CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

"THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS."

AGENDA

COUNCIL CHAMBERS **August 14, 2017** **6:30 P.M.**

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Friedel

ROLL CALL: Councilmembers present on roll call were:

MINUTES: July 24, 2017

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. **CONSENT AGENDA** -- Separations:

A. **Bid Awards:**

1. **New Side Load Garbage Truck**. (Opened 08/08/17) Recommendation will be made during the Council meeting.

2. **Rose Park Pool Operations Building Replacement.** (Opened 08/01/17) Recommend Swank Enterprises; $1,761,500.

B. **Yellowstone Kelly Interpretive Site:**

1. **Acceptance of Donation** to the Parks, Recreation and Public Lands Department from Chamber of Commerce for Yellowstone Kelly Interpretive Site; $14,000.

2. **Change Order #4** - Yellowstone Kelly Interpretive Site, Hardy Construction, $35,040.

C. **Professional Services Contract** for W.O. 17-26, 62nd and Rimrock Stormwater Detention Pond; DOWL; $145,704.

D. **Professional Engineering Services Agreement** for Terminal Expansion Project; Morrison-Maierle, Inc.

E. **Amendment #1, W.O. 17-01: Schedule 1, 24th Street West Water Main Replacement,** Professional Services Contract; DOWL; $123,610.

F. **Acceptance** of Memorandum Agreement with the Montana Department of Transportation (MDT) for TransADE Operating Assistance; $64,442.

G. **Approval** of the Assignment and Transfer of the Automobile Rental Concession and Lease from DTG Operations, Inc. to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental.

H. **Approval** of Noise Waiver for Burn the Point Street Dance, extend event end time to 12:30 am, September 2, 2017.

I. **Acknowledging Receipt of Petition to Annex #17-05:** approximately 119 acres generally located at the northwest corner of the intersection of Rimrock Road and 70th Street West; Gary Oakland and Marvin Hessler, owners; Sanderson Stewart, petitioner; and setting a public hearing date for 08/28/17.

J. **Approval** of Tax Increment Financing Assistance from East Billings Urban Renewal District (EBURD) to Mazabuka, LLC, for reimbursement for qualified property improvements; $15,290.60.

K. **Second/Final Reading Ordinance for Zone Change #958:** a zone change from Planned Development (PD) and Residential Multi-Family (RMF) to Residential Professional (RP) on a 1.12 acre parcel of land, generally located at the southwest corner of 7th Avenue North and North 25th Street. Campos/Dorn, LLC. owner, Sanderson Stewart, agent. Approval of the zone change and adoption of the findings of the 10 criteria.

L. **Preliminary Plat One-Year Extension** of High Sierra Subdivision, 9th Filing, generally located north of Annandale Road and east of Greenbriar Road; setting a new expiration date of August 25, 2018.

M. **Preliminary Plat Two-Year Extension** of High Sierra Subdivision, 10th Filing, generally located north of Annandale Road and east of Greenbriar Road; setting a new expiration date of August 25, 2019.

N. **Bills and Payroll:**

1. July 5, 7, 11 and 17, 2017

2. July 24, 2017

REGULAR AGENDA:

2. **PUBLIC HEARING** to receive input for the proposed low income senior housing project by Homeword, Inc.

3. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code (BMCC) Article 22-231, Sidewalk Repairs. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 17-03:** located at the southeast corner of the intersection of Blue Creek Road and Santiago Boulevard. Jamey Eisenbarth, owner. Sanderson Stewart, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND FIRST READING ORDINANCE** approving the separation of the City and County Unified Zoning Regulations. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property in Annexation #17-02: an approximate 5.4 acre parcel located west of Hawthorne Lane and north of Kyhl Lane. Richard and Mae Sartorie, owners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.)*

COUNCIL INITIATIVES:

ADJOURN:

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Denise R. Bohlman, City Clerk, at 657-8210.

