

RESOLUTION 23-11159

A RESOLUTION LEVYING A SPECIAL TAX UPON PROPERTY WITHIN THE CITY OF BILLINGS, MONTANA, TO DEFRAY THE COST OF CUTTING AND/OR EXTERMINATING WEEDS.

WHEREAS, Billings, Montana City Code, Section 25-307, provides that the City Clerk shall prepare and present a resolution containing a list of all parcels of land in the City, from which and adjacent to which, the weeds were cut, exterminated and/or removed, and such list shall contain opposite the number of such lots or description of such parcels of land, the name of the owner, if known, and the amount of cost for cutting and removing such weeds.

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

1. LEVYING OF SPECIAL ASSESSMENT. That for the purpose of collecting funds to defray the cost of cutting and removing of weeds, there is hereby levied an assessment upon the owners and the lots or parcels described on the list attached hereto.
2. ASSESSMENT AND COLLECTION. Said assessment shall be placed upon the assessment rolls and collected in the same manner as other assessments.
3. DISPOSITION OF COLLECTIONS. All monies collected from the assessment shall be paid to the General Fund of the City of Billings.
4. NOTICE OF HEARING. On Monday, September 11th, 2023, at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice twice, at least five (5) days prior to the hearing, in the Yellowstone County News, as provided in Section 7-1-4127, MCA.
5. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council on the 11th day of September, 2023.



CITY OF BILLINGS:

BY:

William A. Cole

William A. Cole, Mayor

ATTEST:

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

City Council Regular

Date: 09/11/2023
Title: Public Hearing & Resolution for Weed Assessments
Presented by: Andy Zoeller, Finance Director
Department: Finance
Presentation: Yes
Legal Review: No
Project Number: N/A

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the attached assessment resolution authorizing staff to alter list if the assessments are paid prior to submitting to the County Treasurer

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

The annual weed assessments have been completed and are ready to be placed on the tax rolls by the attached resolution.

Pursuant to the Billings, Montana City Code (BMCC), Section 25-304, property owners are notified in writing and given ten (10) days from the date of the notice of noncompliance to exterminate weeds or tall grass from their property. If owners fail to cut the vegetation, the City may cut it and assess the costs to the real property, together with an additional administrative fee of 25% of the cost of removal, plus a \$25 penalty. If the charges are not paid within a given time, the costs and penalties constitute a lien on the property and special assessments may be levied. The General Fund initially pays the costs, so the collected assessments reimburse those expenses.

The properties on the attached list had weeds removed from them during the growing season, the owners did not pay the charges and the properties may be assessed to recover the costs, penalty and fee.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve, in which case the property owners will not be assessed, and the General Fund will be responsible for paying for the weed removal.

FISCAL EFFECTS

The assessments total \$8,180 and the payments will reimburse the General Fund.

Attachments

Resolution Weed Abatement

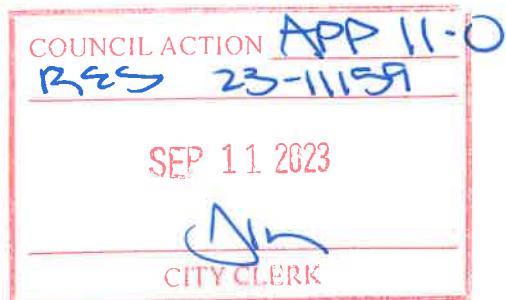


EXHIBIT A

<u>NAME</u>	<u>MOWING ADDRESS</u>	<u>TAX CODE</u>	<u>AMOUNT</u>
AMBK BILLINGS I LLC	913 S 28TH ST	A01860	47.50
BARRAGAN, CARMEN	2428 CONSTELLATION TRL	C10757B	365.00
BILL MONTS JUDE LLC	618 S 25TH ST	A01540	402.50
BK RE 7485 LLC	1411 N 27TH ST.	A07350	185.00
BOB PENTECOST CONSTRUCTION	7050 SHINY PENNY WAY	A37391	248.75
CDF PROPERTIES LLC	25 S. 37TH ST W.	A27253	275.00
CDF PROPERTIES LLC	3655 MT RUSHMORE AVE.	A27255	552.50
COMESLAST, BRANDON	213 S 31ST STREET	A01321	286.25
DAVES, MARGARET ELIZABETH	1614 ST JOHNS AVENUE	A17585	177.50
GADADE, VAIBHAV N.	102 S 33RD ST	A18790	177.50
GILMOR, JOANN	346 MONROE	A14811V	177.50
GREEN, KELLY & HALL GREGORY D.	1029 YALE AVE	A05416	177.50
HILARIO, MARK & CHUCK	4128 STATE AVENUE	A06931	230.00
KANYID, BILLIE C	701 S 34TH ST	A01654	267.50
KRAFT, RACHEL RAE	4707 STONE ST	A17468	177.50
LETZ, GEORGE M.	501 BURLINGTON AVE	A15235	177.50
LYNELL ZERBE GARTSIDE TRUST	3638 BROADWATER AVE	C01749A	290.00
MORALES, JOSE R.	110 S 29TH ST	A00916	245.00
NOBLE, RANDY B.	1316 ELDORADO DRIVE	A04299	177.50
NORWOOD, DAVID	3509 6TH AVENUE SOUTH	A14073	188.75
NTC VENTURES INC	4137 MORGAN AVENUE	A17098	331.25
PRICE, AMY	5129 CLEMSON DRIVE	A35458	316.25
PRICE, AMY	2607 TULANE DR	A35545	260.00
PRICE, AMY	2603 TULANE DR	A35546	383.75
PRICE, AMY	5107 AMHERST DRIVE	A35547	297.50
RUSSELL, JEREMY	810 S 32ND ST	A01793	177.50
SEANN LLC	121 N 19TH ST	A00547	320.00
SHIPP, PHILLIP E	4150 MORGAN AVENUE	A12812	233.75
SHUCK, JASON	2981 MILLICE AVENUE	C06014A	177.50
STEVENSON, FRED W JR	1114 20 ST W	A02685	222.50
US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT	1709 ST. JOHNS	A17539	222.50
WELCH, MICHAEL L.	2546 CUSTER AVENUE	A06058	233.75
ZITUR, SHALEE LYNETTE	1524 ST. JOHNS AVE	A07490	177.50
		Total	\$ 8,180.00