

Bond Case Briefs

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POLITICAL SUBDIVISIONS - NORTH DAKOTA

City of Fargo v. State

Supreme Court of North Dakota - December 19, 2024 - N.W.3d - 2024 WL 5162049 - 2024 ND 236

City brought declaratory judgment action against State, seeking declaration that amended statutes limiting authority of political subdivisions regarding firearms and ammunition were unconstitutional, or alternatively, that amended statutes did not void two city zoning ordinances prohibiting firearm and ammunition sales.

The District Court granted State's motion for summary judgment, and denied city's motion for summary judgment. City appealed.

The Supreme Court held that:

- Amended statutes limiting authority of political subdivisions regarding firearms and ammunition were constitutional as applied, and
- Amended statutes limiting authority of political subdivisions regarding firearms and ammunition preempted and rendered city's zoning ordinances prohibiting firearm and ammunition sales void.