

ORDINANCE 23-5842

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING  
BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN  
PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND  
CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN  
BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO  
WARD I PROVIDING FOR CERTIFICATION AND REPEALING OF  
ALL ORDINANCES AND RESOLUTIONS INCONSISTENT  
THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS,  
MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward I the following described real property:

Parcels of Land situated in the NW 1/4 and NE 1/4 of Section 26, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows:

Tracts 2 and 3 of Certificate of Survey No. 1889, recorded May 17th, 1979, under Document No. 1129245 on file and of record in the office of the Yellowstone County Clerk and Recorder.

Said annexation containing 40.01 gross net acres, more or less.

(# 23-04) See Exhibit "A" Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution 23-11125 approving the annexation of the above territory, whichever date is later.
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.
4. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

PASSED by the City Council on the first reading this 12<sup>th</sup> day of June, 2023.

PASSED by the City Council on the second reading this 26<sup>th</sup> day of June, 2023.



CITY OF BILLINGS:

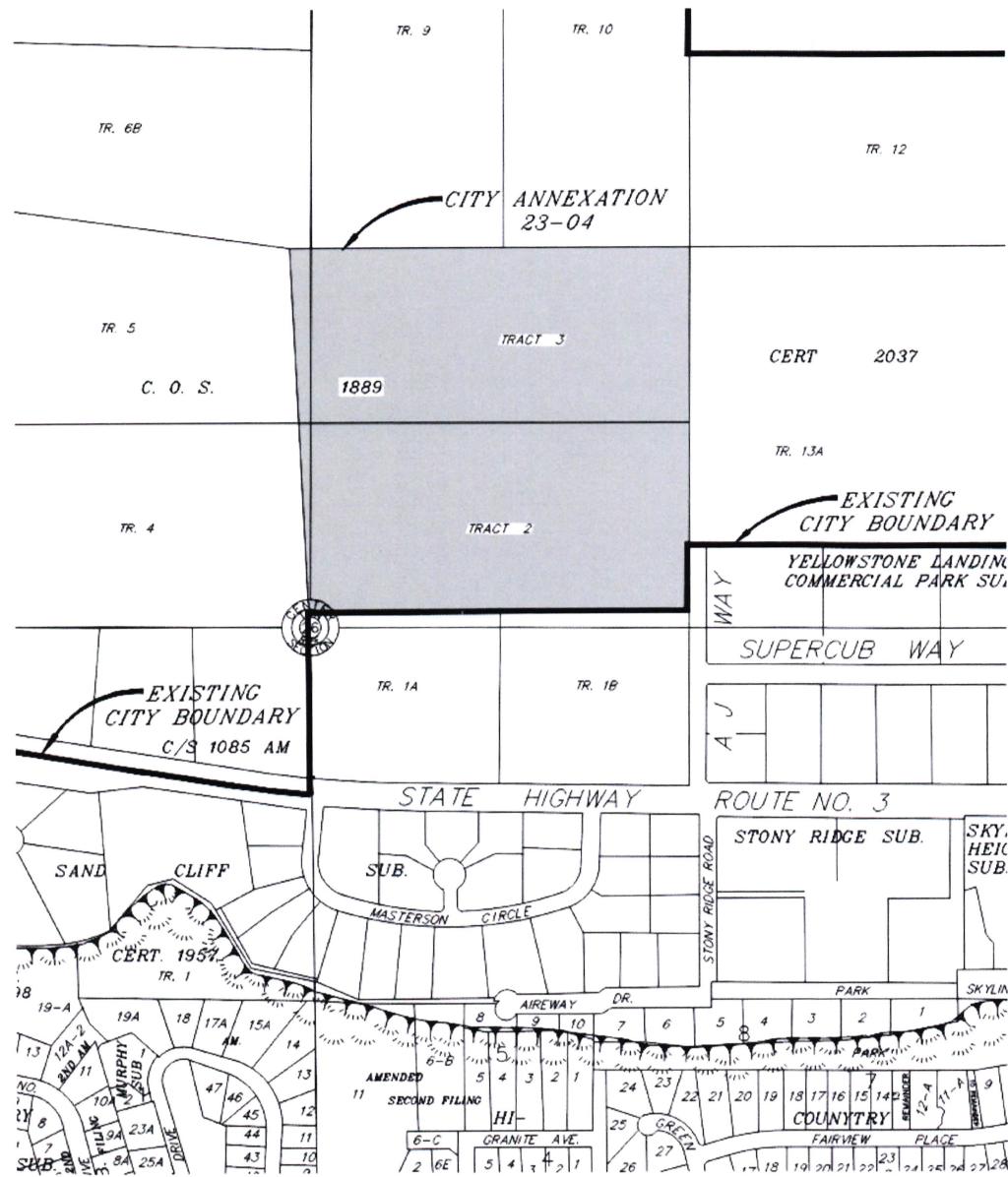
BY: William A. Cole  
William A. Cole, Mayor

ATTEST:

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

(#23-04)

# EXHIBIT "A"



**City Council Regular**

**Date:** 06/26/2023  
**Title:** Ward Boundary Expansion Ordinance Second Reading - Annexation 23-04  
**Presented by:** Monica Plecker  
**Department:** Planning & Community Services  
**Presentation:** No  
**Legal Review:** Not Applicable  
**Project Number:** NA

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**RECOMMENDATION**

Staff recommends the City Council hold a public hearing and approve this ordinance on second reading, adding recently annexed property to Ward I. Council held a public hearing on June 12th and recommended approval. This second reading action would be consistent with first reading.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

The Montana Department of Military Affairs have petitioned for annexation using the provisions of Section 7-2-4600, MCA. The property is located at 3648 AJ Way. The property is described as Tracts 2 and 3 of Certificate of Survey 1889. The land is legally described as Parcels of Land situated in the NW 1/4 and NE 1/4 of Section 26, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows: Tracts 2 and 3 of Certificate of Survey No. 1889, recorded May 17th, 1979, under Document No. 1129245 on file and of record in the office of the Yellowstone County Clerk and Recorder. Said annexation containing 40.01 gross net acres, more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward I. Two readings are required for this action. The first reading and public hearing was scheduled for June 12th. Second reading will occur at this meeting on June 26th, 2023.

**ALTERNATIVES**

City Council may:

- Approve adding the subject property to Ward I, or;
- Disapprove adding the subject property to Ward I. Disapproval will not modify the boundary of the ward and will create a problem where property inside the City Limits is not within a City Ward.

**FISCAL EFFECTS**

This application has no impact on the Planning Division Budget.

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Attachments

Ward Boundary Ordinance

