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original \_\_\_\_\_  
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10/16/07

City Clerk

RESOLUTION NO. 07-18607

A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO  
SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL  
CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON  
THE OCTOBER 2007 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 may provide relief to property owners meeting the criteria of Ordinance 05-5322 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 zoning rates, and

WHEREAS, the Public Works Department received nine (9) completed and signed petitions by the August 31, 2007, deadline and

WHEREAS, the Public Works Department verified that six (6) of the nine (9) petitions involve properties meeting the criteria of Ordinance 05-5322, and

WHEREAS, reducing the assessments on these six (6) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2007, 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 six (6) 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.

TAX CODE #	ZONE	LAST NAME	FIRST NAME	PARCEL ADDRESS	Adjusted Assessment
D05202	HC	Haveldt	Art	2104 Bench Blvd	\$35.62
A05114	CI	Weisbeck	Peter P. & Lucile V.	107 S 8th Street W	\$35.62
D05200	HC	Moats	Melville E. & Vivian I.	2112 E Main Street	\$35.62
A11635	MCPZD	Nilson	Terry W.	922 N 30 <sup>th</sup> Street	\$25.97
C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	\$35.62
C01104	HC	Fisher	Lee E. & Patricia J.	704 Logan Lane	\$35.62

2. **DENIAL OF ASSESSMENT REDUCTION:** There will be no reduction to the Arterial Construction Fee assessments on the following three (3) parcels.

TAX CODE	ZONE	LAST NAME	FIRST NAME	PARCEL ADDRESS
D05201	RMH	Moats	Melville & Vivian	2112 East Main Street
C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane
D05199	HC	Kaufman	Austin	2111 Main Street

3. **NOTICE OF HEARING:** On Monday, September 24, 2007, 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 thereof twice, at least five (5) days prior to the hearing, in the Billings Times.

4. **EFFECTIVE DATE:** This resolution shall be effective upon final adoption.

ADOPTED and APPROVED by the City Council this 24<sup>th</sup> day of September 2007.

CITY OF BILLINGS:



BY:

Ron Tussing, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk