

CITY COMMISSION MEETING  
VALLEY CITY, NORTH DAKOTA

Tuesday, August 5, 2025  
5:00 PM

The City Commission Meeting will begin on Tuesday, August 5, 2025 at 5:00 PM CT, at the City Commission Chambers, 220 3<sup>rd</sup> St. NE, Valley City, ND.

The meeting is also available to view online <https://us06web.zoom.us/j/84747209709> or listen by calling (1 346 248 7799) Webinar ID: 847 4720 9709.

Board of City Commissioners	Role	Department Supervisor	Role
Dave Carlsrud	President	Gwen Crawford	City Administrator
Michael Bishop	Commissioner	Carl Martineck	City Attorney
Duane Magnuson	Commissioner	Brenda Klein	Finance Director
Jeffrey Erickson	Commissioner	Brandy Johnson	Deputy Auditor
Dick Gulmon	Commissioner	Tina Drabus	City Assessor
		Scott Magnuson	Fire Chief
		Nick Horner	Police Chief
		KLJ/Moore	City Engineers

NEXT RESOLUTION NO. 2498NEXT ORDINANCE NO. 1175

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE (PLEASE STAND)

APPROVAL OF AGENDA (ROLL CALL VOTE NEEDED WHEN CHANGES MADE TO THE AGENDA)

Roll Call: Magnuson Erickson Gulmon Bishop Carlsrud

APPROVAL OF CONSENT AGENDA

A. Approve Minutes from the 7.15.2025 Finance and Commission Meetings.	Pg. 3
B. Approve Minutes from the 7.28.2025 Special Commission Meeting	Pg. 7
C. Approve Contractor License:	
a. South Peak Holdings LLC dba Skinner Roofing, Grand Forks	Pg. 8
D. Approve Site Authorization Renewal:	
a. North Dakota Winter Show at North Dakota Winter Show Event Center	Pg. 11
E. Approve House Movers License:	
a. Carrington House Movers, LLC, Carrington	Pg. 12
F. Approve Local Raffle Permit	
a. Valley City Junior Golf Association	Pg. 14

Roll Call: Erickson Gulmon Bishop Magnuson Carlsrud

PUBLIC COMMENTS

This portion of the meeting provides a limited public forum for Valley City residents, property owners and business owners to address the Board of City Commissioners on topics related to City business. Interested persons must submit a comment card with the individual’s name, address, and the topic to be commented upon. Non-residents must provide the address of the City of Valley City business the individual operates or works at or the address of real property which the individual owns within the City of Valley City. Comments cards must be provided to the meeting secretary and approved prior to speaking. Public comments are limited solely to business matters and concerns pertinent to the City.

The following rules apply to Public Comments:

- Limited to five minutes per speaker.
- Must not interfere with the orderly conduct of the meeting.
- Must not be defamatory, abusive, harassing, or unlawful.
- May be prohibited if an alternative procedure exists to bring that particular type of public comment before the City, the public comment includes confidential or exempt information, or the public comment is otherwise prohibited by law.

Submission of written comments: In lieu of speaking, a written comment may be delivered to the meeting secretary prior to the start of the meeting. Written comments are limited to two pages. Any member of the public seeking to comment without attending in person may submit written comments to [jhintz@valleycity.us](mailto:jhintz@valleycity.us). Written comments hand delivered at the time of the meeting or emailed prior to 4:00 pm on the date of the meeting will be distributed to the Board for their information and maintained in City files. Written comments are not read aloud at the meeting

**ORDINANCE**

ORD 1173. Second and Final Reading of Ordinance 1173, an Ordinance to amend and reenact chapter 11-09 of the Valley City Municipal Code related to standards for floodplain development. *(City Attorney Martineck)* Pg. 18

Roll Call: Gulmon Bishop Magnuson Erickson Carlsrud

ORD 1174. Second and Final Reading of Ordinance 1174, an omnibus ordinance to amend and reenact sections of the Valley City Municipal Code relating to the 2025 state legislative session. *(City Attorney Martineck)* Pg. 30

Roll Call: Bishop Magnuson Erickson Gulmon Carlsrud

**NEW BUSINESS**

N1. Approve purchase of property at 628 Main Street E. (Parcel 63-3110126) as a PFP Buyout in the amount of \$38,170. *(Finance Director Klein)* Pg. 39

Roll Call: Magnuson Erickson Gulmon Bishop Carlsrud

**CITY ADMINISTRATOR’S REPORT**

**CITY UPDATES & COMMISSION REPORTS**

**ADJOURN**

# **CITY COMMISSION FINANCE MEETING VALLEY CITY, NORTH DAKOTA**

*Tuesday, July 15, 2025*  
2:30 PM

## **Called to Order**

President Carlsrud called the meeting to order at 2:30 PM.

## **Roll Call**

Members present: President Carlsrud, Commissioner Bishop, Commissioner Magnuson, Commissioner Gulmon, Commissioner Erickson.

Other present: City Administrator Crawford (via zoom), City Attorney Martineck, Finance Director Klein, Lt. Rustebakke, Executive Assistant Bodine, Administrative Assistant Hintz, Intern Nord.

## **New Business**

Motion to hold Executive Session for Attorney Consultation to Discuss Main Street Off Sale Alcoholic Beverage License.

Commissioner Bishop moved to open the Executive Session, seconded by Commissioner Magnuson.

Motion passed unanimously.

The executive session began at 2:32 PM and was attended by President Carlsrud, Commissioner Erickson, Commissioner Gulmon, Commissioner Magnuson, Commissioner Bishop, City Administrator Crawford via Zoom, City Attorney Martineck, Finance Director Klein, Lt. Rustebakke, Executive Assistant Bodine, Administrative Assistant Hintz, and Intern Nord.

The meeting resumed at 2:46 PM. The media and the members of the public have been invited to return to the open session.

## **Agenda Items**

**Review Commissioner Roles & Responsibilities.** City Attorney Martineck presented a PowerPoint.

**Review Monthly Expenditures Reports.** Finance Director Klein reviewed the monthly reports.

**Review Quarterly Engineer Report.** Finance Director Klein reviewed the quarterly reports.

**Review Quarterly Fire Extinguisher Report.** Finance Director Klein reviewed the quarterly reports.

**Discuss Rosebud Parking Lot.** City Administrator Crawford discussed police presence in this area.

Commissioners Magnuson and Bishop discussed purchasing security cameras that are tied to the PD.

Assistance would be expected covering the costs. Commissioner Magnuson is working on getting quotes. The consensus is to continue with the current procedures.

**Discuss Paving Improvement District 131 Protests.** City Engineer Peterson discussed additional options with the protest of Project 131. Accept the protest and not do the project at all, losing the Urban Grant Fund (\$2.99 million). Accept the protest, find alternative funding to offset the paving special (ie. additional R&R or Prairie Dog) and move forward with the project as presented. Accept the protest, consider alternative special assessment options, move forward with project as presented. Accept the protest, move forward with only the water, sewer and storm sewer improvements, losing the Urban Grant Fund (\$2.99 million).

**Discuss Policy for Approval of Gaming Site Authorizations.** City Attorney Martineck discussed the previous views of the Commission and the need for the policy to move forward regarding out of town organizations.

**Discuss Legislative Session Review.** City Attorney Martineck reviewed the latest Legislative Session.

## **Department Reports**

**Department Spotlight – City Hall**

**Sanitation Department** Supervisor Swart reported that they have taken in close to 2 Million Lbs. of trees and branches since the storm. When bringing trees & branches to the Transfer Station, please haul larger trees, trunks, and branches inside, the Grass Site is for the smaller items.

**Electrical Department** Electrical Superintendent Senf explained that his Team is playing catch up and staying busy. He asks that the public look up at your lines to make sure they are clear of trees and branches. After a 3 year wait, the new digger truck has arrived.

**Fire Department** Fire Chief Magnuson shared that the \$190,000 Grant applied for to purchase new bunker gear looks to be approved. There were 36 calls for service for the past month. He also updated the blighted building locations around town being worked on.

**Police Department** Lt. Rustebakke updated the Commissioners of the PD's new hire Cody Perdue. The FTO process has been started. They are now currently fully staffed.

**Street Department** Operations Supervisor Klemisch and his Team continue to pick up trees and branches. 1 hydrant was broken during the storm and the repair parts are in. They will start patching soon and continue to catch up on everything else since the storm. The 2<sup>nd</sup> round of tree pickup will start on July 24<sup>th</sup>, please have your trees and branches on the boulevards. Concrete is starting at the new Service Center site.

### **Administration**

**City Administer Crawford** gave an update on the soil from the Service Center site. There is more dirt needing decontamination, this was in the preliminary findings and has been accounted for. Water and sewer service line warranty information will go out again this fall. We have had positive reports from those that have needed it.

**Finance Director Klein** reminded about the budget meetings coming up and they have been put on the calendar.

### **Adjourn**

The meeting was adjourned at 4:36PM.

**CITY COMMISSION MEETING**  
**VALLEY CITY, NORTH DAKOTA**  
*Tuesday, July 15, 2025*

President Carlsrud called the meeting to order at 5:00 PM.

Members present: President Carlsrud, Commissioner Gulmon, Commissioner Bishop, Commissioner Magnuson, Commissioner Erickson

Others: City Administrator Crawford (via zoom), City Attorney Martineck, Finance Director Klein, Lt. Rustebakke, Administrative Assistant Hintz.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**  
No changes.

