

ORDINANCE NO. 05-5345

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-201 AND SECTION 27-306; ADDING A DEFINITION OF LIMITED PHARMACEUTICAL MANUFACTURING AND SETTING LIMITED PHARMACEUTICAL MANUFACTURING USES ALLOWED IN HIGHWAY COMMERCIAL AND CONTROLLED INDUSTRIAL ZONING DISTRICTS.

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

**Section 1. RECITALS.** *Title 76, Chapter 2, Part 3, MCA, and Section 27-1502, BMCC, provide for amendment to the City Zoning Regulations from time to time. The Board of Planning initiated the amendment to the City Zoning Regulations and the City Zoning Commission and staff have reviewed the proposed zoning regulations hereinafter described. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the proposed amendments to the City Zoning Regulations.*

**Section 2.** That the Billings, Montana City Code be amended by revising Section 27-201 to add a new definition to read as follows:

**LIMITED PHARMACEUTICAL MANUFACTURING:** Establishments primarily engaged in manufacturing bulk organic and inorganic medicinal chemicals and their derivatives and processing bulk botanical drugs and herbs. This definition also includes premises engaged in manufacturing, fabricating, or processing drugs in pharmaceutical preparations for human or veterinary use.

**Section 3.** That the Billings, Montana City Code be amended by revising Section 27-306 District Regulations: Commercial and Industrial Uses to read as follows:

TITLES AND DESCRIPTION OF INDUSTRIES <b>SR - SPECIAL REVIEW A - ALLOWED</b>	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
<b>28 CHEMICALS AND ALLIED PRODUCTS:</b> – Offices only – <b><u>2833 – Medicinal &amp; Botanical products</u></b> – <b><u>2834 – Pharmaceutical Preparations</u></b>	A	A	A	A A	A	A A	A A		A

**Section 4. REPEALER.** All resolutions, ordinances and sections of the City Code in conflict herewith are hereby repealed.

**Section 5. 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.

**Section 6. EFFECTIVE DATE.** This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading September 26, 2005.

PASSED, ADOPTED AND APPROVED on second reading October 11, 2005.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Charles F. Tooley, Mayor

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE, City Clerk

Zone Change #766  
Unified Zoning Regulations Text Amendments  
Limited Pharmaceutical Manufacturing

## **ATTACHMENT B**

Excerpts from the SIC Manual, 1987

SIC Manual is adopted as part of the Unified Zoning Regulations Section 27-307, BMCC  
SIC 2833 and SIC 2834, specified uses

### **2833 Medicinal Chemicals and Botanical Products**

Establishments primarily engaged in: (1) manufacturing bulk organic and inorganic medicinal chemicals and their derivatives and (2) processing (grading, grinding, and milling) bulk botanical drugs and herbs. Included in this industry are establishments primarily engaged in manufacturing agar-agar and similar products of natural origin, endocrine products, manufacturing or isolating basic vitamins, and isolating active medicinal principals such as alkaloids from botanical drugs and herbs.

Adrenal derivatives: bulk, uncompounded

Agar-agar (ground)

Alkaloids and salts

Anesthetics, in bulk form

Antibiotics: bulk uncompounded

Atropine and derivatives

Barbituric acid and derivatives: bulk, uncompounded

Botanical products, medicinal: ground, graded, and milled

Brucine and derivatives

Caffeine and derivatives

Chemicals, medicinal: organic and inorganic bulk, uncompounded

Cinchona and derivatives

Cocaine and derivatives

Codeine and derivatives

Digitoxin

Drug grading, grinding, and milling

Endocrine products

Ephedrine and derivatives

Ergot alkaloids

Fish liver oils, refined and concentrated for medicinal use

Gland derivatives: bulk uncompounded

Glycosides

Herb grinding, grading, and milling

Hormones and derivatives

Insulin: bulk, uncompounded

Kelp plants

Mercury chlorides, U.S.P.

Mercury compounds, medicinal: organic and inorganic

Morphine and derivatives

Oils, vegetable and animal: medicinal grade refined and concentrated

Opium derivatives

Ox bile salts and derivatives: bulk, uncompounded

Penicillin: bulk, uncompounded

Physostigmine and derivatives

Pituitary gland derivatives: bulk, uncompounded

Procaine and derivatives: bulk, uncompounded

Quinine and derivatives

Reserpines

Salicylic acid derivatives, medicinal grade

Strychnine and derivatives

Sulfa drugs: bulk, uncompounded

Sulfonamides

Theobromine

Vegetable gelatin (agar-agar)

Vitamins, natural and synthetic: bulk, uncompounded

## **2834 Pharmaceutical Preparations**

Establishments primarily engaged in manufacturing, fabricating, or processing drugs in pharmaceutical preparations for human or veterinary use. The greater part of the products of these establishments are finished in the form intended for final consumption, such as ampoules, tablets, capsules, vials, ointments, medicinal powders, solutions, and suspensions. Products of this industry consist of two important lines, namely: (1) pharmaceutical preparations promoted primarily to the dental, medical, or veterinary professions, and (2) pharmaceutical preparations promoted primarily to the public.

Adrenal pharmaceutical preparations

Analgesics

Anesthetics, packaged

Antacids

Anthelmintics

Antibiotics, packaged

Antihistamine preparations

Antipyretics

Antiseptics, medicinal

Astringents, medicinal

Barbituric acid pharmaceutical preparations  
Belladonna pharmaceutical preparations  
Botanical extracts: powdered, pilular, solid, and fluid, except  
Chlorination tablets and kits (water purification)  
Cold remedies  
Cough medicines  
Cyclopropane for anesthetic use (U.S.P. par N.F.), packaged  
Dermatological preparations  
Dextrose and sodium chloride injection, mixed  
Dextrose injection  
Digitalis pharmaceutical preparations  
Diuretics  
Effervescent salts  
Emulsifiers, fluorescent inspection  
Emulsions, pharmaceutical  
Fever remedies  
Galenical preparations  
Hormone preparations, except diagnostics  
Insulin preparations  
Intravenous solutions  
Iodine, tincture of  
Laxatives  
Liniments

Lip balms  
Lozenges, pharmaceutical  
Medicines, capsuled or ampuled  
Nitrofuran preparations  
Ointments  
Parenteral solutions  
Penicillin preparations  
Pharmaceuticals  
Pills, pharmaceutical  
Pituitary gland pharmaceutical preparations  
Poultry and animal remedies  
Powders, pharmaceutical  
Procaine pharmaceutical preparations  
Proprietary drug products  
Remedies, human and animal  
Sodium chloride solution for injection, U.S.P.  
Sodium salicylate tablets  
Solutions, pharmaceutical  
Spirits, pharmaceutical  
Suppositories  
Syrups, pharmaceutical  
Tablets, pharmaceutical  
Thyroid preparations

Tinctures, pharmaceutical

Tranquilizers and mental drug preparations

Vermifuges

Veterinary pharmaceutical preparations

Vitamin preparations

Water decontamination or purification tablets

Water, sterile: for injections

Zinc ointment