Consent **1. A. 1.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Bid Award - One New Side Load Garbage Truck for the Solid Waste Division

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

Presentation: No

PROBLEM/ISSUE STATEMENT

Bids were received and opened on August 8, 2017 to purchase a new side load garbage truck to replace existing unit number 0169 for the Solid Waste Division of the Public Works Department. Staff advertised for sealed bids on July 14, July 21 and August 4, 2017. This replacement is included in the FY 2018 Equipment Replacement Plan (ERP) and the FY 2018 budget for the Solid Waste Division. The existing truck number 0169 will be traded as part of this purchase. Bid results and a staff recommendation for award will be included in the Friday, August 11, Council packet and presented at the City Council meeting.

ALTERNATIVES ANALYZED

City Council may:

- After being presented with bid results, approve purchasing the new side load garbage truck from the recommended bidder or;
- Disapprove the purchase and reject all bids. If the new truck is not purchased, the Public Works Department will be required to continue using the existing unit that is at or near the end of its useful life. Maintenance costs will increase and reliability will decrease.

FINANCIAL IMPACT

The Solid Waste Division's FY 2018 budget includes adequate funds to replace the vehicle described. Bid results will be included in the Friday packet and presented at the Council meeting.

RECOMMENDATION

Staff recommends that Council award the contract for a new side load garbage truck, after being presented with bid results. This includes the new truck and trading in existing unit number 0169.

APPROVED BY CITY ADMINISTRATOR

Consent **1. A. 2.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Rose Park Pool Operations Building Replacement - Bid Award

PRESENTED BY: Mike Whitaker, Parks, Recreation & Public Lands Director

Department: Parks/Rec/Public Lands

Presentation: Yes

PROBLEM/ISSUE STATEMENT

The Rose Park Pool Operations Building Replacement project is to replace the structure which was damaged by fire in March of 2016. An initial bid to demolish the existing structure was awarded by Council on January 9, 2017 for $51,000.00. A subsequent bid was opened on January 10, 2017 to construct a replacement operations building. The low bid was $1,856,600.00 for a total project cost of $1,907,600.00. This amount exceeded the budgeted amount so on February 13th Council voted to reject all bids for construction and directed Staff to find cost savings through value engineering and to re-bid the project to start after the 2017 swimming season ends. Also on July 24, 2017 Council voted to reject all bids for demolition because due to elapse in time and financial constraints the contractor was no longer in a position to move forward to sign a contract for the demolition. Staff worked with CTA, the consulting Architect to identify cost savings which included changing the roofing material, eliminating storage space and landscaping the site in-house through supervising volunteer gardening groups. Through these efforts, the project cost have been reduced by $146,100.00. With the proposed efficiencies in building design, they will reduce operations costs over a 10 year period by more than $55,000.00

The revised project was re-bid and on August 1, 2017, the bids were opened. There were 6 bidders and Swank Enterprises of Billings was the apparent low bidder with a base bid of $1,683,000.00. Two Additive Alternates are recommended to include with the base bid; demolition and asbestos abatement of the existing building at a cost of $57,000.00 and demolition and re-routing of the irrigation main line within the project site at a cost of $21,500.00 for a total project cost of $1,761,500.00 (See Bid Tab Attached).
If this bid is awarded, demolition of the existing building will begin shortly after the close of the swimming season, which is August 20th.

ALTERNATIVES ANALYZED

City Council may:

- Vote to award the bid and Additive Alternates #4 and 5 to Swank Enterprises of Billings to re-build the Rose Park Pool Operations Building or;
- Reject all bids and provide staff with additional direction.

FINANCIAL IMPACT

Funding for this project comes from an insurance settlement for the fire and the City Wide Park District #1 which was approved in FY 2018.

RECOMMENDATION

Staff recommends that the City Council awards the bid and Additive Alternates #4 and 5 to Swank Enterprises in the amount of $1,761,500.00 to re-build the Rose Park Pool Operations Building.