**APPROVAL OF CONSENT AGENDA**  
**Approve Minutes from the 7.1.2025 Commission Meeting.**  
**Approve Contractor Licenses:**  
    **Grafstrom Construction, Fargo**  
    **J+J Repairs & Roofing LLC, Harwood**  
    **Moritz Excavating LLC, Valley City**  
    **J+K Seamless, Inc., Valley City**  
    **Greystone Construction Company, Shakopee, MN**  
    **CC Steel, LLC, Fargo**  
    **Miller & Sons Drywall, Inc., West Fargo**  
    **Quality Coatings & Tile LLC, Fargo**

**Approve Contractor License Renewals:**  
    **Groundworks MN, LLC dba Innovative Basement Authority**  
    **Horsley Specialties, Inc.**  
    **Twin City Garage Door**  
    **Dakota Plains Mechanical**

**Approve Tree Trimming and Removal Service License Renewal:**  
    **Carr’s Tree Service**

**Approve Local Raffle Permit:**  
    **Shine, 8.29.25 @ Hanna Field**  
    **Ducks Unlimited Barnes County Chapter, 9.18.25 @ VC Eagles Club**

Commissioner Bishop moved to approve the Consent Agenda, seconded by Commissioner Gulmon.  
Motion passed unanimously.

**ORDINANCE**  
**ORD 1172. Second Reading of Ordinance 1172, an Ordinance to amend and reenact sections 8-07-10, 11-02-08, and 11-03-10 of the Valley City Municipal Code related to mobile homes.**  
Commissioner Gulmon moved to approve, seconded by Commissioner Bishop.  
Motion passed unanimously.  
**ORD 1173. First Reading of Ordinance 1173, an Ordinance to amend and reenact chapter 11-09 of the Valley City Municipal Code related to standards for floodplain development.**  
Commissioner Bishop moved to approve, seconded by Commissioner Erickson.  
Motion passed unanimously.  
**ORD 1174. First Reading of Ordinance 1174, an omnibus ordinance to amend and reenact sections of the Valley City Municipal Code relating to the 2025 state legislative session.**  
Commissioner Gulmon moved to approve, seconded by Commissioner Bishop.  
Motion passed unanimously.

**RESOLUTION**  
**RES 2497. A Resolution Approving Final Replat of Lots 6, 7, & 8, Block 2, Waterfront Meadows Addition.**  
Commissioner Gulmon moved to approve, seconded by Commissioner Magnuson.  
Motion passed unanimously.

**NEW BUSINESS**

**Approve Monthly Bills for the City and Public Works in the Amount of \$1,460,673.**

Commissioner Gulmon moved to approve, seconded by Commissioner Bishop.

Motion passed unanimously.

**Request for Extension to move house at 231 9<sup>th</sup> Ave NE.**

Extension was granted for the house to now be moved by September 15<sup>th</sup> 2025 as long as the moving permit has been acquired by July 18<sup>th</sup> 2025.

Commissioner Erickson moved to approve, seconded by Commissioner Magnuson.

Motion passed unanimously.

**Approve Recommendation from the Renaissance Zone Authority Board to Approve the Application from Bridgetown Development for a 5-year State Income Tax Exemption and a 5-year Property Tax Exemption Capped at \$500,000 Valuation on a New Single-Family Home and designate it as VC-139.**

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson.

Motion passed unanimously.

**Approve Recommendation from the Renaissance Zone Authority Board to Approve the Application from H&G Holdings LLC for a 5-year State Income Tax Exemption and a 5-year Property Tax Exemption Capped at \$500,000 Valuation on a New Single-Family Home and designate it as VC-140.**

Commissioner Gulmon moved to approve, seconded by Commissioner Bishop.

Motion passed unanimously.

**CITY ADMINISTRATOR’S REPORT**

**City Administrator Crawford** gave a shout out to the staff for working extremely hard since the storm. July 24<sup>th</sup> will be the last round of tree pickup. We will only be going into alleys that are wide enough for our equipment to get in and out of. Working with the DEQ on the levels of contamination in the dirt.

**CITY UPDATES & COMMISSION REPORTS**

**City Attorney Martineck** welcomed our new Executive Assistant Kari Bodine and wished her an early birthday.

**City Finance Director** reminded the Commission of the preliminary budget meeting on July 28<sup>th</sup>.

**City Engineer Peterson** gave a construction update. The seal coat pre construction meeting will be July 18<sup>th</sup> 2025. The shared use path project is going to be starting.

**City Engineer Eslinger** talked about prepping the plans for the North West water tower. There will be a meeting with the city held in mid-August.

**Commissioner Erickson** gave a shout out to the city workers.

**President Carlsrud** thanked everyone for their work with the tree pickup. Valley City citizens are lucky to have our crews.

**ADJOURN**

Meeting was adjourned at 5:20 P.M.

Attested to by:

\_\_\_\_\_  
Brenda Klein, Finance Director  
City of Valley City

\_\_\_\_\_  
Dave Carlsrud, President of the  
City of Valley City Commission

**SPECIAL CITY COMMISSION MEETING  
VALLEY CITY, NORTH DAKOTA**

*Monday, July 28, 2025*

President Carlsrud called the meeting to order at 8:00 AM.

Members present: Commissioner Magnuson, Commissioner Bishop, Commissioner Erickson, Commissioner Gulmon

Members absent: None

Others Present: City Administrator Crawford, Finance Director Klein, Deputy Auditor Johnson, Fire Chief Magnuson, Police Chief Horner, Assessor Current, Executive Assistant Bodine, Intern Krista Nord.

**New Business**

**Discuss and Approve the 2026 Preliminary Budget**

Finance Director Klein reported that we are expecting to have the value of a mill the first part of August. HB 1176 puts a cap on the dollars the City can levy. The cap of 3% plus new growth sets the maximum amount the City can levy for the General Fund at \$1,630,697 (3.62% increase from 2025). The City’s Share of Specials Fund 203 is not subject to the 3% cap. The dollars levied for Fund 203 increased due to properties the City has acquired through delinquent taxes. The amount to levy in Fund 203 is \$32,300. The Library Fund is subject to the 3% cap plus new growth which brings the amount to \$199,149. The increase in expenditures in the General Fund is 4.7%. The 2026 Transfers In are the same as 2025 with \$260,000 being transferred in from Fund 241 Property Tax Relief. Transfers Out total \$361,608: Fund 225 Building Reserves \$146,500, Fund 230 Renew & Replacement \$215,108, Cash reserves are at \$1,300,597 which is 28% of expenditures, this is within the guidelines set in the City’s Fund Balance policy.

The transfer from the Utility Fund to General Fund is \$1,358,600. This brings the % of transfer compared to Public Works Revenues to 12.3%.

The proposed salaries in the 2026 Budget includes a 4.5% cost of living allowance (COLA) increase and a step increase in the 0-24-year salary schedule.

The increase in health insurance premiums for 2026 is 7.26%. We have budgeted for the City to pay 85% of the health insurance premium. In 2026 the City will also pay a \$3,000 insurance incentive to those employees who are not on the City’s Health Insurance Policy through NDPHIT. The City’s contribution to the employee’s HSA accounts would remain the same, with the employees matching a portion of the contribution in order to receive the full amount.

Commissioner Gulmon moved to approve the 2026 Preliminary Budget as presented which includes the proposed salary structure and 4.5% COLA, seconded by Commissioner Bishop. Commissioners Gulmon, Bishop, Magnuson and President Carlsrud voted Aye, Commissioner Erickson voted Nay. Motion carried.

**ADJOURN**

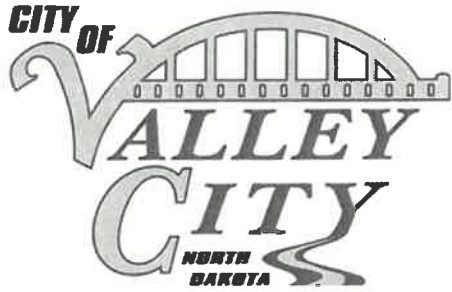
Meeting Adjourned at 8:40 A.M.

Attested to by:

\_\_\_\_\_  
Brenda Klein, Finance Director  
City of Valley City

\_\_\_\_\_  
Dave Carlsrud, President of the  
City of Valley City Commission

2025 - 449  
CONC  
New



City of Valley City, North Dakota  
Application for  
Contractor, Electrician, Plumber and/or  
Mechanical Contractor License(s)

FOR PERIOD: June 1, 2025 – May 31, 2026

The undersigned hereby makes application for a license to the City of Valley City, North Dakota, and agrees to comply with the requirements of City Ordinances pertaining thereto.

Name of Business:

South Peak Holdings LLC DBA Skinner Roofing

Owner:

Todd Krueger

Mailing Address:

PO BOX 13091

City, State Zip Code:

Grand Forks, ND 58208

Phone Number:

701-772-3636

Email Address:

todd@skinnerroofing.com

Today's Date:

7/7/25

Type of License Applying For (check all that apply):

☒

Contractor

☐ Electrician

☐ Plumber

☐ Mechanical

# 55019 Class A

State License Numbers (provide all that apply):

☐ Electrician

☐ Plumber

55019

☒ Contractor

Licenses will only be issued to master electricians (NDCC 43-09-20) and master plumbers (NDCC 43-18-10).

A copy of the following must be filed with the City Auditor as part of this application:

☒

Certificate of Liability Insurance, City of Valley City as certificate holder

☒

Current copy of State Electrician and/or Plumber License

☒

Current copy of State Contractor License,

No person may engage in the business nor act in the capacity of a contractor within this city when the cost, value, or price per job exceeds the sum of \$1,000 without first having a license.

If applicant does not provide state contractor license and states that it is not required please sign here:

LICENSE FEE:

☒

\$100 if initial application, make checks payable to City of Valley City

☐ \$50 if renewal application

Paid CK# 2023 on 7-11-25.

