

**CHAPTER 30**

**ARTICLE. V**

**CITY RESTAURANT TAX**

**SEC. 30-69. SALES TAX IMPOSED.**

Subject to the provisions of N.D.C.C. § 40-05.1-06, and except as otherwise provided by this Ordinance, or the sales and use tax laws of the State of North Dakota, a tax of one percent (1%) is imposed upon the gross receipts of a restaurant from any sales of prepared food or beverages, not including alcoholic beverages for consumption off the premises where purchased, which are subject to state sales tax. For purposes of this tax, “restaurant” and “prepared” shall have the meaning as set forth in N.D.C.C. § 40-57.3-01.1 as amended. Food and beverages may all, each, or in any combination be subjected to the tax under this section, if all items in any category which are taxable under state law are taxable, except as otherwise provided in this section. The tax imposed under this section is in addition to city and state sales taxes on restaurant sales.

**SEC. 30-70. DEDICATION OF TAX PROCEEDS.**

The proceeds of the tax, less State’s administrative costs, shall be dedicated as follows: All revenues raised, collected, and interest earnings thereon under this article and upon a vote of the City Council, shall be utilized for the Carrington Visitor’s Promotion Capital Construction Fund. The Carrington Chamber and Economic Development Corporation, or any other local marketing/visitor’s organization as the City Council shall direct, shall serve as an advisory committee to the City Council who shall administer the fund. The funds shall be used generally for tourism or the purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings or property consistent with visitor attraction or promotion.

**SEC. 30-71. DEFINITIONS.**

If there exists any conflict between this ordinance and Chapter 40-57.3 of the North Dakota Century Code (N.D.C.C.), including any future amendments, the provisions in Chapter 40-57.3 shall govern and are hereby adopted by reference. All references to the N.D.C.C. include amendments adopted by the North Dakota Legislative Assembly.

**SEC. 30-72. EFFECTIVE DATE.**

This Ordinance shall take effect after its passage, approval, and publication, but not prior to

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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COMMUNITIES	YEAR BEGAN	USE OF FUNDS
BEULAH	2009	<i>Funds are transferred to CVB. Used for promotions for bringing people to town. A business loan for the Civic Center was taken to repair/improve it. CVB is helping to pay the loan off with the tax funds. Chairs and tables have also been purchased. The Civic Center hosts many weddings and conferences. Funds supports museum, city website, signs for museum, "Welcome" to city, and Industrial Park.</i>
BOTTINEAU	1990	<i>pool, parks, arena, trails and armory updates, art murals, benches, flower pots, Tommy Turtle statue, and construction that helps tourism, such as a baseball sign, museum's restored school house, and race track sign</i>
BOWMAN	1990	<i>advertising summer events, "Welcome to Bowman" signs, flower pots, museum activities, table tents, Community Challenge, Fair Association needs, tourism grants, murals, tourist center needs and maintenance, Archway, flags, tourism laptop, website design, Main Street Garden, ice rink for park, lights for horse stalls at the All Seasons Arena, maintenance (sprinklers, electricity), chutes and panels, tents, flowers; cell phone boosters, lawn mower, storage space, overhead door, Rotary's Great Western Trail Markers</i>
DEVILS LAKE	1995	<i>Capital Projects such as Grahams Island State Park roadway, grant funds for events, Capital Grants for tourism, funds for school and park board for tournaments, Lake Region Heritage Center. At some point will help fund an event center if proposed.</i>
DICKINSON	1982	<i>Parks &amp; Rec, Badlands Dinosaur Museum, CVB, Event Grant Program, Community Center, Ice Center</i>
EDGELEY	1997	<i>Country Club improvements for grass greens and irrigation system, Christmas decorations, community events, National Guard hosts activities in Armory so funds are given to support the Armory's needs, Alumni Organization's assistance to support dances or meals, Homemaker's community flowers or banners, Lions' Summer Fest. City Council decides what activities to support.</i>
ELLENDALE	2005	<i>Tourism Board utilized funds for the Apple Fest, entertainment, Rib Cooking Contest. Chamber applies for funds to support Area Arts Council and Opera House. Other funds support the Summer Music in the Park, and the County Fair free meal.</i>
GLEN ULLIN	2013	<i>A committee is in charge of the funds. Meet two times per year (Oct &amp; April). Organizations complete a grant application. If approved, then organizations complete project, and turn in their receipts to the committee to be paid. Activities include Parade of Lights, Sound System on Main Street to play music, car show's advertising and billboards, park board archery range targets</i>
HAZEN	2001	<i>All funds go the Convention and Visitors Bureau.</i>
JAMESTOWN	1988	<i>operational funds for tourism, advertising, making video blog episodes, or providing grants for other tourism entities that apply for capital construction, feasibility studies or advertising</i>
LISBON	2006	<i>Funds are placed in the Group &amp; Visitors Bureau. Used on advertising, Lisbon Bucks, and back into organizations that utilize food in their activities.</i>

