

Attachment A – Draft Ordinance

ORDINANCE NO. 12- _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-1704 – SCHEDULE OF FEES, CHARGES AND EXPENSES – TO DELETE LANGUAGE AND TO ADD LANGUAGE TO CLARIFY THE REGULATION AND ADOPT THE REVISION AS AN AMENDMENT TO THE ZONING REGULATIONS AND SET A TIME PERIOD FOR THE REGULATION TO BE EFFECTIVE.

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 City Council 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. DESCRIPTION. The zoning regulation shall apply to all land within the City of Billings.

Section 3. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-1704 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~~ or board of county commissioners. Within this schedule of fees, the city ~~council administrator~~ shall be solely 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, charged, 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 \$325.00~~
 - ~~b. Commercial 400.00~~
- ~~(2) Zoning Commission:~~

- a. ~~Zone change~~
 - ~~Residential 650.00~~
 - ~~Commercial 900.00~~
- b. ~~Special review~~
 - ~~Residential 650.00~~
 - ~~Commercial 900.00~~
- (3) ~~Planned development—Preliminary review and zone change~~
~~Change to fees in Resolution 98-17350~~
 - ~~Five acres or less 750.00~~
 - ~~Over five acres 1,200.00~~

Section 4. REPEALER. All ordinances or parts of ordinances 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 March 26, 2012.

PASSED, ADOPTED AND APPROVED on second reading April 9, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel

ATTEST:

BY: _____
Cari Martin, City Clerk
ZC #887 – Text - Fees