RETURN TO:

Valley City Auditor  
254 2<sup>nd</sup> Ave NE  
Valley City, ND 58072

Phone: (701) 845 – 1700

Email: [jhintz@valleycity.us](mailto:jhintz@valleycity.us)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/7/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bell Insurance PO Box 1470 Fargo ND 58107	CONTACT NAME: Caeleigh Myrvik	FAX: 701-239-0009	
	PHONE (A/C, No, Ext): 701-765-6512	E-MAIL ADDRESS: cmyrvik@bell.insurance	
INSURED South Peak Holdings, LLC DBA Skinner Roofing PO Box 13091 Grand Forks ND 58208-3091	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Western National Mutual Insura		15377
	INSURER B : Great American E&S Insurance C		
	INSURER C : Great American Insurance Compa		
	INSURER D : Pioneer Specialty Insurance Co		40312
	INSURER E :		
INSURER F :			

**COVERAGES**

CERTIFICATE NUMBER: 295912769

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		CPP 1205878	3/15/2025	3/15/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		CPP 1205842	3/15/2025	3/15/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		UMB 1034706	3/15/2025	3/15/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	WCV 1028058	3/15/2025	3/15/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B C	Contractors Pollution Liability Professional Liability		PCE F270532 00 PCE F270532 00	12/12/2024 12/12/2024	12/12/2025 12/12/2025	Each Occurrence 2,000,000 Aggregate 2,000,000 Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**City of Valley City  
254 2nd Ave NE  
Valley City ND 58072

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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# *State of North Dakota*

## SECRETARY OF STATE



### CONTRACTOR LICENSE

NO: 55019

CLASS: A

The undersigned, as Secretary of State of the state of North Dakota and Registrar of Contractors, certifies that **SOUTH PEAK HOLDINGS, LLC** whose address is in GRAND FORKS, ND, has filed in this office proper documents for a Contractor License valid until March 1, 2026, and has complied with all requirements of North Dakota Century Code, chapter 43-07.

**SOUTH PEAK HOLDINGS, LLC** is entitled to bid on and accept contracts as authorized by law under this license without limit as to the value of any single contract project.

Dated: January 22, 2025

A handwritten signature in black ink that reads "Michael Howe".

Michael Howe  
Secretary of State



**GAMING SITE AUTHORIZATION**  
ND OFFICE OF ATTORNEY GENERAL  
SFN 17996 (4-2023)

G - \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
Site License Number  
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

**North Dakota Winter Show**

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

**North Dakota Winter Show Event Center**

Street <b>700 7th St SE</b>	City <b>Valley City</b>	ZIP Code <b>58072</b>	County <b>Barnes</b>
Beginning Date(s) Authorized <b>07/01/2025</b>	Ending Date(s) Authorized <b>06/30/2026</b>	Number of Twenty-One tables, if zero, enter "0" <b>0</b>	

Specific location where games of chance will be conducted and played at the site (required)

**700 7th St SE**

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

**December 2025 & March 2026**

**RESTRICTIONS FOR CITY/COUNTY USE ONLY**

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

**ACTIVITY TO BE CONDUCTED** Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> <b>ELECTRONIC</b> Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> <b>ELECTRONIC</b> 50/50 Raffle	<input type="checkbox"/> Punchboard	<input checked="" type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> <b>ELECTRONIC</b> Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

**APPROVALS**

Attorney General	Date
Signature of City/County Official	Date

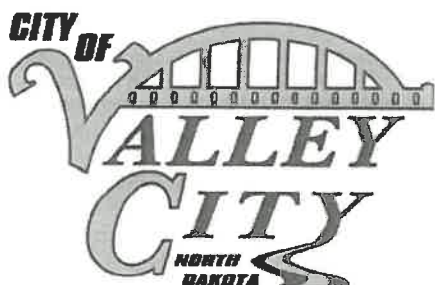
**PRINT** Name and official position of person signing on behalf of city/county above

**INSTRUCTIONS:**

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

**RETURN ALL DOCUMENTS TO:**

Office of Attorney General  
Licensing Section  
600 E Boulevard Ave, Dept. 125  
Bismarck, ND 58505-0040  
Telephone: 701-328-2329 OR 800-326-9240



## City of Valley City, North Dakota Application for House Movers License

**FOR PERIOD: April 1, 2025 – March 31, 2026**

*The undersigned hereby makes application for a license permit to the Board of City Commissioners of the City of Valley City, North Dakota for house moving in Valley City, to move homes in Valley City, pursuant to the Title 8: Businesses & Occupations of the City of Valley City, and agrees to comply with the requirements of the Valley City Municipal Code.*

**Name of Business:** Carrington House Movers, LLC

**Owner:** Dustin Garber ( co owner) Carl Schneider ( co owner)

**Mailing Address:** 1495 7th ST S

**City, State Zip Code:** Carrington ND 58421

**Phone Number:** 701(652-2378)

**Email Address:** chmlc@daktel.com

**Today's Date:** 07/23/2025

**File the following with the City Auditor as part of this application:**

☒ **Certificate of Liability Insurance,**  
City of Valley City as Certificate Holder

**LICENSE FEE:** ☒ **\$100 initial license,** make checks payable to City of Valley City  
☐ **\$50 renewal license** \$100pd 7/28/25 ck 0063  
BJ

**RETURN TO:** Valley City Auditor  
254 2<sup>nd</sup> Ave NE  
Valley City, ND 58072  
**Phone:** (701) 845-1700  
**Email:** [jhintz@valleycity.us](mailto:jhintz@valleycity.us)





CARRHOU-03

KMELSTROM

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/23/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Maguire Agency 1970 Oakcrest Avenue, Suite 300 Roseville, MN 55113	<b>CONTACT</b> <b>Melissa Munsterman</b>	
	<b>PHONE</b> (A/C, No, Ext): (651) 635-2764	<b>FAX</b> (A/C, No): (651) 638-9762
	<b>E-MAIL</b> ADDRESS: mmunsterman@maguireagency.com	
<b>INSURED</b>  Carrington House Movers, LLC 1495 7th St. S. Carrington, ND 58421	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A : Nova Casualty Company</b>	
	<b>INSURER B :</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
	<b>INSURER F :</b>	
	<b>NAIC #</b>	<b>42552</b>

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			MSMML10000370	4/1/2025	4/1/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			MSMML10000370	4/1/2025	4/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N / A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	<b>Cargo</b>			MSMML10000370	4/1/2025	4/1/2026	Ded. \$5,000 (ACV) 300,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

North Dakota Secretary of State  
600 E. Boulevard Ave.  
Dept. 108  
Bismarck, ND 58505-0500

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
GAMING DIVISION  
SFN 17926 (11-2023)

Permit Number  
**1562**

Permit Type (check one)

☒ Local Permit ☐ Restricted Event Permit\*

Games Authorized

☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker\* ☐ Twenty-One\* ☐ Paddlewheels\*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

**ORGANIZATION INFO**

Name of Organization or Group <b>Valley City Junior Golf Association</b>		Dates Authorized (Read Instruction 2) <b>August 22, 2025</b>	
Organization or Group Contact Person <b>Travis Ingstad</b>	E-mail <b>travis.s.ingstad@gmail.com</b>	Telephone Number <b>701-840-2872</b>	
Mailing Address <b>500 12th Ave NE</b>	City <b>Valley City</b>	State <b>ND</b>	ZIP Code <b>58072</b>

**SITE INFO**

Site Name <b>The North 9 Bar and Grille</b>		County <b>Barnes</b>	
Site Address <b>500 12th Ave NE</b>	City <b>Valley City</b>	State <b>ND</b>	ZIP Code <b>58072</b>
If the city or county is placing restrictions on the permit, please explain			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <b>50/50 Raffle, 8/22/25, One Time Event</b>			

**Permits must be issued prior to the 1st event date.**

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:

a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

**CITY OR COUNTY CONTACT PERSON**

Printed Name of City or County Official <b>Brenda Klein</b>	Title of City or County Official <b>City Auditor</b>	Telephone Number <b>701-845-1700</b>	E-mail Address <b>bklein@valleycity.us</b>
Signature of City or County Official		Date	Issuing Governing Body <input checked="" type="checkbox"/> City <input type="checkbox"/> County

**City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.**

**Information required to be preprinted on a standard raffle ticket:**

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

**INSTRUCTIONS:**

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
  - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
  - b. A local permit can be issued for one or more events per fiscal year.
  - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
  - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
  - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
  - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
  - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to [agogaming@nd.gov](mailto:agogaming@nd.gov), fax to (701) 328-3535 or by mail to:

Office of Attorney General  
Gaming Division  
600 E Blvd Ave, Dept. 125  
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



**APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
GAMING DIVISION  
SFN 9338 (9-2023)

*pd cash \$10*  
*on 7/29/25*

*Permit # 1562*

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit\*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker\* ☐ Twenty-One\* ☐ Paddlewheels\*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

**ORGANIZATION INFO**

Name of Organization or Group <b>Valley City Junior Golf Association</b>		Dates of Activity (Does not include dates for the sales of tickets) <b>8/22/2025</b>	
Organization or Group Contact Person <b>Travis Ingstad</b>	E-mail <b>travis.s.ingstad@gmail.com</b>	Telephone Number <b>701-840-2872</b>	
Business Address <b>500 12th Ave NE</b>	City <b>Valley City</b>	State <b>ND</b>	ZIP Code <b>58072</b>
Mailing Address (if different)	City	State	ZIP Code

**SITE INFO**

Site Name <b>The North 9 Bar and Grille</b>		County <b>Barnes</b>	
Site Physical Address <b>500 12th Ave NE</b>	City <b>Valley City</b>	State <b>ND</b>	ZIP Code <b>58072</b>
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <b>50/50 Raffle - 8/22, one time event</b>			

**PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)**

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle 50/50	50% of the proceeds not to exceed \$8,000	
Total (limit \$40,000 per year)		\$

**ADDITIONAL REQUIRED INFORMATION**

Intended Uses of Gaming Proceeds <i>Go towards Valley City Junior Golf Association</i>	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: <input type="text"/> (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Printed Name of Organization Group's Permit Organizer <b>Travis Ingstad</b>	Telephone Number <b>701-840-2872</b>	E-mail Address <b>travis.s.ingstad@gmail.com</b>
Signature of Organization Group's Permit Organizer <i>[Signature]</i>	Title <b>President</b>	Date <b>7-28-25</b>



**Information required to be preprinted on a standard raffle ticket:**

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time for each drawing and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and physical street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

**PRIZE RESTRICTIONS:**

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The **total** of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

**LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:**

	<u>Local Permit</u>	<u>Restricted Event Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	Yes, if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit," an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.