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<b>MCVILLE</b>	<b>2009</b>	<i>display cases, town festival, Winterfest, pamphlets promoting city, Welcome Wagon, history book about town</i>
<b>MINNEWAUKAN</b>	<b>2013</b>	<i>update website, advertising, looking at new sign coming into Minnewaukan</i>
<b>PARSHALL</b>	<b>2007</b>	<i>Funds are placed in the Visitors Promotion Fund under Travel &amp; Tourism. Used for park, pool, museum maintenance and advertising for city events.</i>
<b>PICK CITY</b>	<b>1993</b>	<i>New city auditor and accountant and they are not sure what the funds were spent on. They believe it might have been on advertising.</i>
<b>REGENT</b>	<b>2009</b>	<i>pay loader, park board, ambulance, grocery store, fire departments</i>
<b>RIVERDALE</b>	<b>2010</b>	<i>updated city website, billboard signs highlighting community activities such as camping, boat ramp, dining (no names of businesses though), buy down loans on businesses that are expanding that bring tourism - boat shop and camping/fishing business (PACE loans)</i>
<b>RUGBY</b>	<b>1997</b>	<i>maintenance of Geographic Monument Center and Northern Lights Tower, including mowing and watering grass, Welcome to Rugby Signs, banners, flags, promote conventions, and rent for Chamber office space</i>
<b>VALLEY CITY</b>	<b>1997</b>	<i>Rosebud Visitor's Center, Bridges Project signage, Scenic By-Way Interpretive Panels, community sound system, museum, swimming pool, Eagles Club, VCSU Stadium, Medicine Wheel Park, Youth Sports Center (new building), Rainbow Arch Bridge, AG Hall of Fame Joint Grant, Elks Footbridge, VCSU Lokken Stadium Turf, fountain in park, VC Park &amp; Rec Charlie Brown Field lighting, ND Winter Show repairs, Shared Use Path, Interpretive Panels, Wellness Center, ND Winter Show stalls, Eagles Club furnace system, Chamber-Rosebud signage, SVSB Kayak &amp; Bike Kiosk, Eagles Club roof, Sky Lanes Bowling Alley updates, VCSU Bubble Addition</i>
<b>WAHPETON</b>	<b>2013</b>	<i>maintenance of sidewalks, specialty curbing, street furnishings, specialty street lighting, holiday decorations, trees, shrubs, flowers, ground cover, Wayfinding Signage, flags, banners, sound system, gateway entrance monuments, artwork for public display, Volunteer Park.</i>
<b>WATFORD CITY</b>	<b>2015</b>	<i>All activities that bring people into town to eat in restaurants or stay in motels are approved for funding. Support is given to the Roughrider Center, advertising, gymnastics and basketball events, art foundation, tourism activities, museum, and chamber activities such as the Ribfest.</i>
<b>WILLISTON</b>	<b>2014</b>	<i>The funds are transferred to CVB which support tourism. Funds are used to purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings, including parking ramps, garages, and other sources of downtown parking, or property consistent with visitor attraction or promotion. In the past we used it for building's snow removal and street maintenance. Lastly, we had plans to utilize the funds for parking ramps many years ago which was a qualified expense.</i>
<b>WYNDMERE</b>	<b>2012</b>	<i>money goes into general fund, and city council decides what to spend it on</i>

**Local Lodging Tax & Local Lodging and Restaurant Tax**

In addition to local sales, use and gross receipts taxes, cities and counties can impose local taxes on lodging accommodations, restaurant meals and on-sale beverages. Unlike local sales, use and gross receipts taxes, local lodging and local lodging and restaurant taxes do not contain any special exemptions or compensation allowances. A county may not impose their local lodging or local lodging and restaurant tax inside the city limits of a city that already, or subsequently, imposes a like lodging or lodging and restaurant tax administered through the North Dakota Office of State Tax Commissioner.

