Governance Committee Meeting
Wednesday, June 24, 2026; 8:15 a.m.
Fargo Park District
Alex Stern Boardroom
6100 38th Street S, Fargo

AGENDA

1. Recognition of Audience/Public Comments
2. 2025 Audit Presentation; Brian Stavenger/John Hagen from Eide Bailly; presenters
3. Discussion on updated Park Ordinances; Carolyn Boutain, presenter
4. Other

Next Park Board Meeting: July 14, 2026: 5:30 p.m.
Next Planning Committee Meeting: July 15, 2026; 8:15 a.m.
Next Governance Committee Meeting: July 22, 2026; 8:15 a.m.

Susan Faus, Executive Director
Park Commissioners – Zoe Absey * Vicki Dawson * Joe Deutsch * Aaron Hill * Jerry Rostad
Clerk -Jeff Gunkelman

Our Core Values: * Be Authentic * Be Bold * Be Collaborative

MEMORANDUM

DATE: July 22, 2026

TO: Fargo Park Board Committee Members

FROM: Luke Evenson, CPA, Controller

RE: Agenda Item No. 2 - 2025 Audit Presentation, Eide Bailly

Brian Stavenger/John Hagen from Eide Bailly will be presenting a draft of the 2025 Executive Summary at the Governance Committee Meeting. This includes an overview of the audit and a high-level review of the 2025 Financial Statements. Drafts of the 2025 Financial Statements, Federal Report, Governance Letter and Executive Summary will be provided by Eide Bailly before the meeting.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

Susan Faus, Executive Director
Park Commissioners – Zoe Absey * Vicki Dawson * Joe Deutsch * Aaron Hill * Jerry Rostad
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MEMORANDUM

DATE: June 24, 2026

TO: Fargo Park Board Committee Members

FROM: Carolyn Boutain, Strategic Project Manager

RE: Agenda Item No. 3 – Discussion on updated Park Ordinances

A draft of the proposed revised park ordinances was discussed at the February 25 Governance Committee meeting. Since that time, Jeff Gunkelman, attorney, has been working with the City of Fargo attorneys and police department to review the information. Earlier this month the city attorneys confirmed that the revised ordinances with a few edits have been finalized with the police department. The red-lined document is included in the packet.

The most substantive changes were to the carrying of guns and trespass section to make it clear that our ordinances are to be applied consistently with the City of Fargo Ordinances and State law.

Based on N.D.C.C 40-49-13, all ordinances shall be read twice with at least eight days between the readings. Ordinances need to be published in the official newspaper and will go into effect within three days after the publication.

Staff is requesting that the Committee move this forward to the July 14 Park Board Meeting for approval and its first reading. The 2nd reading would be scheduled at the August 11, 2026 Park Board Meeting. Following the 2nd reading the revised ordinances would be published in the Forum. Three days following the publication the ordinances would go into effect.

If you have any questions, do not hesitate to contact me prior to the meeting.

Thank you.

REVISED AND RESTATED

ORDINANCES OF THE PARK DISTRICT OF THE CITY OF FARGO

Approved by Board of Park Commissioners

On _____

PREAMBLE

WHEREAS, the Park District of the City of Fargo is a municipal subdivision organized pursuant to Chapter 40-49 of the North Dakota Century Code; and

WHEREAS, N.D.C.C. §40-49-12 and §40-49-13 authorize the Board of Park Commissioners to manage park property and exercise its powers by ordinance; and

WHEREAS, the Park District desires to amend, modernize, and restate its ordinances.

NOW, THEREFORE, BE ENACTED by the Board of Park Commissioners of the Park District of the City of Fargo:

SECTION 1
AUTHORITY & TITLE

These ordinances are adopted pursuant to N.D.C.C. §40-49-12 and shall be known as the Ordinances of the Park District of the City of Fargo ("Ordinances").

SECTION 2
DEFINITIONS

For purposes of these Ordinances:

Park District – The Park District of the City of Fargo.

Board – the members of the Board of Park Commissioners of the City of Fargo.

Park Property – Any real property owned, leased, controlled, or managed by the Park District, including buildings and improvements.

Park District Employee – Any employee, authorized agent, or contractor of the Park District acting within the scope of their duties.

Rules – Rules adopted by the Park District and consistent with these Ordinances.

Special Event – Any organized activity reasonably expected to attract large numbers of participants or spectators.

Motor Vehicle – Any self-propelled vehicle, excluding mobility devices used by persons with disabilities.

Alcoholic Beverages – As defined by Fargo Code of Ordinances.

SECTION 3
PARK DISTRICT JURISDICTION

The Park District has been created in accordance with the laws of the State of North Dakota. The Park District includes all the park territory within the City of Fargo and such other areas as may be incorporated in the city limits in the future, and such other areas that have been acquired by the Park District or are managed by the Park District and areas that are acquired by or managed by the Park District in the future.

SECTION 4
REPEAL & SAVINGS

All prior ordinances are repealed. Violations occurring prior to repeal remain enforceable.