# ORDINANCE NO. 1173

**An ordinance to amend and reenact chapter 11-09 of the Valley City Municipal Code related to standards for floodplain development.**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF VALLEY CITY, BARNES COUNTY, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF VALLEY CITY, NORTH DAKOTA:

**Section 1. Amendment.** Chapter 11-09 of the Valley City Municipal Code is amended and reenacted as follows:

## ***CHAPTER 11-09. FLOODPLAIN***

### **Section 11-09-01. Statutory authorization, findings of fact, purpose and objectives.**

1. *Statutory authorization.* The Legislature of the State of North Dakota has in N.D.C.C. Chs. 40-05 40-47, ~~11-33 and 58-03~~ and 61-16.2, ~~delegated responsibility to local governmental units~~ authorized the city to exercise floodplain management authority over all persons and property within the boundaries of the city's zoning jurisdiction and to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

~~Therefore, Valley City Commission, of the City of Valley City, North Dakota does ordain as follows:~~

#### 2. *Findings of fact.*

a. The flood hazard areas of the City of Valley City, 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.

b. Flood losses caused by the cumulative effect of obstructions in the special flood hazard areas cause increases in flood heights and velocities. ~~I~~ inadequately floodproofed, elevated or otherwise unprotected structures also contribute to the flood loss.

3. *Statement of purpose.* It is the purpose of this ~~ordinance~~ chapter 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 to:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding, and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. 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;
- f. To help maintain a stable tax base by providing for the second use and development of special flood hazard areas so as to minimize future flood blight areas;
- g. To ensure that potential buyers are notified that property is in a special flood hazard area; and

- h. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions;

4. *Methods of reducing flood losses.* In order to accomplish its purposes, this ~~ordinance chapter~~ includes methods and provisions for:

- a. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d. Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

#### **Section 11-09-02. Definitions.**

The definitions in this section shall apply only to this chapter. Unless specifically defined below, All other words or phrases used in this ~~ordinance chapter~~ shall be interpreted so as to give them the meaning they have in common usage and to give this ~~ordinance chapter~~ its most reasonable application:

*Accessory structure* means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

*Appeal* means a request for a review of the Building Official's ~~(local administrator)~~, interpretation of any provision of this chapter or a request for a variance.

*Base flood or 100-year flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Base flood elevation (BFE)* means the height of the base flood or 100-year flood usually in feet above mean sea level.

*Basement* means any area of the building having its floor subgrade (below ground level) on all sides.

*Best ~~Available~~ Information ~~data~~ (BAID)* means water elevation information from any source used to estimate or determine a base flood elevation (i.e. high water mark).

*Conveyance or hydraulic conveyance* means a geometric characteristic of a river or watercourse at a given point that determines the flow-carrying capacity at that point.

*Development* means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the special flood hazard area.

~~Dry Floodproofing (dry)~~ means any combination of structural and non-structural additions, changes,

or adjustments to structures, including the attendant utilities and equipment, which results in the real estate or improved real property, water and sanitary facilities, structures and their contents, protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight two feet above the base flood elevation being water tight, —with walls all elements that are substantially impermeable to the passage of water, and with structural components having the capacity to resist flood loads.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood damage-resistant material means any building product (material, component, or system) capable of withstanding direct and prolonged contact with floodwater without sustaining significant damage, in which “prolonged contact” means at least 72 hours and “significant damage” means any damage requiring more than cosmetic repair. “Cosmetic repair” includes cleaning, sanitizing, and resurfacing the material (e.g., sanding, repair of joints, repainting). See FEMA Technical Bulletin 2.

*Flood Insurance Rate Map (FIRM)* means the official map issued by the Federal Emergency Management Agency where special flood hazard areas are designated as Zone A, AE, AO, AH, AI - A30 or A-99.

*Flood Insurance Study (FIS)* means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, and the water surface elevation of the base flood.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or; from the unusual and rapid accumulation or runoff of surface waters from any source.

~~*Floodproofing (dry)* means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight two feet above the base flood elevation with walls that are substantially impermeable to the passage of water.~~

*Floodway or regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Lowest floor means the lowest floor of a structure including the basement. An unfinished or flood-resistant enclosure that is used solely for parking of vehicles, building access, or storage is not the lowest floor, provided the enclosure is built in compliance with applicable requirements.

*Manufactured home* means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle", but does include "mobile home".

*Manufactured home park or subdivision* means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*New construction* means structures for which the "start of construction" commenced on or after the effective date of this chapter.

*New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Person* means any person, firm, partnership, association, corporation, limited liability company, agency, or any other private or governmental organization, which includes any agency of the United States, a state agency, or any political subdivision of the state.

*Reasonably safe from flooding* means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

*Recreational vehicle* means a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck;
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use; including, but not limited to;
- ~~(5) Travel trailers, trailers on wheels, park-model trailers, and other similar vehicles.~~

*Special flood hazard area (SFHA)* means an area of land that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year.

*Start of construction* includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

*Structure* means a walled and roofed building, including manufactured homes and gas or liquid above-ground storage tanks.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement* means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

*Variance* means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

*Watercourse* means only the channel and banks of an identifiable watercourse, and not the adjoining floodplain areas. The flood carrying capacity of a watercourse refers to the flood carrying capacity of the channel, except in the case of alluvial fans, where a channel is not typically defined. The definition of watercourse in N.D.C.C. § 61-01-06 is not applicable in this ordinance.

*Wet floodproofing* means using flood damage-resistant materials and construction techniques to minimize flood damage to structures by intentionally allowing floodwater to enter and exit automatically (without human intervention) to minimize unequal pressure of water on walls (called hydrostatic load or pressure). The term "human intervention" means required presence and active involvement of people to implement a floodproofing measure prior to the onset of flooding.

*Variance* means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

*Violation* means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by the community's floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

### **Section 11-09-03. General provisions.**

1. *Lands to which this ~~ordinance-chapter~~ applies.* This ~~ordinance-chapter~~ shall apply to all special flood hazard areas within the jurisdiction of the City of Valley City.
2. *Basis for establishing the special flood hazard areas.* The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Barnes County, North Dakota, dated February 6, 2008," with an



accompanying Flood Insurance Rate Map is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at 220 3rd Street NE, Valley City, ND.

3. *Compliance.* No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations.

4. *Greater restrictions.* This chapter is not intended to repeal, remedy, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

5. *Interpretation.* In the interpretation and application of this chapter, all provisions shall be:

- a. Considered as minimum requirements;
- b. Liberally construed in favor of the governing body; and
- c. Deemed neither to limit nor repeal any other powers granted under state statutes.

6. *Warning and disclaimer or liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of City of Valley City, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

#### **Section 11-09-04. Administration.**

1. *Establishment of development permit.* A development permit shall be obtained before construction or development begins within any special flood hazard area established in section 11-09-03, subsection 2. Application for a development permit shall be made on forms furnished by the Building Official, and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill storage materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a. Elevation ~~in relation to mean sea level~~ in the same datum (either NAVD88 or NGVD29) as the FIRM, of the lowest floor of all structures;
- b. Elevation ~~in relation to mean sea level~~ in the same datum (either NAVD88 or NGVD29) as the FIRM to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria in section 11-09-05, subsection 2(b); and
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. *Designation of the Building Official.* The Building Official is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

3. *Duties and responsibilities of the Building Official.* Duties of the Building Official shall include, but not be limited to:

a. *Permit review.*

- (1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.
- (3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of section 11-09-05, subsection 3~~(a)~~ are met.

b. *Use of other base flood data.* When base flood elevation data has not been provided in accordance with section 11-09-03, subsection 2, *basis for establishing the special flood hazard areas*, the Building Official shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available (known as ~~best available data~~ Best Available Information) from a federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in the floodplain are administered in accordance with section 11-09-05, subsection 2, *specific standards*.

c. *Information to be obtained and maintained.*

- (1) Obtain and record the actual elevation (in the same datum (either NAVD88 or NGVD29) as the FIRM in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
  - (i) Obtain and record the actual elevation (in the same datum (either NAVD88 or NGVD29) as the FIRM in relation to mean sea level) to which the structure has been floodproofed;
  - (ii) Maintain the floodproofing certifications required in section 11-09-04, subsection 1(c).
- (3) Maintain for public inspection all records pertaining to the provisions of this chapter.

d. *Alteration of watercourses.* The responsible person shall:

- (1) Notify nearby communities, water resource districts, and the North Dakota ~~State Engineer~~ Department of Water Resources, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished; and,
- (3) Notify the appropriate water resource district prior to removal or placement of fill within two hundred feet of the bank of a body of water during normal flow or stage.

e. *Interpretation of Flood Insurance Rate Map (FIRM) Boundaries.* Make interpretation where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 11-09-04, subsection 4.

f. *Encroachment analysis.* When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.



Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for and receives a Conditional Letter of Map Revision (CLOMR) through FEMA.