APPROVED BY CITY ADMINISTRATOR

Attachments

Bid Tab

Billings Parks and Recreation
Rose Park Pool New Operations Center
Billings, MT

BID TABULATION

BPR_RPPOB

	Fisher Construction	Hardy Construction	Swank Enterprises	Diamond Construction	Yellowstone Basin Construction LLC	General Contractors	CS Structures
Bid Received On Time	x		x	x	x	x	x
Acknowledge Addendum #1 - #3	x		x	x	x	x	
Bid Bond Included	x		x	x	x	x	x
Base Bid	$1,773,000.00		$1,683,000.00	$1,810,500.00	$1,752,528.00	$1,775,019.00	$1,860,000.00
Alternate #1 Flooring LV1 in room A102	$4,600.00		$3,000.00	$2,900.00	$3,507.00	$3,217.00	$3,450.00
Alternate #2 Sand Blast Stencil Wave Pattern into concrete	$16,500.00		$17,000.00	$18,300.00	$17,530.00	$17,314.00	$17,200.00
Alternate #3 Landscape, soil, plants, sod, trees, mulch	$59,500.00		$39,500.00	$42,000.00	$40,284.00	$89,540.00	$39,500.00
Alternate #4 Irrigation, demo of existing mainline and wiring	$18,100.00		$21,500.00	$19,500.00	$18,700.00	$19,737.00	$18,000.00
Alternate #5 Existing Pool House Demolition and Asbestos Abatement	$71,000.00		$57,000.00	$77,000.00	$61,662.00	$57,196.00	$72,500.00
Total W/ Alternates	$1,942,700.00		$1,821,000.00	$1,970,200.00	$1,894,211.00	$1,962,023.00	$2,010,650.00
Total W/ Alternates #4, #5	$1,862,100.00		$1,761,500.00	$1,907,000.00	$1,832,890.00	$1,851,952.00	$1,950,500.00

Consent **1. B. 1.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Acceptance of $35,040 of Donations for Yellowstone Kelly Interpretive Site Change Order #4

PRESENTED BY: Tina Volek, City Administrator

Department: City Hall Administration

Presentation: No

PROBLEM/ISSUE STATEMENT

The Yellowstone Kelly Interpretive Site (YKIS) at Swords Park is nearing completion, and Change Order #4 for $35,040 has been presented for payment as described below. This project has been a cooperative effort of the Greater Billings Area Chamber of Commerce, the City and the community to restore the 1928 grave of Luther Sage "Yellowstone" Kelly, a post-Civil War soldier, hunter and guide. The City originally contributed $50,000 as the lead donation for the project. The Chamber has continued that process by providing cash donations it has solicited, including those to be contributed Aug. 14, and a letter of commitment to pay for what is believed to be the final change order.

The Chamber will present a check for $14,000 to the Council at its Aug. 14 Business Session. The check includes donations from the following firms and individuals: $500 from Midland Claims; $1,000 from Chris and Dr. Cheryl Cook; $2,500 from the Boothill Inn; $5,000 from Stockman Bank; and $5,000 from an anonymous donor. In addition, Bill Cole has committed by letter to pay for any difference remaining once the project is complete and all bills and donations have been received; that amount currently is $14,557.44, although additional fund raising is expected to reduce the number before the project is finished.

The balance of the change order will be paid by $6,482.56 remaining in the City's project account.

ALTERNATIVES ANALYZED

City Council may:

- Accept the donations and letter of commitment to complete the project;
- Delay approval; or
- Decline to accept the contributions or letter of commitment, which would leave the YKIS project incomplete or force the City to find funds to finish a contract it has signed.

FINANCIAL IMPACT

An accounting of the revenues and expenditures for the project compiled by the Finance Department as of June 30, 2017, is attached.

The Greater Billings Area Chamber of Commerce has gathered 94% of the funds for the project. Of that amount, $74,000 is based on pledges over four years, with the City providing short-term financing.