SECTION 5
ADOPTION OF CITY ORDINANCES BY REFERENCE

Applicable provisions of the Fargo Code of Ordinances including but not limited to, those related to public safety, traffic, disorderly conduct, and public peace are adopted by reference as amended from time to time and apply to Park Property.

SECTION 6
ENFORCEMENT

The Police Department of the City of Fargo is hereby authorized to enter onto and to enforce all the Park District ordinances, City of Fargo Ordinances, and state statutes on Park Property under the operation and control of the Park District. The Cass County Sheriff Department is hereby authorized to enter onto and to enforce all the Park District ordinances and state statutes on Park Property under the operation and control of the Park District. Park District Employees are authorized to enforce violations of Park District ordinances. Park District Employees may designate event security personnel to assist with rule enforcement. Such personnel are not law enforcement officers.

SECTION 7
PENALTIES

A criminal or non-criminal offense as set forth in the Fargo Code of Ordinances shall be punished as determined by the municipal court. Any violations of the North Dakota Century Code shall be dealt with in the district courts of North Dakota pursuant to the laws of North Dakota. Any violations of Park District ordinances shall be punished by a fine not more than five-hundred dollars ($500.00) pursuant to the maximum penalty set forth in section 40-49-12(3), N.D.C.C. The Municipal Court of the City of Fargo shall have jurisdiction over all Park District ordinance violations.

SECTION 8
PROHIBITED CONDUCT

It is unlawful on Park Property to:

1. Commit an offense or violate any provision of the Fargo Code of Ordinances or the North Dakota Century Code.
2. Violate posted Rules and Regulations.
3. Deposit litter except in designated receptacles.
4. Use glass beverage containers or to break any glass object.
5. Damage or deface Park Property, shrubbery, trees, other vegetation, or personal property.
6. Possess or consume alcoholic beverages without first obtaining a permit from the Park District.
7. Obstruct a Park District Employee or officer.
8. Amplify sound unless a permit is issued by the Park District.
9. Throw objects in a manner that endangers people or property.
10. Harass or physically impede another person.
11. Participate in gatherings that unlawfully disturb the peace in violation of Fargo ordinances.
12. Refuse to leave Park Property after lawful direction of authorized personnel due to ordinance violations or safety risks.
13. Operate snowmobiles or ATVs.
14. Use skateboards, roller skates, roller blades or similar devices on Park Property except upon paved walks, trails, road, parking lots, or designated skate parks.
15. Use golf equipment outside designated golf facilities.
16. Launch or dock watercraft except at designated locations.
17. Knowingly carry or discharge any dangerous ~~or concealed~~ weapon, ~~, or any firearms, gun, air rifle, slingshot or other similar weapon~~ at an athletic or sporting event or a ~~publicly~~ Park District owned or operated building except for (1) the use of bow and arrow within a designated archery range or (2) with a Special Herd Reduction Deer license issued by the City of Fargo. The Section is to be read and applied consistently with the City of Fargo Ordinances and the North Dakota Century Code regarding the same. To the extent any discrepancies may exist, the City of Fargo Ordinances and the North Dakota Century Code shall govern.
18. Camp overnight in any Park Property, except Lindenwood Park or other parks designated by the Park District, with a permit from the Park District for overnight camping.
19. Build any fire for any purpose, except in such places as may be designated by the Park District.

~~20. Maintain any refreshment stand, offer any article of any character for sale, or conduct any business for profit on Park District property without obtaining a permit or permission, as applicable, from the Park District.~~

~~21.~~20. Operate drones on Park Property in a manner that endangers or harasses other people or Park Property.

SECTION 9
HOURS OF OPERATION

1. Unless otherwise designated and posted, Park Property hours are: 6:00am to 10:00pm.
2. The Park District shall establish and post operating hours for Park District buildings and facilities.
3. No person shall remain on Park Property outside posted hours except where permitted.

SECTION 10
PUBLIC SAFETY & CROWD CONTROL

Special Events on Park Property require a permit issued by the Park District. Special Event organizers are responsible for maintaining order and complying with permit conditions. Any person designated to enforce these Ordinances under Section 6 may suspend activities that pose an immediate threat to safety or violate these Ordinances.

SECTION 11
TRAFFIC REGULATIONS

In addition to any applicable Ordinances of the City of Fargo, the following provisions shall govern the use of Motor Vehicles on Park Property:

1. No Motor Vehicle shall exceed a speed of 15 miles per hour.
2. No Motor Vehicle other than a Park District vehicle shall be driven off the paved or graveled surface of the road except that vehicles may be parked no more than 20 feet from the edge of the traveling surface or in areas maintained as parking lots.
3. No Motor Vehicle, other than a bicycle, shall be driven upon any recreational trail or in any area where vehicular traffic is prohibited by signing. A recreational trail is any path, paved or unpaved, which is not more than 12 feet wide.
4. E-Bikes and E-Scooters are permitted on Park Property on any road or path that is accessible for bicycles but must be operated at speeds that are reasonable and prudent under the conditions of the road or path.
    a. E-Bikes and E-Scooters are defined as bicycles or scooters with an electric motor to assist in moving.

