

## **CHAPTER 48-09 CONCESSIONS**

### **48-09-01. Granting of concessions for cafes, restaurants, and confectioneries on public buildings and grounds.**

Any state official, board, or commission, any county official, board, or commission, and any municipal officer, board, or commission, having the supervision, control, and management of any state, county, or municipal building and adjacent grounds, for the public benefit and good, may grant a concession in the building or on the grounds for any cafe, restaurant, or confectionery, by renting, leasing, and licensing a concession to the highest responsible bidder at a reasonable rental per month, for a period not exceeding eight years, and may reject any and all bids for the concession. However, the board of directors of any North Dakota fair association or board of county park commissioners may grant a concession under this chapter without letting bids.

### **48-09-02. Concession advertised in legal newspaper.**

Except as otherwise provided in section 48-09-01, if a concession under section 48-09-01 has estimated gross sales worth more than twenty-five thousand dollars annually, an advertisement for bids for the concession must occur once in each week for three consecutive weeks in the official newspaper of the entity requesting bids and the concession must be awarded to the highest responsible bidder.

### **48-09-03. Security required of successful bidder.**

The governing body, in its discretion, may require a deposit of security by the successful bidder for a concession within ten days after notice of the acceptance of the bid. If such deposit of security is not so furnished, the concession may be let to the next highest bidder, and if there is no other bidder, to some other party. Such deposit of security must be approved and accepted before the renting, leasing, or licensing of such public property shall become effective. Vending, service, and merchandising machines shall be permitted in public buildings only upon payment of an adequate compensation for such privilege. All moneys received under the provisions of this section and section 48-09-01 shall be turned into the general fund of the state, county, or municipality, as the case may be.

### **48-09-04. Rules and regulations - Cancellation of contract.**

The renting, leasing, or licensing of any public property under this chapter at all times shall be subject to the rules and regulations made and prescribed by the official, department, board, or commission having the control and management of the same. The renting and leasing term of any contract entered into in relation thereto may be canceled upon thirty days' written notice to the holder of the concession. Any contract granting a concession at any time after a breach of the terms thereof, or after a violation of any of the provisions of this chapter, shall be canceled upon thirty days' written notice to that effect.

### **48-09-05. Penalty.**

Any person violating any of the provisions of this chapter is guilty of a class B misdemeanor.