

TESTIMONY ON HOUSE BILL 1222

Senate Political Subdivisions Committee

March 18, 2021

Brandon J. Boespflug, Building Inspections Director/ Chief Building Official

Chairman Burckhard and members of the Senate Political Subdivisions Committee, my name is Brandon Boespflug and I am the Building Inspections Director/ Chief Building Official for the City of Grand Forks. I would like to thank you in advance for the opportunity to provide written testimony and express the Cities of Grand Forks opposition to House Bill 1222.

The City of Grand Forks has several concerns with the bill, specifically how it relates to removing local control regarding non-conforming structures. City staff often work with property owners and, in some cases, entire neighborhoods, regarding the redevelopment of a property that has been damaged beyond 50% of its value. For the majority of structures, this is not an issue and the structure meets our zoning code to be rebuilt. In some cases, however, the structures do not meet setback or other zoning requirements, making them non-conforming.

The way the bill is written “ties our hands” at the local city level and eliminates our ability to work with our citizens and/or neighborhoods regarding non-conforming elements of a property. This is especially problematic in situations where those non-conforming elements have a life-safety impact that could otherwise be corrected should a property be damaged beyond 50%. Our current process allows the City to collaborate with property owners to rebuild structures while maintaining public safety interests. It is imperative that not only the City of Grand Forks, but all North Dakota cities, counties, and townships, have the ability and authority to adopt and enforce building codes and zoning ordinances to protect the safety, welfare and health of their citizens.

Furthermore, the city of Grand Forks already has a well thought out process and ordinance’s concerning items of nonconformity. We have had them in place for many years and we pride ourselves in the ability to work with our citizens. They are also in place to coincide with federal regulations we must follow such as those for the National Flood Insurance Program (NFIP). With a passage of this bill, it will eliminate the city and county of Grand Forks to be part of the National Flood Insurance Program and not allow our residents to participate, receive discounts or purchase national flood insurance. All a process that has been well thought out and staff has spent many hours putting a national recognized program together since the flood of 1997 and even prior.

Lastly, you will hear from those in favor that a bill such as this is much the same as those in Fargo, Bismarck and the State of Minnesota. I would urge you to disregard that testimony, as each political subdivision is unique in its own ways. Each political subdivision must be able to operate the way it sees fit in order to meet its specific goals and objectives for growth as well as meeting the needs of its citizens.

The passage of House Bill 1222 is not in the best interests of the City of Grand Forks, nor any other cities, counties, or townships in North Dakota. Thank you for your time and consideration.

The City of Grand Forks asks for a DO NOT PASS for HB 1222