SECTION 12

PERMITS & COMMERCIAL ACTIVITY

No person shall conduct a business for profit on Park Property nor use Park Property or facilities in connection therewith without a permit or permission, as applicable, from the Park District. The Park District shall establish rules and regulations related to the permitting of conduct of business on Park Property.

SECTION 13

RULES & EXCLUSION FROM PARK PROPERTY

1. The Park District may adopt Rules for Park Property use.

2. Any person violating the Park District Ordinances, Park District Rules, or the Fargo Code of Ordinances may be ordered to leave Park Property and upon actual communication from the Park District to the person may further be banned or otherwise barred from entering upon or using the Park Property upon which the violation occurred for a period to be determined by the Park District based on the facts and circumstances of the violation. ~~The Fargo Police Department is expressly authorized to enforce this provision.~~ At any time before the expiration of ~~exclusion~~the exclusion period, the Park District may inform the Fargo Police Department that the ban or bar has been lifted and that person is otherwise allowed on Park Property. ~~Any person who has been banned or otherwise barred from entering upon or using the Park Property, upon which a violation has occurred, may appeal the prohibition to the Park District within fourteen (14) calendar days of being banned or barred from Park Property.~~ No person shall receive a refund of fees paid in connection with Park District sponsored activities because of such ban.

3. Rules enacted by the Park District may be brought to the attention of Park District patrons by signs or any other matter reasonably calculated to bring the rules to the attention of the patron.

SECTION 14
SMOKING & VAPING

1. Smoking and e-cigarettes, as defined by Fargo Code of Ordinances, are prohibited in Park District buildings.

2. Smoking and e-cigarettes, as defined by Fargo Code of Ordinances, are prohibited within 25 feet of playgrounds.

    - "Playground" means any recreational area located within Park District property that has play equipment specifically designed to be used by children and includes all surfacing, fencing, and internal pathways, and other structures that are part of the recreational area.

SECTION 15
ANIMALS

Except for dog parks located on Park Properties, which will have posted rules and regulations, every person having custody or control of any dog, cat or other animal on outdoor Park Property shall maintain control of such animal by use of a chain or leash or by confinement within a vehicle or otherwise, and such person shall be equipped to and shall collect the animal's solid waste when eliminated. Any such waste shall be deposited in a designated receptacles or removed from Park District property. Except for

service animals, all animals are prohibited from entering Park District buildings, unless otherwise designated by the Park District. ~~Anyany such waste shall be deposited in a designated receptable receptacles or removed from Park District property.~~

SECTION 16
DEPOSITS & DRAINAGE

1. No person shall deposit snow, earth, construction material or other substances on Park Property without a written permit from the Park District. The permit shall specify the place of deposit and shall identify the substance. The Park District may charge an administrative fee for issuance of the permit, charge a fee for allowing the deposit and may require a security deposit as an indemnity against damage to Park Property. Notwithstanding any permit issued by the Park District, no person shall deposit any material containing salt, sand or other substance which may be harmful to the vegetation on Park Property.

2. No owner, occupant or user of property abutting Park Property shall cause or allow water from any downspout, sump or similar device to be directly or indirectly deposited on Park Property. Any violation of this provision is declared to be a public nuisance and may be abated by means of any remedy provided by law. Each day such a nuisance remains unabated after five (5) days written notice from the Park District to the person causing or allowing the nuisance shall be considered a separate violation.

SECTION 17
TRAPPING PROHIBITIONS

1. It shall be unlawful for any person to set or use or attempt to set or use a Body-Gripping Device on Park District owned or managed properties, whether or not within the ~~C~~city limits of the City of Fargo, North Dakota.

2. The provisions of this Ordinance shall not prohibit the use of live traps by people provided they have made written application to the Park District to do so and received from the Park District specific written permission as to location and the duration of the live trapping activity.

3. Whenever a live trap is used contrary to the prohibitions outlined in this Ordinance, the same may be impounded by any Park District Employee, a duly authorized police officer of the City of Fargo, or by any State Fish and Game Warden until judicial action requires the release of such device.

4. The provisions of this Ordinance shall not prohibit federal, state, county, municipal or Park District Employees or their duly authorized agents to use a Body Gripping Device if it is a reasonable method available to protect human health and safety, or if the use of such devise is the reasonable means of protecting threatened or endangered species and/or preserving or protecting public or private properties.

5. For the purposes of this Section, “Body-Gripping Device” includes, but is not limited to, any snare (neck, body, or leg), kill-type trap, leg hold trap (steel-jaw, padded or offset), and any other device designed to grip a body or body part of an animal. Common rat and mouse traps shall not be considered Body-Gripping Devices

SECTION 18
EFFECTIVE DATE

These Ordinances become effective three (3) days after publication.

THE PARK DISTRICT OF THE CITY OF FARGO

By: _____ _____

President Board of Park District Commissioners of the City of Fargo

By:_____

Clerk of the Park District of the City of Fargo

First Reading: _____

Second Reading: _____

Final Reading: _____

Publication: _____