

**ORDINANCE NO. 06-5380**

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 23-304, AND 23-308; PROVIDING A PROCEDURE FOR REVIEW OF SUBSEQUENT MINOR SUBDIVISIONS.

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

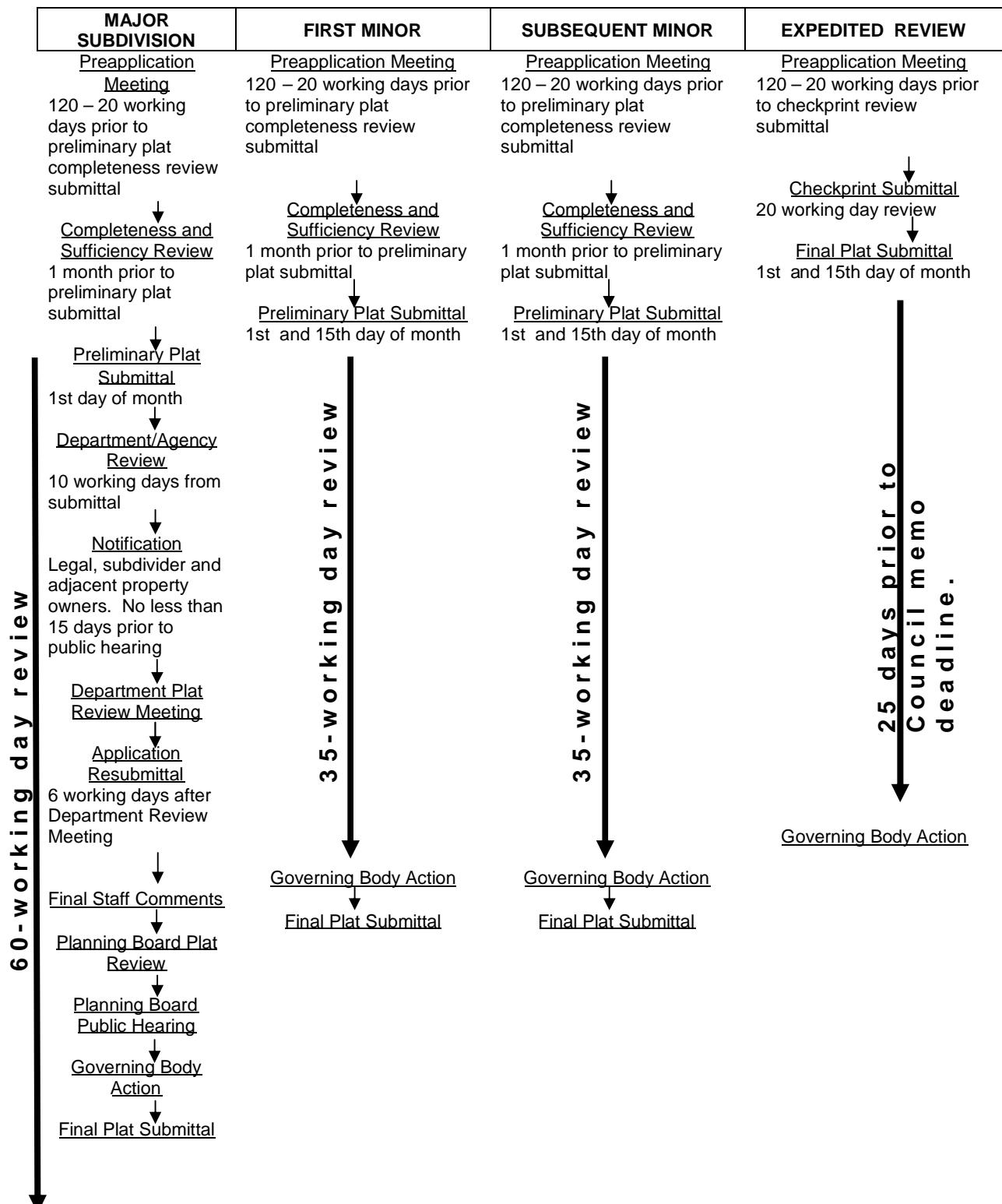
**Section 1.** That Section 23-304 of the Billings, Montana, City Code be amended so that such section shall read as follows:

**Section 23-304. Subsequent Minor Subdivisions.**

Divisions of land creating five (5) or fewer lots that are not first minor subdivisions from a tract of record shall be reviewed as ~~major~~ first minor subdivisions in accordance with Section 23-302303 of this Article (76-3-609(4), MCA). The subsequent minor subdivision will be reviewed by the governing body where the jurisdiction in which it is located. A copy of the application shall also be provided to school district trustees (76-3-601(2)(b), MCA).

**Section 2.** That Section 23-308 of the Billings, Montana, City Code be amended so that such section shall read as follows:

## Section 23-308. Flowchart of Subdivision Procedures.



**Section 3. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

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 REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.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

PASSED by the City Council on first reading this 24<sup>th</sup> day of July, 2006.

PASSED, ADOPTED and APPROVED on second reading this 14<sup>th</sup> day of August, 2006.

CITY OF BILLINGS

By \_\_\_\_\_  
Ron Tussing, Mayor

ATTEST:

By \_\_\_\_\_  
Marita Herold, CMC/AAE City Clerk