

ORDINANCE NO. **02-5184**

AN ORDINANCE OF THE CITY OF BILLINGS, MONTANA, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF BILLINGS, BE AMENDED BY ADDING A SECTION TO BE NUMBERED, 15-104(a) through (e); APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAUREL, CITY OF BILLINGS, AND YELLOWSTONE COUNTY CREATING A MULTI-JURISDICTIONAL SERVICE DISTRICT NAMED YELLOWSTONE CITY-COUNTY HEALTH DEPARTMENT.

WHEREAS, in 1997, the legislature of the State of Montana enacted House Bill 205 (HB205) which added "health services and health department functions" to the list of multi-jurisdictional services authorized by the Mont. Code Ann. Section 7-11-1102 (1997); and

WHEREAS, the effective date of HB205 was October 1, 1997; and

WHEREAS, the Yellowstone City-County Board of Health, together with the Commissioners of Yellowstone County, the City Council for the City of Laurel, and the City Council for the City of Billings believe that the enactment of HB205 and the reorganization of city-county health department functions is necessary and convenient for, and will better serve, the citizens of the City of Laurel, City of Billings, and Yellowstone County; and

WHEREAS, on the 14th day of October 1997, the City of Billings approved the Interlocal Agreement by Council action and authorized the Mayor and City Clerk of the City of Billings to execute the Interlocal Agreement; and

WHEREAS, the City of Laurel adopted a resolution, approving the Interlocal Agreement, September 16, 1997, R97-49; and

WHEREAS, the County of Yellowstone adopted a resolution approving the Interlocal Agreement, October 3, 1997, Resolution No. 97-74; and

WHEREAS, Mont. Code Ann. Section 7-11-1106, requires that the city of Billings enact an authorizing ordinance to establish a Multi-Jurisdictional Service District.

NOW, THEREFORE, the City Council of the City of Billings, Montana hereby

ordains as follows:

Section 1. That the Code of Ordinances of the City of Billings be amended by adding a section to be numbered 15-104, to read as follows:

Sec. 15-104. Multi-jurisdictional Service District named Yellowstone City-County Health Department.

(a) There shall be a multi-jurisdictional service district named as the Yellowstone City-County Health Department;

(b) The services to be provided by the district shall include the provision of health department functions and services and related services, as permitted by Mont. Code Ann. Section 7-11-1102(2)(i);

(c) The boundary of the Yellowstone City-County Multi-Jurisdictional Service District shall be the boundary of Yellowstone County;

(d) The administration of the District will be through an Interlocal Agreement;

(e) Subject to the provisions of Mont. Code Ann. Section 15-10-420, the maximum property taxes it may assess for use in the District shall be no more than the amount permitted under Article I of the Charter of the City of Billings.

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 29th day of January, 2002.

PASSED, ADOPTED and APPROVED on second reading this 11th. day of February, 2002.

CITY OF BILLINGS

By _____
Charles F. Tooley Mayor

ATTEST:

By _____
Marita Herold, CMC City Clerk