

## RESOLUTION 24-11186

### 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 (BMCC), 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, February 26<sup>th</sup>, 2024, 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 26<sup>th</sup> day of February, 2024.

CITY OF BILLINGS:



By: William A. Cole

William A. Cole, Mayor

ATTEST:

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

Exhibit A

NAME	MOWING ADDRESS	TAX CODE	AMOUNT
ANDERSON, LORRAINE M	3571 GRANGER AVENUE W	C09738	177.50
ARTHUN, ERICK M & CATHLEEN L	642 AVENUE F	A05037	203.75
BESEL, ZACH C	2114 REHBERG LN.	A18636	177.50
BLAINE, AMBERLE	1119 MEGAN CIR	A28744	177.50
BROCKMAN, MICHELLE & THOMAS	1702 HIGH SIERRA BLVD	A27110	201.88
DAWSON, MARK	1605 SHILOH RD	A34946B	421.25
DINSMORE, CANDACE	1035 ELDORA LANE	C00329	207.50
FEDERAL HOME LOAN MORTGAGE CORP	2525 COOK	A10461	192.50
GADADE, VAIBHAV N.	102 S. 33Rd ST.	A18790	206.25
GUARDIAN TAX MT LLC	2507 LAKE HEIGHTS DR.	C08266	290.00
HOFFMAN, MAXIMILIAN S.	2910 3RD AVENUE SOUTH	A01104	275.00
JACKSON COURT LLLP	JACKSON COURT	A08460	177.50
LENHARDT, CHERYL L	3209 RIMROCK RD	A06471	177.50
LEWIS, PATTY D.	147 JACKSON STREET	D01607	612.50
MILAN LLC	30 ALMADIN LANE	A22321	177.50
NCRR INVESTMENT LLC	1353 TANIA CIRCLE	A37317	252.50
PASSIVE ACTIVE WEALTH LLC	120 S. 29TH ST.	A00912	177.50
PRICE, AMY	5107 AMHERST DRIVE	A35547	232.50
PRICE, AMY	2603 TULANE DR	A35546	303.75
PRICE, AMY	2607 TULANE DR	A35545	225.00
PRICE, AMY	5129 CLEMSON DRIVE	A35458	217.50
PRICE, AMY	2611 TULANE DRIVE	A35544	211.25
RED GATE #2 LLC	3012 9TH AVE. S.	A01822	177.50
RUSSELL, ROBERT	1220 FAIRVALE DR.	A04349	301.25
SERAFIN, ALAN	1131 MILES AVE.	A03495	177.50
STAHL, WILLIAM	536 PARKHILL DR.	A04997	90.00
STEVENSON, CAROL J.	1133 LYNCH CIRCLE	A23013	290.00
SWIFT, JACK M. & KRISTEN A.	328 14TH ST W	A11431	177.50
THOMPSON, ERAN	739 BURLINGTON AVE	A15562	180.50
TUCKER, CHRISTOPHER	802 YELLOWSTONE AVE.	A13293	177.50
WAGNER, JAMES H.	529 PARK LANE	D05660	177.50
WP5 BILLINGS LLC	2618 KING AVENUE WEST	A28356	222.50
		<b>Total</b>	<b>7,267.38</b>

**City Council Regular**

**Date:** 02/26/2024  
**Title:** Public Hearing & Resolution for Weed Assessments  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** Yes  
**Legal Review:** No  
**Project Number:** N/A

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**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 \$8,817.38 and the payments will reimburse the General Fund.

**Attachments**

Resolution Weed Abatement

Res. 24-11186

COUNCIL ACTION	Approved
11-0	
FEB 26 2024	
db	
CITY CLERK	

RESOLUTION NO. 24 \_\_\_\_\_

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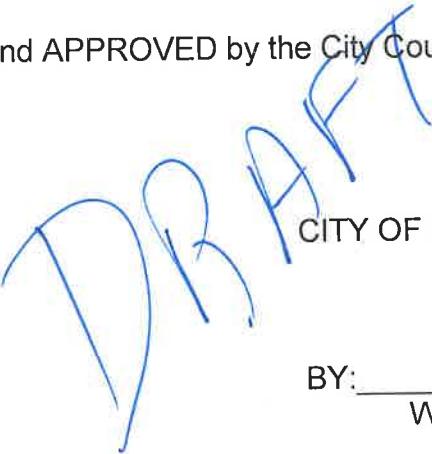
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BY: \_\_\_\_\_  
William A. Cole, MAYOR

ATTEST:

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

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BLAINE, AMBERLE	1119 MEGAN CIR	A28744	177.50
BOB PENTECOST CONSTRUCTION INC.	7082 COPPER VIEW WAY	A37388	260.00
BOB PENTECOST CONSTRUCTION INC.	7015 BRONZE BLVD.	A37452	192.50
BROCKMAN, MICHELLE & THOMAS	1702 HIGH SIERRA BLVD	A27110	201.88
CURRENT, TIM	116 S 33RD ST	A18766	177.50
DAWSON, MARK	1605 SHILOH RD	A34946B	421.25
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MILAN LLC	30 ALMADIN LANE	A22321	177.50
MYHRE ADVERTISING, WELLS FARGO TRUSTEE	S. 27TH ST.	A01851	196.25
NCRR INVESTMENT LLC	1353 TANIA CIRCLE	A37317	252.50
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