

CHAPTER 33

HOUSING AND REDEVELOPMENT

Article

33-01 Housing and Redevelopment Authority, §§ 33-0101 to 33-0108.

ARTICLE 33-01

HOUSING AND REDEVELOPMENT AUTHORITY

Section

33-0101 Fargo Urban Renewal Agency and Fargo Housing Authority abolished.
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33-0101. Fargo Urban Renewal Agency and Fargo Housing Authority abolished.--The Fargo Urban Renewal Agency as created in accordance with § 40-58-16 of the North Dakota Century Code, by resolution of the Fargo board of city commissioners dated May 1, 1956, and the Fargo Housing Authority as created under authority of § 23-11-02 of the North Dakota Century Code, by resolution of the Fargo board of city commissioners dated June 18, 1968, are hereby abolished and said resolutions shall be deemed to have been rescinded.

Source: 1965 Rev. Ord. 33-0101, 1695 (1976), 1970 (1980).

33-0102. Fargo Housing and Redevelopment Authority established.--There is hereby created a body to be known as the Housing and Redevelopment Authority of the city of Fargo. Except as hereinafter provided, said body shall assume the rights, duties, responsibilities, debts and liabilities of the Urban Renewal Agency of the city of Fargo and the Fargo Housing Authority.

Source: 1965 Rev. Ord. 33-0102, 1695 (1976), 1741 (1976), 1970 (1980).

33-0103. Number of members--Chairman--Rules.--The housing and redevelopment Authority shall consist of five members plus one optional additional member, who shall be appointed as hereinafter provided. The members of said authority shall elect a chairman and a vice-chairman on an annual basis and shall adopt rules and regulations for the transaction of its business.

Source: 1965 Rev. Ord. 33-0103, 1695 (1976), 1970 (1980), 2711 (1994), 4496 (2005).

33-0104. Terms of members--Appointment--Vacancies.--The mayor shall appoint five members of the housing and redevelopment authority, who shall be residents of the city of Fargo, and such appointments shall be made as follows: two members who shall serve for a term of three

years commencing October 1, 1994; two members who shall serve for a term of two years commencing October 1, 1994; and one member who shall serve for a term of one year commencing October 1, 1994. Additionally, upon request of the Housing and Redevelopment Authority, the city may appoint a sixth member for a regular three-year term. At the expiration of the terms of the members as aforesaid, members shall be appointed for three-year terms. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of said term. Notwithstanding the expiration of a member's term, such member may serve until his or her successor has been appointed and qualified.

Source: 1965 Rev. Ord. 33-0104, 1695 (1976), 1970 (1980), 2711 (1994), 4496 (2005).

33-0105. Confirmation of appointments by board of city commissioners.--The president of the board of city commissioners shall appoint the members of the housing and redevelopment authority on or before the second regular meeting of the board of city commissioners in September of each year, and shall submit the names of the persons appointed and the lengths of their terms to the board of city commissioners at the second meeting of said board in September of each year; and the board of city commissioners shall, by a majority vote, confirm or reject such appointments. If such appointments are rejected, the president of the board of city commissioners shall make other appointments, which shall be approved or rejected in the same manner as hereinabove stated.

Source: 1965 Rev. Ord. 33-0105, 1695 (1976), 1970 (1980).

33-0106. Powers of authority--Compensation of members.--The housing and redevelopment authority shall have such powers and shall perform such duties as may now, or hereinafter be provided by state statutes relating to urban renewal agencies and housing authorities, plus any additional powers and duties which may be granted by resolution of the board of city commissioners; provided, however, that such powers and duties in connection with any urban renewal projects commenced subsequent to the adoption of this ordinance shall be vested in the board of city commissioners as provided in § 40-58-14 of the North Dakota Century Code unless such powers and duties are expressly conferred on the housing and redevelopment authority by resolution of the board of city commissioners. The housing and redevelopment authority shall also be subject to limitations as hereinafter provided in § 33-0107 of this article. The members of the housing and redevelopment authority shall receive no compensation, except that they may be allowed actual expenses for traveling as provided by law.

Source: 1965 Rev. Ord. 33-0106, 1695 (1976), 1970 (1980).

33-0107. Limitation of powers of authority.--The housing and redevelopment authority shall have such powers and duties as stated in § 33-0106 of this article; provided, however, that any action taken by the housing and redevelopment authority may be rescinded by the board of city commissioners of the city of Fargo within 30 days of the date of such action. In the event that the authority desires immediate final action on any matter, such matter may be submitted to the board of city commissioners at the next regular meeting following the date of action by the authority, and the board of city commissioners shall approve or disapprove such action, and approval thereof shall constitute final action notwithstanding the fact that 30 days from the date of action by the authority may not have elapsed.

Source: 1965 Rev. Ord. 33-0107, 1695 (1976), 1970 (1980).

33-0108. Determination of necessity.--In accordance with the intent of §§ 40-58-04 and 23-11-03 of the North Dakota Century Code, it is hereby determined that there is a need for a

housing and redevelopment authority and for the implementation of the powers granted in articles 40-58 and 23-11 of the North Dakota Century Code for the following reasons:

- A. That unsanitary or unsafe inhabited dwelling accommodations exist in the city of Fargo.
- B. That there is a shortage of safe or sanitary dwelling accommodations in the city of Fargo which are available to persons with low income at rentals which they can afford to pay.
- C. That one or more slum or blighted areas exist in the city of Fargo.
- D. That the rehabilitation, conservation, or redevelopment, or a combination thereof, of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the city of Fargo.

Source: 1965 Rev. Ord. 33-0108, 1695 (1976), 1970 (1980).