



## Engineering Memorandum

January 27, 2026

RE: February 3<sup>rd</sup> City Commission Meeting

### **SECTION 20.3: STATUTORY AUTHORITY TEXT AMENDMENT**

The North Dakota Century Code was amended with Senate Bill 2027 (SB 2027) which took effect on August 1, 2025. SB 2027 made several changes to North Dakota Century Code related to floodplain management authority. The North Dakota Department of Water Resources (NDDWR) has determined the specific statute authorizing communities to regulate floodplains has changed. As a result, each North Dakota community is required to update their floodplain management ordinance to ensure compliance with the State and Federal Law. Communities failing to update their ordinance by June 1, 2026, may be suspended from the National Flood Insurance Program. The references listed in the ordinance represent the North Dakota Century Code references that have changed with SB 2027.

#### **Sec. 20-3. Statutory authorization.**

~~(a) The State Legislature has, in N.D.C.C. Chs. 40-47, 11-33 and 58-03, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.~~

~~(b) Therefore, the Board of City Commissioners does ordain as provided in this chapter.~~

(a) The Legislature of the State of North Dakota has in North Dakota Century Code, Chapter 40-05, 11-11 and 58-06, delegated responsibility to local governmental units to adopt regulations designated to promote the public health, safety, and general welfare of its citizenry.

The City Engineering staff recommends approval.

