

## ORDINANCE 23-5861

**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 NE 1/4 of Section 15, T.1S., R.26E.,  
Yellowstone County, Montana, more particularly described as follows:

Lots 3, 4, 5, 6 and 7 of Riverside Acreage Tracts Subdivision, recorded  
November 9, 1960, under Document No. 651367,

Less portions of said parcels for Right-Of-Way purposes in Judgement and  
Final Order of Condemnation documents, Book 830, Page 4, under Document  
No.766608, Book 830, Page 8, under Document No. 766609, and Book 830,  
Page 12, under Document No. 766610, recorded November 19, 1965  
respectively, and Quit Claim Deed Book 1394, Page 248 under Document No.  
1679259 recorded April 14, 1993, all documents on file and of record in the  
office of the Yellowstone County Clerk and Recorder;

Said annexation containing 10.186 gross net acres, more or less.

(# 23-08) 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 23-11169 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 All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.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 9<sup>th</sup> day of October, 2023.

PASSED by the City Council on the second reading this 23<sup>rd</sup> day of October, 2023.



CITY OF BILLINGS:

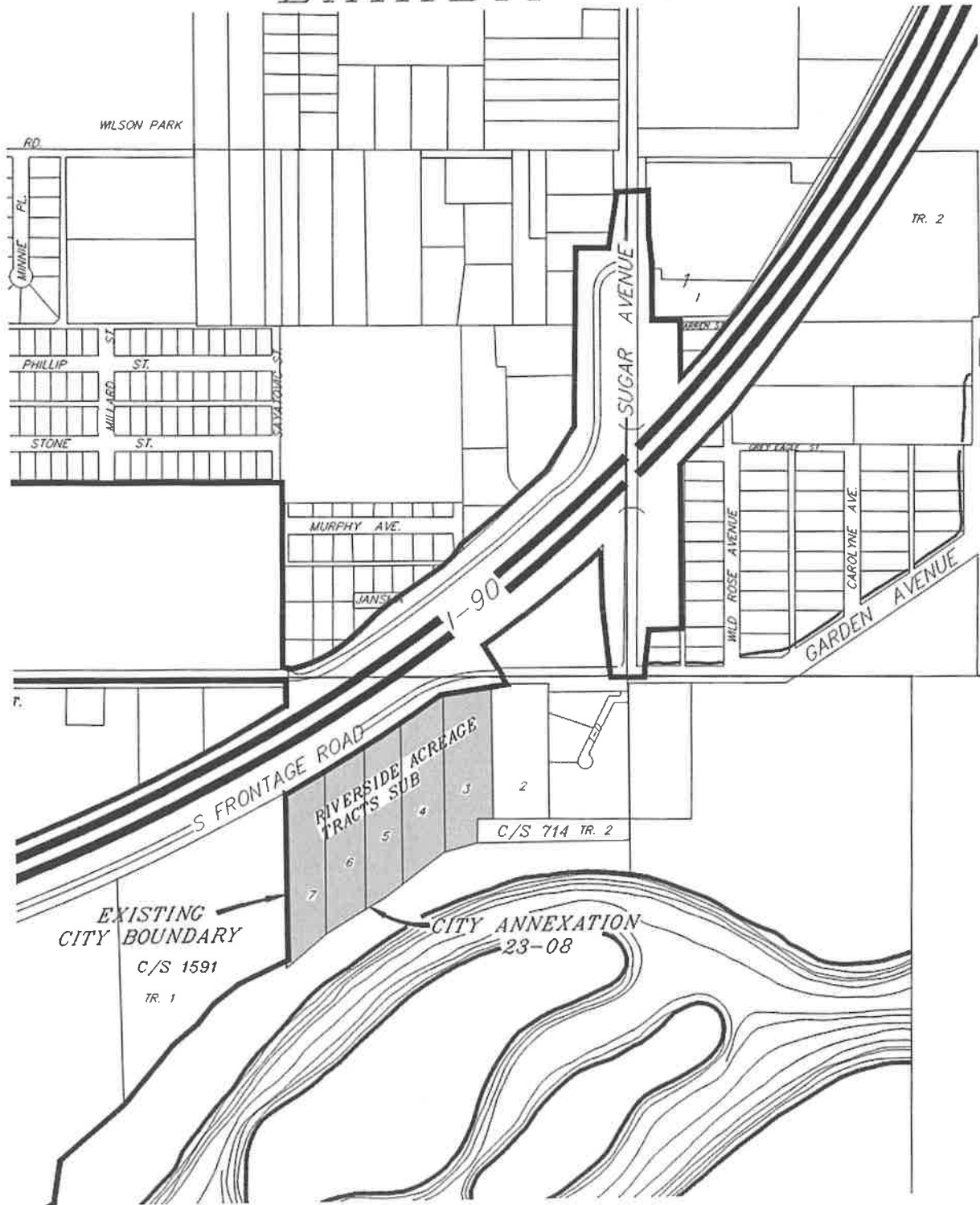
BY: William A. Cole  
William A. Cole, Mayor

ATTEST:

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

(#22-08)

# EXHIBIT "A"



**City Council Regular**

**Date:** 10/23/2023  
**Title:** Ward Boundary Expansion Ordinance Second Reading - Annexation 23-08  
**Presented by:** Hunter Kelly, Planner 1  
**Department:** Planning & Community Services  
**Presentation:** No  
**Legal Review:** Not Applicable  
**Project Number:** PZX-23-00162

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**RECOMMENDATION**

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward I.

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

Performance Engineering, on behalf of G2 Investments LLC, submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located South of S Frontage Road/ Riverside Drive and west of Sugar Avenue. The land being annexed is described as being Parcels of Land situated in the NE 1/4 of Section 15, T.1S., R.26E., Yellowstone County, Montana, more particularly described as follows: Lots 3, 4, 5, 6 and 7 of Riverside Acreage Tracts Subdivision, recorded November 9, 1960, under Document No. 651367, Less portions of said parcels for Right-Of-Way purposes in Judgement and Final Order of Condemnation documents, Book 830, Page 4, under Document No. 766608, Book 830, Page 8, under Document No. 766609, and Book 830, Page 12, under Document No. 766610, recorded November 19, 1965 respectively, and Quit Claim Deed Book 1394, Page 248 under Document No. 1679259 recorded April 14, 1993, all documents on file and of record in the office of the Yellowstone County Clerk and Recorder; Said annexation containing 10.186 gross net acres, more or less.

Upon Council Approval, this annexation requires a change in the boundaries of Ward I. The annexation was approved on October 9, 2023. Two readings are required for this Ward Boundary action. The first reading and public hearing occurred with the annexation on October 9, 2023. The second reading will occur at this meeting.

**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 Ward I and will create a problem where property inside the City Limits is not within a City Ward.

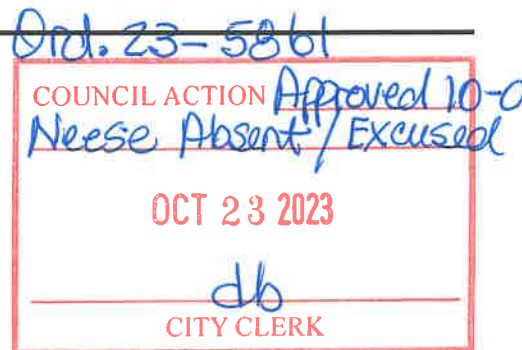
**FISCAL EFFECTS**

This application has no impact on the Planning Division Budget.

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**Attachments**

Ward Boundary Ordinance 23-08



### City Council Regular

**Date:** 10/09/2023  
**Title:** Ward Boundary Expansion Ordinance First Reading - Annexation 23-08  
**Presented by:** Hunter Kelly, Planner 1  
**Department:** Planning & Community Services  
**Presentation:** No  
**Legal Review:** Not Applicable  
**Project Number:** PZX-23-00162

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### RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward I.

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

Performance Engineering, on behalf of G2 Investments LLC, submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located South of S Frontage Road/ Riverside Drive and west of Sugar Avenue. The land being annexed is described as being Parcels of Land situated in the NE 1/4 of Section 15, T.1S., R.26E., Yellowstone County, Montana, more particularly described as follows: Lots 3, 4, 5, 6 and 7 of Riverside Acreage Tracts Subdivision, recorded November 9, 1960, under Document No. 651367, Less portions of said parcels for Right-Of-Way purposes in Judgement and Final Order of Condemnation documents, Book 830, Page 4, under Document No. 766608, Book 830, Page 8, under Document No. 766609, and Book 830, Page 12, under Document No. 766610, recorded November 19, 1965 respectively, and Quit Claim Deed Book 1394, Page 248 under Document No. 1679259 recorded April 14, 1993, all documents on file and of record in the office of the Yellowstone County Clerk and Recorder; Said annexation containing 10.186 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 is scheduled for this meeting. Upon approval, the second reading will occur on October 23rd, 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 Ward I and will create a problem where property inside the City Limits is not within a City Ward.

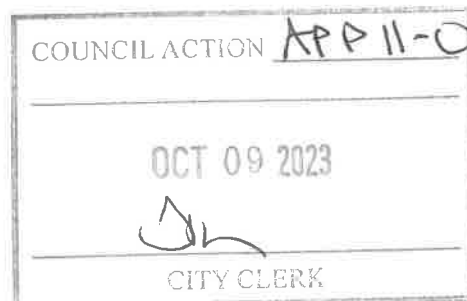
### FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

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### Attachments

Ward Boundary Ordinance 23-08



**ORDINANCE NO. 23-\_\_\_\_\_**

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:

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Said annexation containing 10.186 gross net acres, more or less.

(# 23-08) 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 No. 23-\_\_\_\_\_ 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 9<sup>th</sup> day of October, 2023.

PASSED by the City Council on the second reading this 23<sup>rd</sup> day of October, 2023.

THE CITY OF BILLINGS:

\_\_\_\_\_  
William A. Cole, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Denise Bohlman, CITY CLERK

(#22-08)

# EXHIBIT "A"

