

ORDINANCE NO. 08-5476

AN ORDINANCE OF THE CITY OF BILLINGS, MONTANA PROVIDING THAT THE BILLINGS, MONTANA CITY CODE SECTION 22-500 STREET MAINTENANCE DISTRICT BE AMENDED BY SETTING THE MAXIMUM ANNUAL ASSESSMENT FOR VACANT PARCELS BY ANNUAL RESOLUTION, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING A SEVERABILITY CLAUSE BE AMENDED FOR CLARIFICATION.

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

**Section 1.** That the Billings, Montana City Code Section 22-500 be amended to read as follows:

**Sec. 22-501.** Designation.

Whenever any portion of the city shall have been designated as a street maintenance district, the streets and avenues and intersections of streets and avenues in such district may be maintained as maintenance is defined in MCA 7-12-4401(2) for such time and in such manner, and under the supervision of the city.

**Sec. 22-502.** By whom work may be done.

Maintenance as referred to in section 22-501, may be done by contract, or by forces in the employ of the city, or both.

**Sec. 22-503.** Use of city forces.

Whenever any portion of the work within a maintenance district has been done by any forces employed by the city, the city administrator shall certify to the council on or before the first Monday in October, of each year, the cost and expense such forces used in each maintenance district of the city, together with an estimate of the cost for the portion of the time such forces may be required to be used in each district for the balance of the fiscal year.

**Sec. 22-504.** Assessment of costs.

All of the costs and expenses of each maintenance district, exclusive of the cost of maintaining public places and the intersections of streets with avenues or alleys, shall in all cases be assessed and taxed to the lots or parcels of land within the district.

**Sec. 22-504.1.** Maximum annual assessment for parcels, tracts or lots which are undeveloped and unimproved.

The maximum annual assessment for street maintenance for any tract, parcel or lot which is undeveloped and unimproved shall be ~~three hundred dollars (\$300.00)~~. **set by resolution.**

**Sec. 22-505.** Assessment method.

Each lot or parcel of land shall bear its share of the costs and expenses of each maintenance district according to the options set forth in MCA Title 7, Chapter 12 (section 7-12-101 et seq.). The city council shall determine and fix the proportion to be assessed in each district by each such method. The assessment shall be exclusive of the costs and expenses of maintaining public places.

**Sec. 22-506.** Certification of tax.

The taxes for maintenance districts assessed under sections 22-504 and 22-505 shall be extended in the same manner as other special assessments and shall be certified to the county clerk.

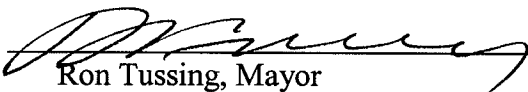
PASSED by the City Council on first reading this 8th day of September, 2008.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of September, 2008.




CITY OF BILLINGS

By

  
Ron Tussing, Mayor

ATTEST:

By



Cari Martin, City Clerk