RECOMMENDATION

Staff recommends that the City Council accept $14,000 in donations from the firms and individuals mentioned, and of a letter of commitment from Bill Cole for the remaining funds needed to complete Change Order #4, currently estimated at $14,557.44.

APPROVED BY CITY ADMINISTRATOR

Attachments

John Brewer Memo
YKIS Accounting
WColeLetter

Volek, Christina

From: John Brewer <John@BillingsChamber.com>
Sent: Wednesday, August 02, 2017 3:27 PM
To: Volek, Christina
Cc: Bill Cole; Chris Dimock; John Brewer
Subject: YKIS Change Order #4 Funding
Attachments: Project Report 6-30-17.pdf; Cole Letter.pdf

Dear Ms. Volek and Members of the Billings City Council

On behalf of the Billings Chamber of Commerce, our Board of Directors, and the Yellowstone Kelly Interpretive Site Committee we thank you for your leadership, support and partnership toward improving our most scenic and historic City owned park: Swords Rimrock Park. Eight-eight years ago when Luther Sage "Yellowstone" Kelly was laid to rest, the City of Billings, the State of Montana and the Billings Chamber of Commerce promised to provide an honorable resting place. In the next few weeks we will all be able to proudly enjoy this place of honor.

We believe that Change Order #4 that you are being asked to approve will complete the project. 100% of this change order is being covered through private investment. In fact, the entirety of this project is being paid for with more than 94% private money. The City contributed approximately 6% as the lead gift nearly two years ago.

When CO#4 is presented to the Council on August 7, we will present cash and a letter of commitment to pay for the difference once the project is complete and all bills are received (see attached letter).

Change Order #4 total: $35,040

Funding to come from the following:

- Check to be presented to Council for $14,000
    - $500 Midland Claims
    - $1000 Chris and Dr. Cheryl Cook
    - $2,500 Boothill Inn
    - $5,000 Stockman Bank
    - $5,000 (confidential donor to be confirmed this week)
- Unallocated funds dedicated to the YKIS project transferred to the City already: $6,482.56 (see attached summary of available funds from the City Finance Department)
- Commitment from Bill Cole: $14,557.44 (please note that at the time the letter was drafted we anticipated the shortfall to be $19,557.44. We expect that gap to continue to be reduced).

It should be noted that Bill and Anne Cole have already contributed over $51,000 in cash to this project. We will work hard to assure that the Coles' additional commitment is lowered through other private contributions. Their leadership and investment in making Billings a better place is appreciated.

Thank you.

John Brewer,
President/CEO, Billings Chamber of Commerce
Main: (406) 245-4111 | Direct: (406) 869-3720

Yellowstone Kelly Interpretive Site Project

as of 6/30/17

Base Construction Bid	$ 507,901.80
Deductive Change Order	(159,193.44)
Change order #2	89,182.08
Change order #3	56,628.00
Engineering and Design PO 165&351	23,999.00
Net Construction & Design Bid	**$518,517.44**
Cash from City	50,000.00
Cash from Foundation	368,000.00
Addt'l Donations (Hardy, Bair Trust, & TrailNet)	33,000.00
Agreements Receivable	74,000.00
Total Money Available for Project	**525,000.00**
Potential Excess/(Deficit)	**6,482.56**

Project Costs To Date:	6/30/2017	*Purchase Order*	*PO Total*	*Amount Remaining*
Hardy Construction	224,064.16	PO 17-000189	490,139.54	266,075.38
Business Tax Section (State of MT)	2,263.27	PO 17-000190	4,378.90	2,115.63
Sanderson Stewart	19,499.10	PO 16-000165	19,999.00	499.90
Western Heritage	4,000.00	PO 16-000351	4,000.00	-
Other Expenses	141.00			
Total Expenditure	**249,967.53**		**518,517.44**	**268,690.91**
Funds Remaining for Project	**275,032.47**			

Note: This only reflects actual expenses, purchase orders, and change orders currently signed by the City.

