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July 2, 2026

Fargo City Commission
225 Fourth Street North
Fargo, ND 58102

Re: Extension of Infrastructure Sales Tax Through December 31, 2048.

Dear Commissioners:

On June 9, 2026, the residents of Fargo approved, by a vote of 72.9%, an amendment to the Fargo Home Rule Charter extending the existing one percent (1%) sales, use, and gross receipts tax for infrastructure capital improvements through December 31, 2048, and authorizing the Board of City Commissioners to implement the extension by ordinance.

Because home rule powers must be implemented by ordinance to become effective, enclosed is an Ordinance Amending Section 3-2011 of the Fargo Home Rule Charter to extend the infrastructure sales, use, and gross receipts tax through December 31, 2048. The ordinance implements the will of the voters and extends the tax for an additional twenty (20) years beyond its current expiration date of December 31, 2028.

SUGGESTED MOTION:

I move to receive and file the enclosed ordinance and to place the ordinance on the agenda of the next regular meeting of the City Commission for first reading.

Sincerely,

Ian R. McLean
City Attorney

AN ORDINANCE AMENDING SECTION 3-2011 OF ARTICLE 3-20
OF CHAPTER 3 OF THE FARGO MUNICIPAL CODE
RELATING TO A SALES AND USE TAX FOR INFRASTRUCTURE CAPITAL
IMPROVEMENTS

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, on June 9, 2026, the qualified electors of the City of Fargo approved, by a vote of more than sixty percent (60%), an amendment to the Fargo Home Rule Charter extending the existing one percent (1%) sales, use, and gross receipts tax for infrastructure capital improvements through December 31, 2048, and authorizing the Board of City Commissioners to implement such extension by ordinance;

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance.

NOW, THEREFORE, Be it Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment. Section 3-2011 of Article 3-20 of Chapter 3 of the Fargo Municipal Code, is hereby amended as follows:

3-2011. Term. The tax imposed by this article shall be in full force and effect from January 1, 2009 through December 31, 20248.

Section 2. Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Joshua A. Boschée, Mayor

Attest:

Angie Bear, Deputy City Auditor on
behalf of Susan Thompson, City Auditor

First Reading:
Second Reading:
Final Passage: