

## RESOLUTION NO. 13- 19306

### A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON THE OCTOBER 2013 PROPERTY TAX STATEMENTS

WHEREAS, the City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, Ordinance 05-5322 states, "*The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year.*", and

WHEREAS, the City Council adopted Ordinance 08-5478 on September 8, 2008, in part to provide relief to Residential Manufactured Home (RMH)-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council may provide relief to property owners meeting the criteria of Ordinance 05-5322 and Ordinance 08-5478 by capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates, and

WHEREAS, the Public Works Department received four (4) completed and signed petitions involving four (4) properties by the August 30, 2013, deadline and

WHEREAS, the Public Works Department verified that four (4) petitions involving four (4) properties meeting the criteria of Ordinance 08-5478, and

WHEREAS, reducing the assessments on these four (4) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2013, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. **REDUCTION OF ASSESSMENTS:** The Arterial Construction Fees assessments on the following four (4) parcels shall be adjusted by Public Works Department staff and placed upon the assessment rolls and collected in the same manner as other City of Billings assessments.

<i><b>TAX CODE</b></i>	<i><b>ZONE</b></i>	<i><b>LAST NAME</b></i>	<i><b>FIRST NAME</b></i>	<i><b>PARCEL ADDRESS</b></i>	<i><b>Adjusted Assessment</b></i>
C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane	\$43.20
D05202	HC	Hatveldt	Art	2104 Bench Blvd	\$43.20
D05200	HC	Moats	Melville E. Jr & Vivian I.	2112 East Main Street	\$43.20
C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	31.50

2. **NOTICE OF HEARING:** On Monday, **September 9, 2013**, at 6:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk is hereby directed to publish notice on August 29, 2013, and September 5, 2013, in the **Billings Times**.
3. **EFFECTIVE DATE:** This resolution shall be effective upon final adoption.

ADOPTED and APPROVED by the City Council **this 9th day of September 2013.**

CITY OF BILLINGS:



BY: Thomas W. Hanel  
Thomas W. Hanel, Mayor

ATTEST:

BY: Denise R. Bohlman  
Denise R. Bohlman, Deputy City Clerk

2013 PETITIONS FOR REDUCTION OF ARTERIAL CONSTRUCTION FEE ASSESSMENTS

Attachment A

DATE REC'D	TAX CODE	ZONE	LAST NAME	FIRST NAME	PARCEL ADDRESS	PHONE	Comments	Assessment if Petition is NOT approved	Assessment if Petition IS Approved	Difference	Recommendation	Sq Ft	Zoning	Zoning Rate
7/11/2013	C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane	406-245-7119		\$109.04	\$43.20	(\$65.84)	Approval	18,800	RMH	0.00580
7/8/2013	D05202	HC	Hatveldt	Art	2104 Bench Blvd	406-259-7090		\$625.81	\$43.20	(\$582.61)	Approval	57,099	HC	0.01096
8/17/2013	D05200	HC	Moats	Melville E. Jr & Vivian I.	2112 East Main Street	406-252-5049		\$573.99	\$43.20	(\$530.79)	Approval	52,371	HC	0.01096
8/8/2013	C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	406-259-8225		\$797.46	\$31.50	(\$765.96)	Approval	72,761	HC	0.01096
											(\$1,945.19)			

If the City Council approves the "approval" recommendations above, the City will receive  
**\$1,945.19** less in Arterial Construction Fee assessments for these four parcels.

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