

ORDINANCE NO. 03-5258

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-1704; PROVIDING FOR UPDATED FEES FOR CERTAIN ZONING ACTIONS; REPEALING CERTAIN FEES SET IN RESOLUTION NUMBER 98-17350.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Section 27-1704 of the Billings, Montana, City Code be amended so that such section shall read as follows:

“Sec. 27-1704. Schedule of fees, charges and expenses.

The city council and board of county commissioners shall establish a schedule of fees, charges and expenses and a collection procedure for appeals and other matters pertaining to this chapter. Said schedule may be amended from time to time by resolution/ordinance of the city council and board of county commissioners. Within this schedule of fees, the city administrator shall be responsible for setting the fee for the Medical Corridor Permit Zoning preliminary and final reviews, as established in BMCC section 27-909(B).

No zone change, special review or variance shall be issued unless or until such costs, charges, fees or expenses listed below have been paid in full nor shall any action be taken on proceedings before the city or county board of adjustment or zoning commission unless or until charges and fees have been paid in full to the planning and community services department.

SCHEDULE OF APPLICATION FEES

(1) Board of Adjustment--Variance:

- | | | | | |
|----|-------------------|---------------------|-----------------------------------|-----------------|
| a. | Residential . . . | \$150.00 | \$200.00 Res. 98-17350 | <u>\$325.00</u> |
| b. | Commercial . . . | \$190.00 | \$200.00 Res. 98-17350 | <u>\$400.00</u> |

(2) Zoning Commission:

- | | | | | |
|----|--------------------|---------------------|-----------------------------------|--|
| a. | Zone change . . | \$330.00 | \$600.00 Res. 98-17350 | |
| | <u>Residential</u> | | <u>\$650.00</u> | |
| | <u>Commercial</u> | | <u>\$900.00</u> | |
| b. | Special review . | \$330.00 | \$600.00 Res. 98-17350 | |
| | <u>Residential</u> | | <u>\$650.00</u> | |
| | <u>Commercial</u> | | <u>\$900.00</u> | |

- (3) Planned development--Preliminary review and zone change - ~~\$600.00~~
Change to fees in Resolution 98-17350

<u>5 acres or less</u>	<u>\$ 750.00</u>
<u>Over 5 acres</u>	<u>\$1,200.00 "</u>

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, including conflicting portions of Resolution 98-17350, 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 22nd day of September, 2003.

PASSED, ADOPTED and APPROVED on second reading this 14th day of October, 2003.

CITY OF BILLINGS

By _____
Mayor

ATTEST:

By _____
City Clerk