

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1407

Introduced by

Representatives Wrangham, Bellew, Pollert

1 A BILL for an Act to create and enact a new section to chapter 40-49 of the North Dakota
2 Century Code, relating to referral of an ordinance adopted by a board of park commissioners.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 40-49 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Petition to refer ordinance - Suspension of ordinance - Publication - Ballot.**

- 7 1. An ordinance that has been adopted by the board of park commissioners may be
8 referred to the qualified electors of the park district by a petition protesting the
9 ordinance. The petition must be signed by qualified electors of the park district
10 equal to at least ten percent of the entire vote cast for all candidates for executive
11 officer of the city at the preceding regular city election and must be presented to
12 the board of park commissioners within ten days and before four p.m. on the tenth
13 day after the ordinance described in the petition became effective. Unless the
14 ordinance protested against was passed by at least a two-thirds vote of the
15 members of the board of park commissioners for the immediate preservation of the
16 public peace, health, and safety and contains a statement of its urgency, an
17 ordinance protested against is suspended upon the filing of a petition. A petition
18 filed under this section must meet the requirements of sections 40-12-03 and
19 40-12-04 and the city auditor shall examine and certify the petition as provided in
20 section 40-12-05.
- 21 2. When a referendum petition is filed, the board of park commissioners shall
22 reconsider the ordinance described in the petition, and if the ordinance is not
23 entirely repealed, the board shall submit the ordinance to the vote of the qualified
24 electors of the park district at the next regular city election or at a special election

1 to be called for that purpose. The ordinance may not become effective unless a
2 majority of the qualified electors voting on the question vote in favor of the
3 ordinance. If the referred ordinance was not suspended by the filing of the
4 referendum petition, the ordinance becomes void if the ordinance is disapproved
5 by a majority vote of the qualified electors voting on the question.

6 3. The city auditor shall publish an ordinance to be submitted to the electors under
7 this section once in the official newspaper of the city. The publication must be
8 made no more than twenty days nor fewer than five days before the submission of
9 the ordinance to a vote.

10 4. The ballot to be used in voting upon a referred ordinance must be in substantially
11 the following form:

12 Shall ordinance no. _____ relating to (stating the nature of the proposed ordinance)
13 approved by the board of park commissioners be approved?

14 Yes ☐

15 No ☐