Cole Law Firm

PLLC

July 28, 2017

City of Billings
c/o Christina F. Volek
City Administrator
PO Box 1178
Billings, MT 59103-1178

RE: Yellowstone Kelly Interpretive Site – Change Order #4

Dear Tina:

As you are aware, we are now close to completing the construction of the Yellowstone Kelly Interpretive Site in Swords Rimrock Park after a three-year planning, fundraising and building process. The proposed Change Order #4 requires $35,040 in additional funding for important project elements that the YKIS committee has always hoped to include (e.g., paving of the parking lot, electrical service, National Register of Historic Places commemorative plaque, etc.) if the funds became available.

A large portion of the funding for Change Order #4 is already in hand. Interim Finance Director Andy Zoeller has determined that $6,482.56 in surplus funds is available from earlier YKIS fundraising efforts, and more recent fundraising has generated $9,000 in cash gifts that will be presented to the City by John Brewer, President/CEO of the Billings Chamber of Commerce. This leaves a temporary gap of $19,557.44 ($35,040 - $6,482.56 - $9,000 = $19,557.44) that we expect will be filled by additional fundraising over the next couple months. That sum represents approximately 3.7% of the total project cost.

It is important that Change Order #4 be approved so the project can be efficiently completed while the contractors are mobilized and on site. To avoid an unnecessary and costly delay, the purpose of this letter is to advise you that my wife, Anne, and I will, upon approval of Change Order #4 by the City, gladly and unconditionally guarantee payment to the City of Billings of an amount up to the current shortfall ($19,557.44) if that becomes necessary. In other words, if by the time the City becomes obligated to pay the general contractor for the items specified in Change Order #4, the funds currently on hand ($15,482.56) plus future fundraising together total less than $35,040, we will cover the difference by making a charitable contribution to the City for the amount of the shortfall.

William A. Cole

Tel (406) 294-5700 • Fax (406) 294-5702 • bcole@colefirm.com

3860 AVE B • STE C WEST • BILLINGS, MT 59102-7550

We understand that by approving Change Order #4 the City will be relying on our promise made in this letter, which is intended to create a binding obligation.

Please feel free to contact me if you have any questions. I look forward to working with you and your staff to expeditiously complete this exciting project.

Very truly yours,

Bill Cole

William A. Cole

WAC:btp
enclosures
cc: John Brewer

Consent **1. B. 2.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Approve Change Order #4 for the Yellowstone Kelly Interpretive Site

PRESENTED BY: Mike Whitaker, Parks, Recreation & Public Lands Director

Department: Parks/Rec/Public Lands

Presentation: No

PROBLEM/ISSUE STATEMENT

Yellowstone Kelly Interpretive Site Change Order #4 (attached) would add the following elements to the project:

- Donor Emblems
- Donor plaques mounted on sandstone wall
- Electric Service
- Add columns for plaques
- Additional work required to cut down rock on alternate trail
- Pave parking lot

The total cost of the proposed additions is $35,040.00, bringing the total project contract price to $529,558.44. The cost of the additions is being covered by funds raised by the Greater Billings Area Chamber of Commerce.

ALTERNATIVES ANALYZED

City Council may:

- Approve Change Order #4;
- Postpone action on the Change Order, delaying construction of those improvements; or
- Disapprove Change Order #4, which would mean the additions would not be built or would have to be funded by the City.

FINANCIAL IMPACT

If Change Order #4 and the Chamber donation are accepted, there should be no additional construction costs to the City. The City Parks and Recreation Department will be responsible for maintaining the site in the future, however.

RECOMMENDATION

Staff recommends that the City Council approve Change Order #4 for $35,040.00 to add improvements at the Yellowstone Kelly Interpretive Site.

