

RESOLUTION NO. 11- _____

**A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO
SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL
CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON
THE OCTOBER 2011 PROPERTY TAX STATEMENTS**

WHEREAS, the City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, Ordinance 05-5322 states, *“The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year.”*, and

WHEREAS, the City Council adopted Ordinance 08-5478 on September 8, 2008, in part to provide relief to Residential Manufactured Home (RMH)-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council may provide relief to property owners meeting the criteria of Ordinance 05-5322 and Ordinance 08-5478 by capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates, and

WHEREAS, the Public Works Department received eight (8) completed and signed petitions by the August 31, 2011, deadline and

WHEREAS, the Public Works Department verified that six (6) petitions involving seven (7) properties meet the criteria of Ordinance 08-5478, and

WHEREAS, reducing the assessments on these seven (7) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2011, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. **REDUCTION OF ASSESSMENTS**: The Arterial Construction Fees assessments on the following seven (7) parcels shall be adjusted by Public Works Department staff and placed upon the assessment rolls and collected in the same manner as other City of Billings assessments.

<i>TAX CODE</i>	<i>ZONE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>PARCEL ADDRESS</i>	<i>Adjusted Assessment</i>
C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane	\$41.09
D05202	HC	Hatveldt	Art	2104 Bench Blvd	\$41.09
D05200	HC	Moats	Melville E. Jr & Vivian I	2112 East Main Street	\$41.09
D05201	RMH	Moats	Melville E. Jr & Vivian I	2112 East Main Street	\$41.09
A05114	CI	Weisbeck	Peter P. & Lucile V.	107 S 8th Street West	\$41.09
C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	\$41.09
A11635	MCPZD	Nilson	Terry W.	922 North 30th Street	\$29.96

3. **NOTICE OF HEARING:** On Monday, **September 26, 2011**, at 6:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk is hereby directed to publish notice on September 15, 2011, and September 22, 2011, in the **Billings Times**.

4. **EFFECTIVE DATE:** This resolution shall be effective upon final adoption.

ADOPTED and APPROVED by City Council this 26th day of September 2011.

CITY OF BILLINGS:

BY: _____
Thomas Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk