

ORDINANCE 23-5866

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 27, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows:

Lot 1A, Block 2 of Amended Plat of Lots 1 and 2, Block 2, La Ray Subdivision, recorded September 13, 2005, under Document No. 3347797.

Including all adjacent Right-Of-Way of Lincoln Lane and Orilla Street.

Said annexation containing 0.395 gross acres and 0.226 net acres, more or less.

(# 23-09) 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. 23-11174 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 All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.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 27th day of November, 2023.

PASSED by the City Council on the second reading this 11th day of December, 2023.



CITY OF BILLINGS:

BY:

William A. Cole

William A. Cole, MAYOR

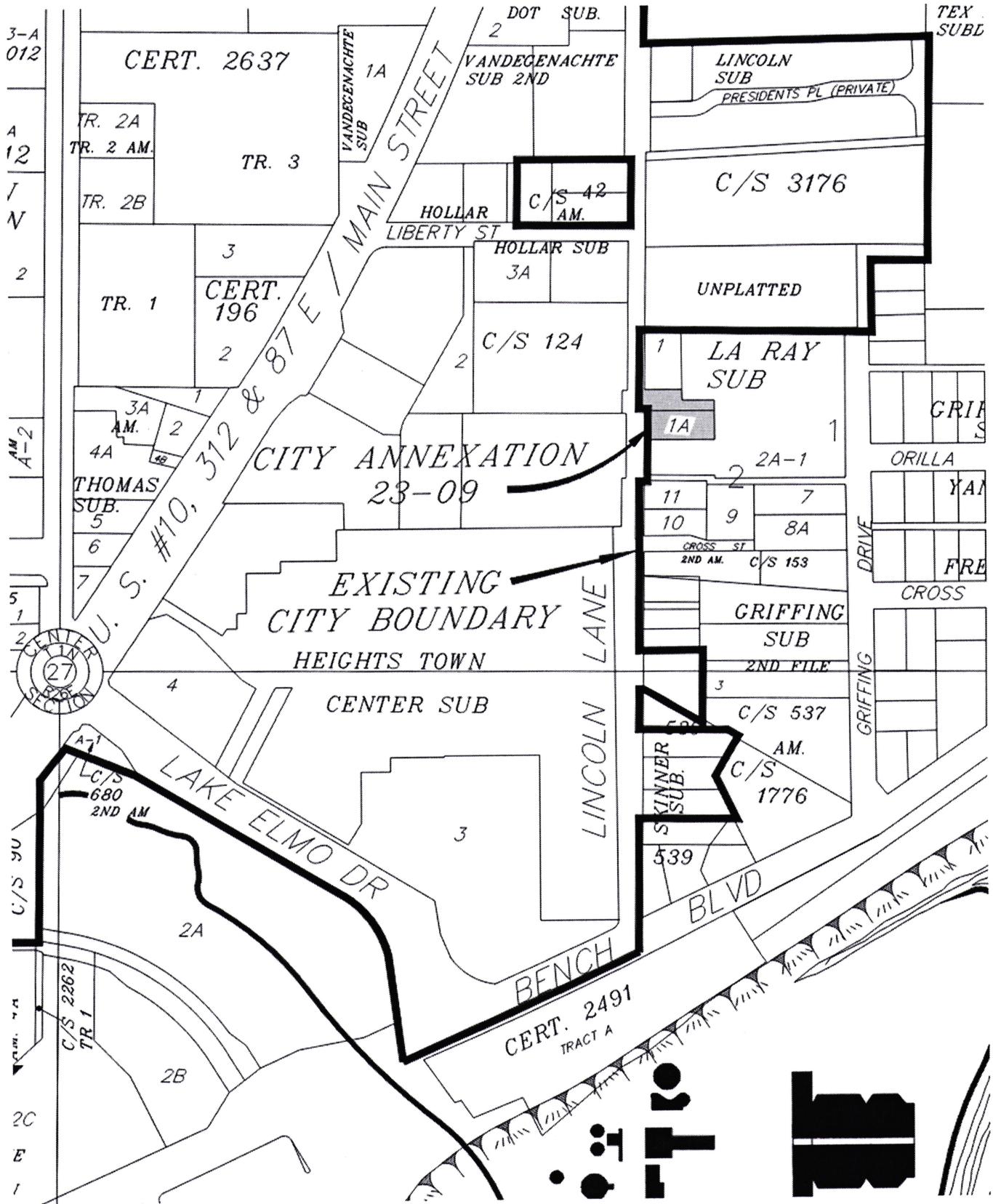
ATTEST:

BY:

Denise R. Bohlman
Denise R. Bohlman, CITY CLERK

(#23-09)

EXHIBIT "A"



City Council Regular

Date: 12/11/2023
Title: Ward Boundary Expansion Ordinance Second Reading - Annexation 23-09
Presented by: Hunter Kelly, Planner 1
Department: Planning & Community Services
Presentation: No
Legal Review: Not Applicable
Project Number: PZX-23-00168

RECOMMENDATION

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward I. Council held a public hearing on November 27th and recommended approval on first reading. This second reading action would be consistent with first reading.

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

Performance Engineering, on behalf of LaVonne S Anderson, submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located 1093 Lincoln Lane. The land being annexed is described as being Lot 1A, Block 2 of Amended Plat of Lots 1 and 2, Block 2, La Ray Subdivision, recorded September 13, 2005, under Document No. 3347797. Including all adjacent Right-Of-Way of Lincoln Lane and Orilla Street. Said annexation containing 0.395 gross acres and 0.226 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 occurred November 27th, 2023. The second reading will occur at this meeting.

STAKEHOLDERS

City Council conducted a public hearing and 1st reading on November 27, 2023. The City Council held a joint hearing on November 27, 2023, and discussed the proposed Annexation and zone change. The City Council received no testimony from the public, and closed the public hearing. The City Council did not have any further discussion. Council Member Shaw made a motion to approve the annexation on first reading and adopt the findings of the annexation criteria. The motion was seconded by Council Member Gulick and approved on a unanimous vote.

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.

Attachments

Ward Boundary Ordinance