APPROVED BY CITY ADMINISTRATOR

Consent **1. C.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: WO 17-26; 62nd and Rimrock Stormwater Detention Pond - Contract for Professional Services

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

Presentation: No

PROBLEM/ISSUE STATEMENT

W.O. 17-26 includes developing a regional storm water detention pond near the southwest corner of 62nd Street West and Rimrock Road. The concept of this regional facility is to provide a storm water mitigation solution for future road improvements and that adjacent private development can utilize. Staff requested the services of an engineering firm to provide design and construction administration and DOWL was selected through the Request for Proposals (RFP) process. Other firms considered were Brown and Caldwell, Performance Engineering, and Morrison-Maierle. The contract amount is $145,704.

ALTERNATIVES ANALYZED

The Council may:

- Award the Contract for Professional Services to DOWL; or
- Do not award the contract. If the contract is not awarded, developing the 62nd and Rimrock storm water detention pond will be delayed and development within the surrounding areas will have to create an alternative storm water mitigation solution.

FINANCIAL IMPACT

The cost of professional services is $145,704. FY 2018 Storm Drain Funds will be used for this project.

RECOMMENDATION

Staff recommends that Council approve a Contract for Professional Services with DOWL for $145,704 for W.O. 17-26; 62nd and Rimrock Stormwater Detention Pond.

APPROVED BY CITY ADMINISTRATOR

Attachments

W.O. 17-26 Contract for Professional Services

Contract for Professional Architectural and Engineering Services

W.O. 17-26; Rimrock and 62nd Stormwater Detention Pond

In consideration of the mutual promises herein, City of Billings and DOWL agree as follows. This Contract consists of:

Part I, consisting of 15 Sections of Special Provisions;

Part II, consisting of 11 Sections of General Provisions;

Appendix A consisting of 5 pages (Basic Services of Contractor);

Appendix B consisting of 2 pages (Methods and Times of Payment);

Appendix C consisting of 1 pages (Additional Services of Contractor);

Appendix D consisting of 3 pages (Schedule of Professional Fees);

Appendix E consisting of 1 pages (Project Schedule);

Appendix F consisting of 3 pages (Certificate(s) of Insurance); and

PART I
SPECIAL PROVISIONS

Section 1. Definitions.

In this Contract:

A. "Administrator" means the City Engineer of the Engineering Division of the Public Works Department or his designee.
B. “Billings” means the City of Billings.
C. "Contractor" means DOWL.

Section 2. Scope of Services.

A. The Contractor shall perform professional services in accordance with Appendix A, which is attached hereto and incorporated in this Section by reference.
B. Billings shall pay the Contractor in accordance with the Schedule of Professional Fees attached as Appendix D and incorporated herein by reference for services actually performed under this Contract.
C. Billings shall not allow any claim for services other than those described in this Section. However, the Contractor may provide, at its own expense, any other services that are consistent with this Contract.

D. The Contractor shall provide as-built drawings ~~on mylars~~ in print, and in digital format (PDF and AutoCAD), as approved by the City of Billings, to the Administrator within 30 days after the project completion date. Final payment will be withheld until the as-built drawings are received by the City of Billings.

~~E. The Contractor shall provide certified construction payrolls to the Administrator stating in writing that the payrolls have been reviewed and are acceptable.~~

Section 3. Time for Performance.

A. This Contract becomes effective when signed on behalf of Billings.
B. The Contractor shall commence performance of the Work described in Section 2 on receipt of written Notice to Proceed and complete that performance in accordance with the schedule set forth in Appendix E.
C. This Contract shall terminate at midnight on December 31, 2019.

Section 4. Compensation; Method of Payment. **(Choose payment method A, B, or C)**

A. Each month, or at the conclusion of each phase of the Work for which payment is due, as negotiated on a per-task basis, the Contractor shall present a bill to the Administrator describing the Work for which it seeks payment and documenting expenses and fees to the satisfaction of the Administrator. If any payment is withheld because the Contractor's performance is unsatisfactory, the Administrator must, within ten (10) days of the payment denial, notify the Contractor of the payment denial and set forth, with reasonable specificity, what was unsatisfactory and why. Billings will pay Contractor within 30 days of receiving an acceptable invoice.
B. The Contractor is not entitled to any compensation under this Contract, other than is expressly provided for in this Section.
C. As a condition of payment, the Contractor shall have paid all City taxes currently due and owing by the Contractor.