4. *Variance procedure.*

a. *Appeal board.*

- (1) The Planning and Zoning ~~Board~~ Commission as established by City of Valley City shall hear and decide appeals and requests for variances from the requirements of this chapter.
- (2) The Planning and Zoning ~~Board~~ Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Building Official in the enforcement or administration of this chapter.
- (3) Those aggrieved by the decision of the Planning and Zoning ~~Board~~ Commissioner or any taxpayer, may appeal such decision to the District Court, as provided in N.D.C.C. § 40-47-11, 11-33-12, or 58-03-14.
- (4) In passing upon such applications, the Planning and Zoning ~~Board~~ Commissioner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter; and
  - (i) The danger that materials may be swept onto other lands to the injury of others;
  - (ii) The danger to life and property due to flooding or erosion damage;
  - (iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (iv) The importance of the services provided by the proposed facility to the community;
  - (v) The necessity to the facility of a waterfront location, where applicable;
  - (vi) The availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage;
  - (vii) The compatibility of the proposed use with existing and anticipated development;
  - (viii) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (x) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (xi) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre to less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i)—(xi) in section 11-09-04, subsection 4(a)(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (6) Upon consideration of the factors of section 11-09-04, subsection 4(a)(4) and the purposes of this chapter, the Planning and Zoning Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- (7) The Building Official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

b. *Conditions for variances.*

- (1) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (2) Variances shall not be issued within the identified floodplain if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
  - (i) A showing of good and sufficient cause;
  - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
  - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public as identified in section 11-09-04, subsection 4(a)(4), or conflict with existing local laws or ordinances.

Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**Section 11-09-05. - Provisions for flood hazard reduction.**

1. *General standards.* In all special flood hazard areas the following standards are required:

a. *Anchoring.*

- (1) All new construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (2) All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. *Construction materials and methods.*

- (1) All new construction and substantial improvements shall be constructed with ~~materials and utility equipment resistant to flood damage~~ flood damage-resistant materials.
- (2) All new and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

c. *Utilities.*

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

d. *Subdivision proposals.*

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less).

2. *Specific standards.* In all special flood hazard areas where base flood elevation data have been provided as set forth in section 11-09-03, subsection 2, *basis for establishing the special flood hazard areas*, or section 11-09-04, subsection 3(b), *use of other base flood data*, the following provisions are required:

a. *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated on fill to at least one foot above the base flood elevation. If a crawlspace is desired, the preferred construction practice under the National Flood Insurance Program (NFIP) is to backfill the interior area so that it is level with or higher than the lowest adjacent grade (LAG); however, below-grade crawlspaces constructed in accordance with the International Residential Code and the NFIP, including the requirements provided in Technical Bulletin 11, will not be considered basements.

Residential buildings that have below-grade crawlspaces may have higher flood insurance premiums than buildings that use the NFIP preferred construction practice, and permitting such practice in accordance with this subsection shall not impose any liability on the city, its officers or employees, nor relieve the property owner from payment of the applicable premiums.

b. *Nonresidential construction.* Construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement, elevated on fill to at least one foot above the base flood elevation or, together with attendant utility and sanitary facilities shall:

- (1) Be dry floodproofed to at least two feet above the base flood elevation, so that below this elevation the structure is watertight with walls substantially impermeable to the passage of water;~~;~~
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; ~~and-~~
- (3) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in section 11-09-04, subsection 3(c)(2).

c. *Wet floodproofing of nonresidential construction.* Wet floodproofing may be authorized for (i) enclosures below elevated buildings, (ii) attached garages, and (iii) non-elevated accessory structures, in accordance with International Residential Code and the NFIP, including the requirements provided in Technical Bulletins 1 and 7. Except for enclosures below elevated buildings, wet floodproofing is only permitted upon approval of a variance pursuant to section 11-09-04(4).

(1) Enclosures below elevated buildings.

- a. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding is permitted provided that the following criteria are met or exceeded:
  - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they allow the automatic entry and exit of floodwaters.

ed. Manufactured homes.

- (1) Manufactured homes shall be installed using methods and practices which minimize flood damage and shall be anchored in accordance with section 11-09-05, subsection 1(a)(2).
- (2) All manufactured homes ~~or those to be placed or~~ substantially improved within Zones A1 – A30, AH, or AE on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision which has incurred substantial damage, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated on fill to at least one foot above the base flood elevation, ~~and is securely anchored to an adequately anchored foundation system.~~
- (3) Manufactured homes placed or substantially improved on sites in an existing manufacture home park or subdivision within Zones A1-A30, AH, or AE not subject to other requirements of subdivision d, shall be elevated so that either:
  - (i) the lowest floor of the manufactured home is one foot above the base flood elevation, or
  - (ii) the manufacture home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36” in height above grade.

e. Recreational vehicles. All recreational vehicles to be placed on a site within Zones A1 – A30, AH, and AE shall be fully licensed and highway ready and shall be on the site for less than 180 consecutive days.

3. *Floodways.* Located within the special flood hazard areas established in section 11-09-03, subsection 2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. Any increase, as is used in this section, means any modeled impact greater than 0.00 feet.
- b. If section 11-09-05, subsection 3(a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of ~~section 11-09-05, provisions for flood hazard reduction~~ this chapter.

**Section 11-09-06. Penalties for violations.**

1. Violation of the provisions of this chapter or failure to comply with any of its requirements, including violations on conditions and safeguards established in connection with grants or variances or conditional uses, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be punished by a fine not exceeding \$1,500.00 or by imprisonment not to exceed 30 days or by both such fine and imprisonment for each such offense, and in addition shall pay costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

2. Nothing herein contained shall prevent the Board of City Commissioners ~~Valley City Commission~~ from

taking such other lawful action as is necessary to prevent or remedy any violation.

**Section 11-09-07. Floodplain Management Reporting.**

The City Finance Director shall certify to the North Dakota Department of Water Resources on or before March 31 of each year that the city is undertaking floodplain management activities under N.D.C.C. ch. 61-16.2

**Section 2.** Any ordinances of the City of Valley City which are in conflict with this ordinance are hereby repealed.

**Section 3.** Should any part of this ordinance be declared unconstitutional or invalid, the remaining portion thereof will remain in full force and effect.

**Section 4. Effective Date.** This ordinance shall be in full force and effect from and after its final passage, approval, and publication.

**Section 5.** Upon enactment, the City Finance Director shall forward a copy of this ordinance to the North Dakota Department of Water Resources for inclusion in the central repository.

ATTEST:

\_\_\_\_\_  
Dave Carlsrud, President of the Board of City  
Commissioners, City of Valley City

\_\_\_\_\_  
Brenda Klein, Finance Director

Introduction and First Reading:  
Second Reading and Final Approval:  
Publication and Effective Date:

# ORDINANCE NO. 1174

An omnibus ordinance to amend and reenact sections of the Valley City Municipal Code relating to the 2025 state legislative session.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF VALLEY CITY, BARNES COUNTY, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF VALLEY CITY, NORTH DAKOTA:

**Section 1.** Section 4-01-15.1 of the Valley City Municipal Code is created and enacted as follows:

**Section 4-01-15.1. - Evidence of individual under twenty-one years of age on licensed premises - Proof of identification - Refusal - Penalty.**

1. If a law enforcement officer has reasonable and articulable suspicion that an individual under the age of twenty-one is on licensed premises for a purpose prohibited under section 4-01-15, the officer may request the individual to furnish a nondriver photo identification card or an operator's license to verify the individual's age.

2. An individual who refuses to provide proof of identification upon request is guilty of an infraction.

3. If an individual charged with an infraction under this section produces a nondriver photo identification card or an operator's license before the final disposition of the infraction establishing the individual was twenty-one years of age or older at the time of the officer's request to furnish identification, the city attorney shall dismiss the infraction against the individual.

**Section 2. Amendment.** Section 1-01-11 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 1-01-11. - Authority of municipal court—Penalties for violations—Sentencing alternatives.**

The provisions of N.D.C.C. Ch. 40-18, 1, and all subsequent amendments thereto, are incorporated by reference. The judge of the municipal court has all of the authority provided therein for the enforcement of orders and judgments, punishment for contempt, and imposition of sentence, including sentencing alternatives.

**Section 3. Amendment.** Section 1-01-11 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 1-01-11.1. - Disposition of criminal offenses—Procedures.**

An offense designated as a class B misdemeanor or infraction must be prosecuted as provided in the Valley City Municipal Code, North Dakota Century Code, and rules of this state relating to criminal procedure. The provisions of N.D.C.C. Ch. 12-60.1 (Sealing Criminal Records), and Ch. 12.1-32 (Penalties and Sentencing), including the procedure for trial of an infraction set forth in N.D.C.C. § 12.1-32-03.1, are incorporated herein by reference, and shall apply to dispositions of criminal offenses prosecuted in municipal court.

**Section 4. Amendment.** Section 17-02-03 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 17-02-03. - Harassment.**

A person is guilty of an offense if, with intent to frighten or harass another, the person:

- a. Makes contact anonymously or in offensively coarse language, by telephone, email, or other electronic means;

- b. Makes repeated ~~telephone calls~~ contact by telephone, email, or other electronic means, whether or not a conversation ensues, with no purpose of legitimate communication; ~~or~~
- c. Communicates a falsehood in writing or by telephone ~~ie~~, email, or other electronic means, and causes mental anguish; ~~or~~
- d. Uses a robot to engage in offensive conduct with no legitimate purpose.

As used in this section "robot" means an artificial object or system that senses, processes, and acts using technology, including the associated elements, communication links, and artificial intelligence. The term includes remotely piloted aircraft.

**Section 5. Amendment.** Section 17-05-05 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 17-05-05. - ~~Unlawful discharge of~~ Use and possession of firearms and dangerous weapons.**

1. ~~It shall be unlawful for a~~ Any person within the city to who fires, discharges, or activates any firearm, gun, or other similar device or or dangerous weapon within the city is guilty of a class B misdemeanor. This section shall not apply to citizens in lawful defense of persons or property; law enforcement officers or members of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations in the discharge performance of their duties; members of the militia, or regularly organized gun clubs on their authorized shooting ranges; and veterans organizations, athletic organizations or other similar organizations may discharge weapons using blank cartridges for signal or ceremonial purposes during parades, funerals, or other similar events. Nothing in this section shall be construed to prohibit the firing of a firearm, gun, or other similar device or weapon when done in self defense or the defense of others, or in other cases of actual necessity.
2. ~~For the purposes of this section, the terms "firearm, gun, or other similar device or weapon" shall include the weapons defined by Section 61.2 01-01(1) of the North Dakota Century Code.~~
2. Except as permitted by N.D.C.C. § 62.1-02-05, it shall be unlawful for a person to possess a firearm or dangerous weapon at:
  - a. A school or school-sponsored event on school property;
  - b. A church or other place of worship; or
  - c. A publicly owned or operated building.

