting of the Township may be called for certain purposes (NDCC § 58-04-02)

# ANNUAL MEETINGS functions

- Receive reports of the officers
- Receive requests and grievances
- Establish township priorities
- Act on annual budget recommended by the Board of Supervisors
- Elect officers to conduct day-to-day business

# Township officers

- **Supervisors** – (3 or 5) NDCC § 58-04-02.1
  - Three-year term with staggered elections. The supervisors elect the chairman
- **Clerk** – Two-year term
  - Keeps minutes of meetings
  - Calls the Annual Meeting to order
  - Receives communications in the township name
  - Files required reports with the county auditor





# Township officers cont'd

- **Treasurer** – two-year term
  - Handles finances of township may be combined with office of township clerk
- **Assessor** – two-year term if elected
  - May be contracted with county or other
  - Must be certified by Tax Commissioner

# Township finances

- Township **may** levy up to 18 mills on property (NDCC § 57-15-19)
- Levy **may** be expanded to up to 36 mills upon election (NDCC § 57-15-20.1)
  - Township must publish notice of election
  - Expanded levy expires in five years

# Township finances cont'd

- Township may elect to levy 5 mills for cooperation with county for farm to market roads
  - Notice of election must be published
- Townships have the authority to form special assessment districts (not commonly used)

# Oil & gas distributions

For a township located in a county that received five million dollars or more of allocations. Four percent (4%) is distributed among the organized and unorganized townships based on each township's road miles relative to the total township road miles in the county.



# What other funds are available to townships?

- Highway Gas Tax (2.7%, or about \$6.8M)
  - Distributed quarterly based on certified road miles
    - Total 54,627 road miles; payments are about \$125/mile (2022)
- If township is unorganized, that share is given to the County for township road maintenance

# What other funds are available to townships?

- Township Legacy Highway Fund (HB 1379)
  - \$10M Distributed based on certified road miles (\$183/mile)
- NDDOT Township Grants
  - \$10M – Carried over from 2021 Biennium
    - Distributed based on NDDOT criteria mainly supporting corridors
  - Flexible Transportation Fund grants (SB 2113)
    - Townships must be levying 18 mills to qualify
    - Amounts to be determined by NDDOT criteria
- Oil & Gas Distribution Prairie Dog “buckets”
  - Anticipated additional \$10M in '23-'25 Biennium



# Township responsibilities

- Maintain township roads
- Maintain township bridges (under 20 feet)
- Section Line Easements
- Land use – planning and zoning
- Property tax assessments

# Township challenges

- Continual significant road needs
- Limited taxing authority
- Roads need constant maintenance
  - Weather
  - Wear and tear by larger commercial and agriculture vehicles
- Emergency Services, Agriculture, Industry, School Districts depend on safe rural infrastructure





North Dakota's economy  
runs on rural roads!



North Dakota Township Officers Association

[www.ndtoa.com](http://www.ndtoa.com)