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Western Petroleum, LLC v. Williams County Board of Commissioners

Supreme Court of North Dakota - December 20, 2016 - N.W.2d - 2016 WL 7368813 - 2016 ND 249

Company appealed decision by county board of commissioners assessing a \$29,635,000 penalty against company for violating temporary housing regulations.

The District Court affirmed the penalty. Company appealed.

The Supreme Court of North Dakota held that company was subject to \$1,000 penalty per day for violating temporary housing regulations, rather than \$1,000 penalty on a per housing unit, per day basis. Plain language of the regulations stated it is unlawful to violate any of its provisions, and the penalty for violating the provisions was \$1,000 per violation.

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