An individual who knowingly violates this subsection is guilty of a noncriminal offense punishable by a fee of one hundred dollars in accordance with section 1-01-11.2.

**Section 6.** Section 14-06.1-10 of the Valley City Municipal Code is created and enacted as follows:

**Section 14-06.1-10. – Reserved.**

**Section 7.** Section 14-06.1-10.1 of the Valley City Municipal Code is created and enacted as follows:

**39-06.1-10.1. Alternative disposition - Driver training course - Exceptions.**

1. An individual issued a summons or notice to appear under section 39-07-07 may appear before the municipal court and elect to attend a driver training course approved by the director in lieu of entry of points



on the licensee's driving record. An individual who elects to attend the course must so notify the municipal court at the time of posting the bond, which is forfeited even though an election is made under this section. The individual who makes the election shall pay the driver training course fee to the driver training course sponsor. If an individual elects to attend the course, the point penalty of five points or fewer for the violation by N.D.C.C. § 39-06.1-10 may not be assessed if proof of completion of the course is presented to the department within thirty days after the individual notifies the court of the election. An individual may not make an election under this section if:

- a. That individual has made an election under this section within the twelve months preceding the date of issuance of the summons or notice to appear;
- b. The offense is assigned six or more points; or
- c. The offense is an offense listed in section 14-06.1-05.

2. An individual making an election under this section forfeits any point reduction option under N.D.C.C § 39-06.1-13.

**Section 8. Amendment.** Section 14-04-11 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-04-11. - Display of number plates and tabs.**

~~Except as~~Unless otherwise ~~specifically~~ provided by law, ~~a person~~an individual may not operate ~~or drive~~ a vehicle on ~~the a~~ public highways of this city unless the vehicle has a distinctive number assigned to it by the department, and two number plates, bearing the distinctive number conspicuously displayed, horizontally and in an upright position, one on the front and one on the rear of the vehicle, each securely fastened, except number plates assigned to ~~a motorcycle, trailer, or~~ house-trailer must be attached to the rear ~~thereof of the house~~trailer. An individual may operate a motor vehicle on a public highway of this state with a valid temporary registration permit. A temporary registration permit obtained from the department or a licensed vehicle dealer must be displayed on the rear window, the rearmost driver's side window, or in the location of the rear license plate. The temporary registration permit must be clearly visible and free of any obstructions. Number plates assigned to a motorcycle or trailer must be attached to the rear of the motorcycle or trailer and may be displayed vertically. When only one number plate is furnished for an apportioned vehicle licensed under the international registration plan as authorized in N.D.C.C. § 39-19-04, truck tractor, or semitrailer, the plate must be attached to the front of the apportioned vehicle or truck tractor and the rear of the semitrailer. The bottom of each number plate must be at a height of not less than 12 inches [30.48 centimeters] above the level surface upon which the vehicle stands. Each plate must be mounted in a visible manner ~~that does not cover any words, letter, or number~~clearly displays the distinctive number assigned to the vehicle and the name of the state on the plate. As far as is reasonably possible, the plates must at all times be kept free and clear of mud, ice, or snow so as to be clearly visible and all number plates, markers, or evidence of registration or licensing except for the current year must be removed from the vehicle. All vehicle license plates issued by the department ~~continue to be~~are the property of the ~~State of North Dakota~~department for the period for which the plates are valid. An annual registration tab or sticker for the current registration year must be displayed on each number plate, in the area designated by the department for the tab or sticker, in those years for which tabs or stickers are issued in lieu of number plates.

**Section 9. Amendment.** Section 14-04-37 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-04-37. - Violations of registration provisions.**

It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit anyone to operate, upon a highway any vehicle ~~and~~ the registration of which has been canceled or revoked, or for which the registration fees required in this title or Title 39 of the North Dakota Century Code have not been paid, or which does not have attached thereto and displayed thereon a number plate, plates, temporary registration permit, or validation tabs



assigned thereto by the director for the current registration period, subject to the exemptions allowed in N.D.C.C. Ch. 39-04.

2. To display or cause or permit to be displayed, or to have in possession, any registration card, registration number plate, temporary registration permit, or validation tabs knowing the same to be fictitious or to have been canceled, revoked, suspended, or altered.
3. To lend any registration number plate, registration card, temporary registration permit, or validation tabs to any person not entitled thereto, or knowingly permit the use of any registration number plate or registration card by any person not entitled thereto.
4. To fail or refuse to surrender to the department, upon demand, any registration card, registration number plate, temporary registration permit, or validation tab which has been suspended, canceled, or revoked as is provided in this chapter.
5. To use a false or fictitious name or address in any application for the registration of any vehicle, or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise to commit a fraud in any application.
6. To operate, or for the owner thereof knowingly to permit anyone to operate a motor vehicle on a highway if the owner is employed in this state on a temporary or full-time basis, is a resident of the state, and does not have a temporary registration permit when required under subsection 1. of section 39-04-18.2. As used in this subsection, the term "resident" means a resident as defined under subdivision e. of subsection 2. of section 39-04-18.

**Section 10. Amendment.** Subsection 3 of Section 14-01-15 of the Valley City Municipal Code is amended and reenacted as follows:

3. A certificate issued under this section must be hung from the rearview mirror or placed on the dashboard of the motor vehicle whenever the vehicle is occupying a space reserved for the mobility impaired and is being used by a mobility-impaired individual or another individual for the purposes of transporting the mobility-impaired individual. No part of the certificate may be obscured. A fee of \$5.00 may be imposed for a violation of this subsection.

**Section 11.** Section 14-10-71.1 of the Valley City Municipal Code is created and enacted as follows:

**14-10-71.1. Motor vehicle owner's responsibility regarding a driver who flees a peace officer - Exceptions.**

1. The owner of a motor vehicle involved in a violation of section 14-10-71 is presumed to have violated this section.
2. A peace officer may proceed in accordance with this section instead of pursuing the driver of a motor vehicle who flees or attempts to elude the peace officer after being given a visual or audible signal to bring the vehicle to a stop in violation of section 14-10-71.
  - a. A peace officer may investigate the violation and prepare a traffic citation under this section.
  - b. A peace officer may issue a traffic citation under this section in accordance with the North Dakota Rules of Civil Procedure to the motor vehicle owner within 96 hours after observing the violation.
3. A motor vehicle owner may not be found to have violated this section if:
  - a. The driver operating the motor vehicle at the time of the violation of section 14-10-71 has been charged with a violation of section 14-10-71.
  - b. The motor vehicle was reported stolen before the violation occurred or within a reasonable time after

- the violation occurred.
- c. The motor vehicle owner assists or cooperates with a peace officer to demonstrate the owner was not the one who operated the motor vehicle at the time and place of the violation of section 14-10-71.
  - d. The motor vehicle owner provides information that demonstrates the owner was not the driver of the motor vehicle at the time of the offense.
4. A motor vehicle owner may not be found to have violated this section, and the lessee is presumed to have violated this section, if the motor vehicle owner is a lessor of vehicles and at the time of the violation of section 14-10-71 the motor vehicle was in the possession of a lessee, and the lessor provides a peace officer with the motor vehicle's registration number and the name, address, and operator's license number of the individual renting or leasing the motor vehicle.
5. An individual may not be charged both with violating this section and section 14-10-71 for acts arising out of the same incident or occurrence.
6. This section may not apply to a motor vehicle rental company that rents motor vehicles to customers for a period of ninety days or less.

**Section 12. Amendment.** Section 14-10-3.1 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-10-03.1. - Class B authorized emergency vehicles.**

1. The driver of a class B authorized emergency vehicle may:
  - a. Park or stand, irrespective of the provisions of this chapter.
  - b. Exceed the speed limit so long as the driver does not endanger life or property during the time of a local or national disaster.
  - c. Disregard regulations governing direction of movement or turning in specified directions.
2. The exceptions herein granted to a class B authorized emergency vehicle apply only when the authorized emergency vehicle is displaying an amber and white light visible under normal atmospheric conditions for a distance of 500 feet [152.4 meters] in any direction, and:
  - a. When it is necessary for the authorized emergency vehicle to use these exemptions for the immediate protection of life or property;
  - b. When an authorized emergency vehicle is stopped on a highway for the purpose of performing a duty as required of the driver; or
  - c. When traveling at a speed slower than the normal flow of traffic.
3. A class B authorized emergency vehicle may display a flashing blue light when the vehicle is stopped on a highway. A class B authorized emergency vehicle may not display a flashing blue light when transporting another vehicle or when traveling on a highway

**Section 13. Amendment.** Section 14-21-26 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-21-26. - Special restrictions on lamps.**

1. Any lighted lamp or illuminating device ~~up~~ on a motor vehicle, other than headlamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, which projects a beam of light of an intensity greater than 300 candlepower must be ~~so~~-directed so that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a

distance of more than 75 feet [22.86 meters] from the vehicle.

2. ~~No~~ A person may not drive or move any vehicle or equipment ~~upon~~ any highway with ~~any~~ lamp or device ~~thereon~~ displaying a red or green light visible from directly in front of the center ~~thereof~~ of the vehicle or equipment. This section does not apply to ~~any~~ vehicle upon which a red light visible from the front is expressly authorized or required by this chapter.
3. Flashing lights are prohibited except on:
  - a. ~~a~~ An authorized emergency vehicle;
  - b. ~~a~~ A school bus;
  - c. ~~s~~ Snow-removal equipment
  - d. A vehicle owned by a funeral home, which may display a flashing purple light only while used for the purpose of escorting a funeral procession; or
  - e. ~~on a~~ Any vehicle as a means of indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing.