**Local Lodging Tax**

Location	Effective Date	Rate	Location	Effective Date	Rate	Location	Effective Date	Rate
Ashley	10/1/91	2%	Grafton	4/1/93	2%	Parshall	10/1/07	2%
Beach	11/1/05	2%	Hankinson	9/1/06	2%	Pembina	1/1/21	2%
Belfield	4/1/15	2%	Harvey	1/1/06	2%	Ramsey County	4/1/20	2%
Beulah	5/1/87	2%	Hazen	7/1/10	2%	Ray	1/1/13	1%
Bismarck	7/1/87	2%	Hettinger	3/1/91	2%	Regent	4/1/09	2%
Bottineau	6/1/84	2%	Hillsboro	1/1/18	2%	Riverdale	10/1/10	1%
Bowman	4/1/90	2%	Jamestown	7/1/82	2%	Rugby	9/1/83	2%
Carrington	1/1/88	2%	Killdeer	1/1/13	2%	Stanley	1/1/17	2%
Cavalier	1/1/16	2%	Lakota	9/1/06	2%	Steele	10/1/91	2%
Cooperstown	10/1/08	1%	Langdon	10/1/95	2%	Tioga	1/1/13	2%
Crosby	4/1/13	1%	Linton	7/1/15	2%	Wahpeton	4/1/89	2%
Devils Lake	7/1/84	2%	Lisbon	1/1/06	2%	Walhalla	1/1/09	1%
Dickinson	7/1/82	2%	Mandan	7/1/87	2%	Washburn	7/1/15	2%
Drayton	7/1/07	2%	McVile	1/1/09	2%	Watford City	4/1/86	2%
Ellendale	10/1/12	2%	Medora	4/1/82	2%	Williams County	1/1/20	2%
Garrison	4/1/96	2%	Minnewaukan	1/1/13	2%	Williston	1/1/82	2%
Glen Ullin	1/1/13	2%	New Town	6/1/87	1%	Wishek	1/1/07	2%
			Oakes	4/1/11	2%	Wyndmere	10/1/12	2%

**Note:** Fargo, Grand Forks, Minot, Valley City, and West Fargo also impose a local lodging tax, however, their taxes are administered locally.

**Local Lodging and Restaurant Tax**

Location	Applies to	Effective Date	Rate	Location	Applies to	Effective Date	Rate
Beulah	Lodging, food, liquor	1/1/09	1%	Mandan	Lodging, food, liquor	11/1/87	1%
Bismarck	Lodging, food, liquor	7/1/87	1%	McVile	Lodging, food	4/1/09	1%
Bottineau	Lodging, food, liquor	3/3/90	1%	Minnewaukan	Lodging, food, liquor	1/1/13	1%
Bowman	Lodging, food, liquor	4/1/90	1%	Parshall	Lodging, food, liquor	10/1/07	1%
Devils Lake	Lodging, food	7/1/95	1%	Pick City	Lodging, food, liquor	7/1/93	1%
Dickinson	Lodging, food, liquor	7/1/82	1%	Ramsey County	Lodging, food	4/1/20	1%
Drayton	Lodging, food, liquor	7/1/07	1%	Regent	Lodging, food, liquor	4/1/09	1%
Edgeley	Lodging, food, liquor	4/1/97	1%	Riverdale	Lodging, food, liquor	10/1/10	1%
Ellendale	Lodging, food, liquor	7/1/05	1%	Rugby	Lodging, food	10/1/97	1%
Glen Ullin	Lodging, food, liquor	1/1/13	1%	Valley City	Food, liquor	5/1/97	1%
Grand Forks	Lodging, food, liquor	1/1/06	0.25%	Wahpeton	Lodging, food	1/1/13	1%
Hazen	Lodging, food, liquor	10/1/01	1%	Watford City	Lodging, food, liquor	4/1/15	1%
Jamestown	Lodging, food	7/1/88	1%	Williams County	Lodging, food, liquor	1/1/20	1%
Lakota	Lodging	9/1/06	1%	Williston	Lodging, food, liquor	10/1/14	1%
Lisbon	Lodging, food, liquor	1/1/06	1%	Wyndmere	Lodging, food, liquor	10/1/12	1%