

SELLING OF CITY PROPERTY ORDINANCE 2026-2

AN ORDINANCE PROVIDING FOR THE CONVEYANCE, SALE, LEASE OR DISPOSAL OF REAL PROPERTY IN THE CITY OF DOUGLAS.

BE IT ORDAINED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF DOUGLAS, IN WARD COUNTY, NORTH DAKOTA:

SECTION 1 – Disposal of city property in value of \$2,500 or less.

When property that is to be disposed of is estimated by the governing body of the municipality to be of value of less than two thousand five hundred dollars (2,500), the property may be sold at private sale upon the proper resolution of the governing body by unanimous vote. In all other cases, the property may be sold only at public sale or as provided under ND CENTURY CODE section 40-11-04.2. This section and sections 40-11-04.1 and 40-11-04.2 do not apply to a lease by a municipality to the state, or any agency or institution of the state, water distribution system and any equipment or appliances connected therewith and any real property related thereto pursuant to subsection 5 of section 40-33-01 or of any sewage system and all related property for the collection, treatment, purification, and disposal in a sanitary manner of sewage pursuant to section 40-34-19. 40-11-04.1.

SECTION II - Real property transfer requirements.

Upon resolution by the governing body of a city authorizing the public sale of real property, a notice containing a description of the property to be sold and designating the place where and the day and hour when the sale will be held shall be published in the city's official newspaper, website, and/or other publications as provided in ND CENTURY CODE section 40-01-09 once each week for two consecutive weeks with the last publication being at least ten days in advance of the date set for the sale. The notice shall specify whether the bids are to be received at auction or as sealed bids as determined by the governing body of the city. The property advertised shall be sold to the highest bidder if that person's bid is deemed sufficient by a majority of the members of the governing body. 40-11-04.2.

SECTION III - Transfer of real property by exclusive and nonexclusive listing agreements.

1. As an alternative to the procedure established under section 40-11-04.1, the governing body of the city may by resolution:
 - a. Describe the real property of the city which is to be sold;
 - b. Provide a maximum rate of fee, compensation, or commission; and
 - c. Provide that the city reserves the right to reject any and all offers determined to be insufficient.
2. After adoption of the resolution, and publication of the resolution on the city's designated newspaper, website, and/or other publication for at least fourteen days, the governing body of a city may engage a licensed real estate broker to attempt to sell the described property by way of nonexclusive listing agreements or by way of an exclusive listing agreement if the real estate broker is selected through a competitive process.
3. A proposal from a licensed real estate broker to enter an exclusive listing agreement with the governing body of a city must be based on the:

4. Experience of the licensed real estate broker;
 - a. Experience of the licensed real estate broker selling similar property;
 - b. Marketing strategy the licensed real estate broker intends to use; and
 - c. Rate of fee, compensation, or commission the licensed real estate broker intends to accept.
5. In the negotiation of a purchase agreement with a buyer represented by a real estate broker, the governing body of a city may agree to pay compensation to the buyer's real estate broker. In the negotiation of a listing agreement, the governing body of the city shall consider the financial impact of paying compensation to the buyer's real estate broker on the total fees, compensation, or commission that may become payable by the city. 40-11-05.

SECTION IV – Special Assessed and/or delinquent tax property restrictions and requirements.

1. A lot located within the city limits of Douglas which is obtained by the city because of delinquent taxes and/or special assessments may not be resold to such delinquent previous owner until after the taxes and/or special assessments due have been paid to the city by the delinquent previous owner. If conditions are not met by previous owner, the city may refuse to sell to that owner, and the city may sell, convey, dispose of, or lease the said city property.
2. A purchaser of property obtained from the city, must at all times, within the three (3) year period following the purchase, maintain current on the payment of taxes and/or special assessments for the property purchased. Any delinquent account of taxes and/or special assessments within the three (3) years following purchase shall be forfeited to the city pursuant to the tax title repossession process.

SECTION V – Penalties

Any person violating any provision of this article shall be guilty of an infraction and be fined not to exceed five hundred dollars (\$500.00).

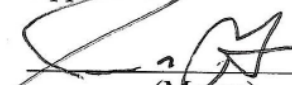
SECTION VI – Effective Date

This ordinance shall take effect after its passage, approval, and publication.

Date of 1st Reading Approved 02/11/2026

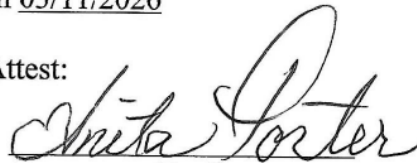
Date of 2nd reading, final passage, and adoption 03/11/2026

Approved:



(Mayor)

Attest:



(Auditor)

(SEAL)