**Section 14. Amendment.** Section 14-09-02 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-09-02. - Speed limitations.**

1. The speed limit within the incorporated city limits of the city shall be 25 miles [40.23 kilometers] an hour unless posted otherwise. Subject to the provisions of section 14-09-01 and except in those instances when a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
  - a. Twenty miles [32.19 kilometers] an hour when approaching within 50 feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last 200 feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of 400 feet [121.92 meters] in each direction from such crossing.
  - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours, ~~unless a lower speed is designated or posted by local authorities.~~
  - c. Twenty miles [32.19 kilometers] an hour when approaching within 50 feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last 50 feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of 200 feet [60.96 meters] from such intersection.
  - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of 100 feet [30.48 meters].
  - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, ~~unless a different speed is designated and posted by local authorities.~~
  - f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane county and township highways if there is no speed limit posted, unless otherwise permitted, restricted, or required by conditions.
  - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if posted for that speed, unless otherwise permitted, restricted, or required by conditions.
  - h. Seventy miles [112.65 kilometers] an hour on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.
  - i. ~~Seventy five~~ Eighty miles [~~120.70~~ 128.75 kilometers] an hour on access-controlled, paved and divided,

- multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.
- j. The speed limit in all alleys, trailer parks and parking lots within the is 15 miles per hour, unless otherwise posted.
  2. The city may designate and post special areas of roadways where lower speed limits apply. Differing limits may be established for different times of the day within highway construction zones which are effective when posted upon appropriate fixed or variable speed limit signs.
  3. Except as provided by law, ~~it is unlawful for any~~ a person ~~to may not~~ drive a vehicle ~~upon~~ a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.
  4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

**Section 15.** Section 14-06.1-11 of the Valley City Municipal Code is created and enacted as follows:

**14-06.1-11. Violation committed with temporary restricted license.**

An individual who has a temporary restricted driver's license pursuant to N.D.C.C. § 39-06.1-11 and commits a moving traffic violation is subject to the fee specified for the violation, plus an additional fee of \$100.00.

**Section 16. Amendment.** Subsection 4 of Section 14-21-39 of the Valley City Municipal Code is amended and reenacted as follows:

4. An individual may not operate a motor vehicle with any object, material, or tinting displayed, affixed, or applied on the front windshield or any window unless the object, material, or tinting in conjunction with the windshield upon which it is displayed, affixed, or applied has a light transmittance of at least 70 percent or the object, material, or tinting in conjunction with a window other than the windshield upon which it is displayed, affixed, or applied has a light transmittance of at least ~~35~~50 percent. This subsection does not apply to windows behind the operator if the motor vehicle is equipped with outside mirrors on both sides ~~that which~~ meet the requirements of section 14-21-38.

**Section 17. Amendment.** Subsection 3 of Section 14-06-42 of the Valley City Municipal Code is amended and reenacted as follows:

3. A court may dismiss a charge under this section upon motion by the defendant if the defendant's operator's license is reinstated within 60 days of the date of the offense and the defendant provides to the court satisfactory evidence of the reinstatement. Alternatively, upon motion, the municipal court may grant a motion to amend a charge under this section to a violation of section 14-06-01.

**Section 18. Amendment.** Section 14-09-01 of the Valley City Municipal Code is amended and reenacted as follows:

**Section 14-09-01. - Basic rule—Penalty for violation.**

1. ~~No person~~An individual may ~~not~~ drive a vehicle at a speed greater than is reasonable and prudent under the conditions and ~~having shall drive with~~ regard to ~~the existing~~ actual and potential hazards ~~then existing~~. ~~Consistent with the foregoing, every person~~An individual shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when

special hazards exist with respect to pedestrians, ~~or other traffic, or by reason of~~ weather, or highway conditions. ~~Any person~~ An individual who drives a vehicle upon a highway or private or public property open to the public for the operation of motor vehicles ~~without heed to~~ in violation of the requirements or restrictions of this section ~~has committed~~ is guilty of careless driving and must be assessed a fee ~~as provided by section 14-06.1-06~~ of \$100.00.

~~Any person who, by reason of careless driving as herein defined, causes~~

2. An individual is guilty of an infraction if the individual violates subsection 1 of this section and:

- a. Causes and inflicts injury ~~upon~~ the person of an operator of snow removal equipment engaged in snow removal operations;
- b. Causes and inflicts injury on the person of:
  - i. A first responder acting within their official capacity and displaying a visible flashing, revolving, or rotating blue, white, or red light, or hazard warning signal, while stationary on the side of a roadway;
  - ii. The operator or occupant of an authorized emergency vehicle acting within their official capacity and displaying a visible flashing, revolving, or rotating blue, white, or red light, or hazard warning signal, while stationary on the side of a roadway; or
  - iii. An individual assisting another individual displaying a visible hazard warning light while stationary on the side of a roadway;
- c. ~~or e~~ Causes damage in excess of \$14,000.00 to snow removal equipment engaged in snow removal ~~is guilty of an infraction; or~~
- d. Causes damage in excess of \$4,000.00 to an authorized emergency vehicle.

As used in this section, "snow removal equipment" means a vehicle that is operated by ~~a person~~ an individual employed by or on behalf of an authority in charge of the maintenance of the highway to perform winter maintenance snow and ice removal, including plowing, hauling away, salting, and sanding.

**Section 19. Amendment.** Section 14-06.1-06 of the Valley City Municipal Code is amended and reenacted as follows:

#### **Section 14-06.1-06. - Fees for noncriminal violations.**

The fees required for a noncriminal disposition pursuant to either section 14-06.1-02 or 14-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 14-06.1-08, the fee shall be double the amount of the fee set by N.D.C.C. § 39-06.1-06, for the equivalent ~~city ordinance~~ state law violation, excluding violations related to an unlawfully parked or standing vehicle.
2. For a moving violation as defined in section 14-06.1-09, the fee shall be double the amount of the fee set by N.D.C.C. § 39-06.1-06, for the equivalent ~~city ordinance~~ state law violation, except
  - a. For a violation of subsection (2) of section 14-10-21.1 on a road on which the speed limit is posted in excess of 65 miles per hour, the fee shall be as set by N.D.C.C. § 39-06.1-06, for the equivalent ~~city ordinance~~ state law violation.
3. For a speed violation as defined in section 14-09-02, the fee shall be ~~double the amount of the fee~~ as set by N.D.C.C. § 39-06.1-06, for the equivalent ~~city ordinance~~ state law violation, ~~with the exception of the following, for which the fee shall be as set by N.D.C.C. § 39-06.1-06, for the equivalent city ordinance:~~
  - a. ~~On a road on which the speed limit is posted in excess of 65 miles per hour.~~

~~b. In an area designated as a highway construction zone.~~

4. For a violation of this title related to an unlawfully parked or standing vehicle, the fee shall be \$20.00, unless another fee is specifically provided.

**Section 20.** Section 14-21-33.1 of the Valley City Municipal Code is created and enacted as follows:

**39-21-33.1. Engine compression brake device - Prohibited - Posting.**

1. An operator of a commercial motor vehicle may not use an engine compression brake device that creates a noise disturbance in a zone posted as prohibiting the use of an engine compression brake device.
2. Subsection 1 does not apply to the use of an engine compression brake device during an emergency situation.

**Section 21.** Subsection 4 of Section 14-10-16 of the Valley City Municipal Code is amended and reenacted as follows:

4. After a vehicle enters a rotary traffic island, the vehicle may ~~not~~ exit from any position within the rotary traffic island without ~~first~~ giving a signal of intention to exit the rotary traffic island.

**Section 22.** Any ordinances of the City of Valley City which are in conflict with this ordinance are hereby repealed.

**Section 23.** Should any part of this ordinance be declared unconstitutional or invalid, the remaining portion thereof will remain in full force and effect.

**Section 24. Effective Date.** This ordinance shall be in full force and effect from and after its final passage, approval, and publication.

ATTEST:

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Dave Carlsrud, President of the Board of City  
Commissioners, City of Valley City

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Brenda Klein, Finance Director

Introduction and First Reading:  
Second Reading and Final Approval:  
Publication and Effective Date:



Parcel # 63-3110126

628 Main St East

Assessed Value \$34,700



628 MAIN ST E, VALLEY CITY

Deed: MCCLURE ARLENE A

Map Area: 30

Checks/Tags:

Contract:

Route: 010-006-100

Lister/Date: GM, 05/25/2004

CID#: 311

Tax Dist: VALLEY CITY

Review/Date: NRL, 11/17/2011

DBA:

Plat Page: 201

Entry Status: Estimated

MLS: 3110126

Subdiv: 0010 MORRISON'S ADDITION

Urban / Residential

Legal: LOT 14 BLK 1 MORRISON'S ADDITION

## Land

Land Basis	Front	Rear	Side 1	Side 2	R. Lot	SF	Acres	Depth / Unit	EFF / Type	Qual./Land	Unit Price	Total	Topo	Econ	Other	\$Adj	Land Total (Rnd to \$100)
Front Foot	50.00	50.00	282.00	282.00	0.00			1.23	61.50	R-175	\$183.62						
Sub Total						14,100.00	0.324					\$11,293	0%	0%	0%		\$11,300
Grand Total						14,100.00	0.324					\$11,293					\$11,300

## Land Site Items

Front Foot	Street: Paved	Utilities: City	Zoning: Multi Unit FW
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## Sales

## Building Permits

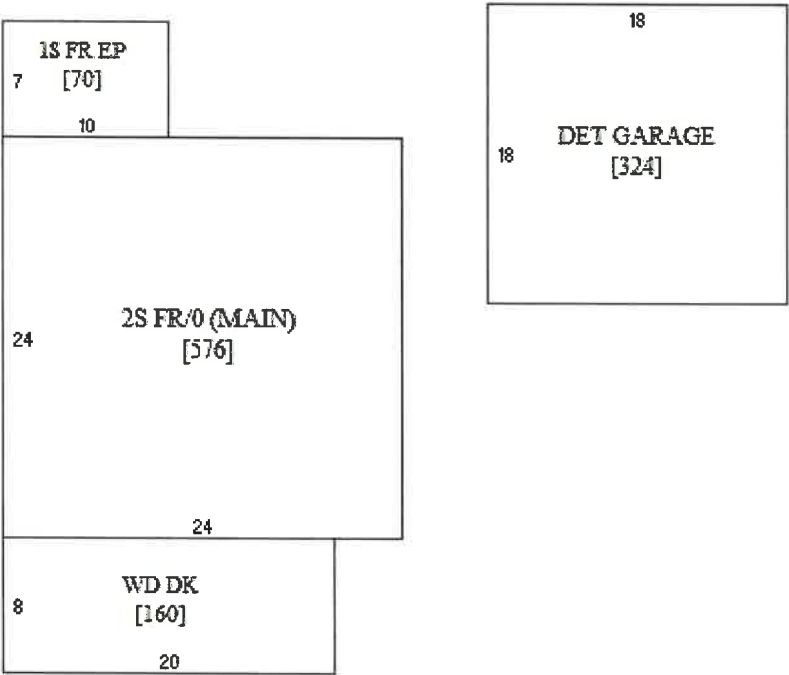
## Values

Date	\$ Amount	NUTC	Recording	Date	Number	Tag	\$ Amount	Reason	Type	Appraised	Prior Yr: 2025
									Land	\$11,300	\$11,300
									Dwlg	\$23,400	\$23,400
									Impr		
									Total	\$34,700	\$34,700

Item	Descriptions	Size / Dim	Additional Comments	Grade							Depr. Total		Appr. Value
Count	Adjustments	Units		Cond	Year	Mult	Phys%	Fobs%	Eobs%	Other%	(Rnd to dollar)	Map	(Rnd to \$100)

Prior Year	Comments	Value	Loc	Class	Land Value	Dwelling Value	Improvement Value	M & E Value	Total Value
2025		Appr	Urban	Res	\$11,300	\$23,400	\$0	\$0	\$34,700
2024		Appr	Urban	Res	\$11,300	\$21,500	\$0	\$0	\$32,800
2023		Appr	Urban	Res	\$11,300	\$31,900	\$0	\$0	\$43,200
2022		Appr	Urban	Res	\$9,700	\$35,100	\$0	\$0	\$44,800
2021		Appr	Urban	Res	\$9,700	\$31,400	\$0	\$0	\$41,100
2020		Appr	Urban	Res	\$8,100	\$30,300	\$0	\$0	\$38,400
2019		Appr	Urban	Res	\$8,100	\$27,400	\$0	\$0	\$35,500
2018		Appr	Urban	Res	\$8,100	\$26,800	\$0	\$0	\$34,900
2017		Appr	Urban	Res	\$8,100	\$25,600	\$0	\$0	\$33,700
2016		Appr	Urban	Res	\$8,100	\$25,600	\$0	\$0	\$33,700





Sketch 1 of 1

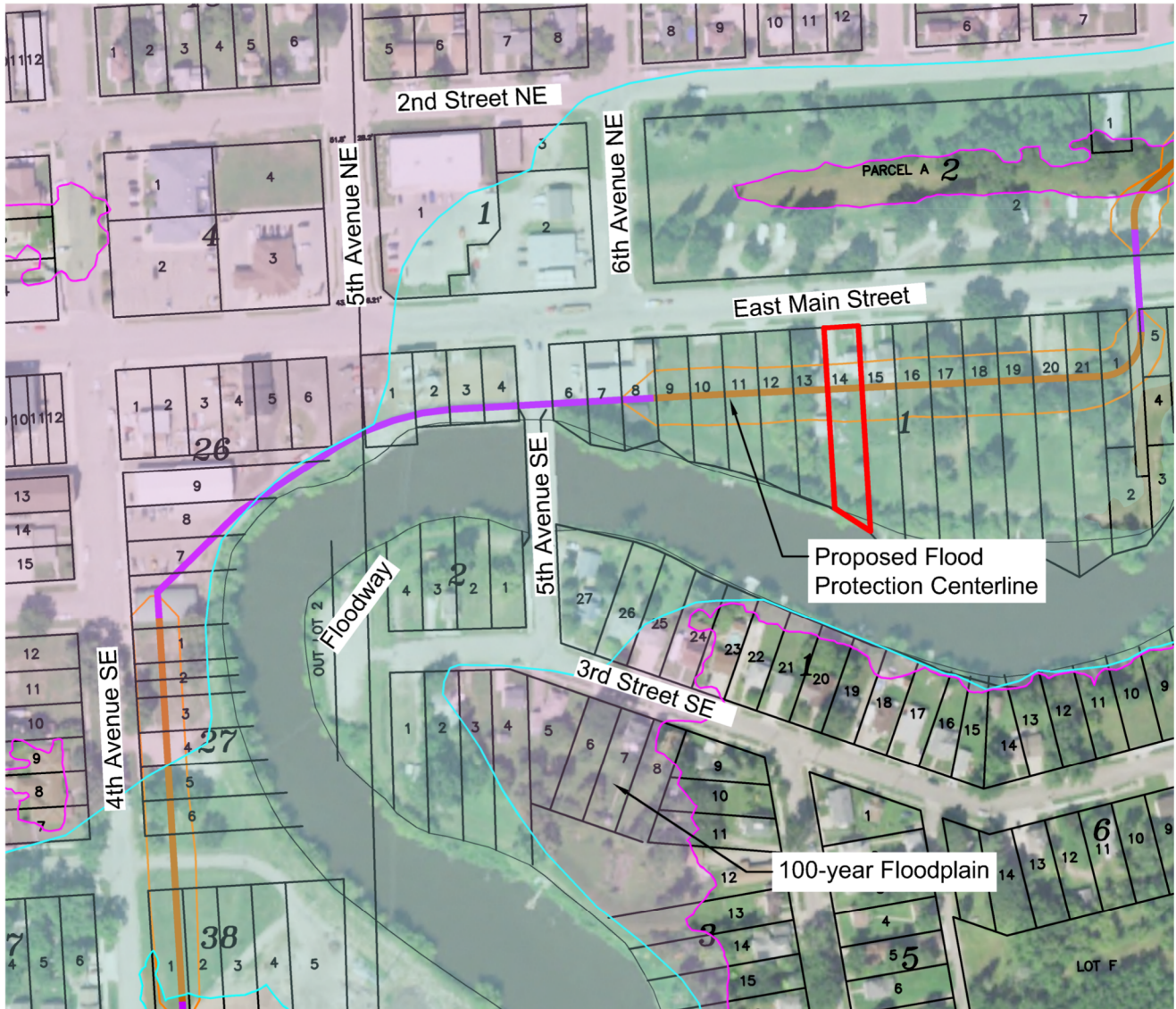


Count	Notes
1	<p>VAI 05/25/2004 - SHOWS WEAR AND TEAR. FLOOR COVERINGS POOR. ORIGINAL WITH FEW OR NO UPDATES. ORIGINAL KITCHEN, BATH AND WINDOWS. 1991 CONVERTED 2ND FLR BDRM TO BATH, SIDING AND ROOF. 2000 ENCLOSED PORCH WINDOWS.</p> <p>11/17/2011 - ESTIMATED ASSUMED UPDATED INTERIOR 02/11/2015 CHG'D LAND RATE FROM R-75 TO R-125 08/07/2015 REDUCED LOCATION OBO / ADDED CA</p> <p>07/02/2018 NO INSPECTION, NO RESPONSE / WINDOW UNIT AC - REMOVED LISTED CA / NO OTHER UPDATES APPARENT / REMOVED OBO / ADDED BSMT LISTED IN PROP CARD AND CORRECTED AGE FROM 1900 TO 1905 03/11/2020 COND NML 11/19/2020 CORRECTED AMT OF BSMT SF / LAND 150</p> <p>01/03/2023 LAND INCREASED TO R-175</p>

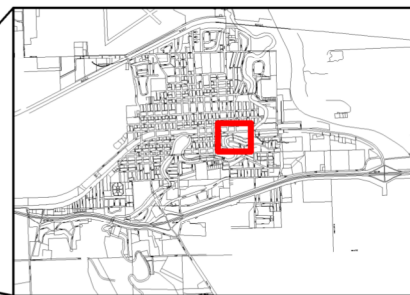
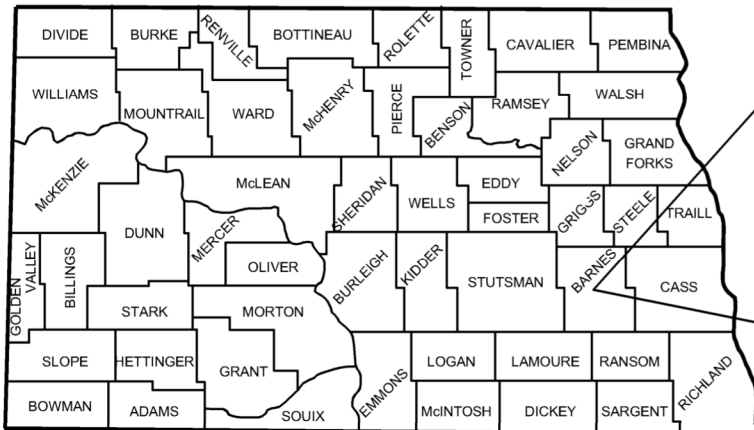
# PROPOSED BUYOUT - 2025

## Permanent Flood Protection

### City of Valley City, North Dakota



**Proposed Buyout - 628 Main Street E**



Valley City, ND