Section 5. Termination of the Contractor's Services.

The Contractor's services under Section 2 of this Part may be terminated:

A. By mutual consent of the parties.
B. For the convenience of Billings, provided that Billings notifies the Contractor in writing of its intent to terminate under this paragraph at least 10 days prior to the effective date of the termination.
C. For cause, by either party where the other party fails in any material way to perform its obligations under this Contract. Termination under this Subsection is subject to the condition that the terminating party notifies the other party of its intent to terminate, stating with reasonable specificity the grounds therefor, and the other party fails to cure the default within 30 days after receiving the notice.

Section 6. Duties Upon Termination

A. If Billings terminates the Contractor’s services for convenience, Billings shall pay the Contractor for its actual costs reasonably incurred in performing before

termination and Billings shall pay for services rendered prior to termination. Payment under this Subsection shall never exceed the total compensation allowable under Section 4 of this Part. All finished and unfinished documents and materials prepared by the Contractor shall become the property of Billings.

B. If the Contractor's services are terminated for cause, Billings shall pay the Contractor the reasonable value of the services satisfactorily rendered prior to termination, less any damages suffered by Billings because of the Contractor's failure to perform satisfactorily. The reasonable value of the services rendered shall never exceed ninety percent (90%) of the total compensation allowable under Section 4 of this Part. Any finished or unfinished documents or materials prepared by the Contractor under this Contract shall become the property of Billings at its option.
C. If the Contractor receives payments exceeding the amount to which it is entitled under Subsections A or B of this Section, he shall remit the excess to the Administrator within 30 days of receiving notice to do so.
D. The Contractor shall not be entitled to any compensation under this Section until the Contractor has delivered to the Administrator all documents, records, Work product, materials and equipment owned by Billings and requested by the Administrator.
E. If the Contractor's services are terminated for whatever reason the Contractor shall not claim any compensation under this Contract, other than that allowed under this Section.
F. If a final audit has not been performed before the Contractor's services are terminated, Billings may recover any payments for costs disallowed as a result of the final audit.
G. Except as provided in this Section, termination of the Contractor's services under Section 5 of this Part does not affect any other right or obligation of a party under this Contract.

Section 7. Insurance.

A. The Contractor shall maintain in good standing the insurance described in Subsection B of this Section. Before rendering any services under this Contract, the Contractor shall furnish the Administrator with proof of insurance in accordance with Subsection B of this Section.
B. The Contractor shall provide the following insurance:

    1. Workers' compensation and employer's liability coverage as required by Montana law.
    2. Commercial general liability, including contractual and personal injury coverage's -- $1,500,000 per occurrence.
    3. Commercial automobile liability -- $1,500,000 per accident.
    4. Professional liability in the amount of $1,500,000 per claim.

C. Each policy of insurance required by this Section shall provide for no less than 30 days' advance notice to Billings prior to cancellation.
D. Billings SHALL be listed as an additional insured on all policies except Professional Liability and Worker's Compensation Policies. In addition, all policies except

Professional Liability and Worker's Compensation shall contain a waiver of subrogation against Billings.

Section 8. Assignments.

Unless otherwise allowed by this Contract or in writing by the Administrator, any assignment by the Contractor of its interest in any part of this Contract or any delegation of duties under this Contract shall be void, and an attempt by the Contractor to assign any part of its interest or delegate duties under this Contract shall give Billings the right immediately to terminate this Contract without any liability for Work performed.

Section 9. Ownership; Publication, Reproduction and Use of Material.

A. Except as otherwise provided herein, all data, documents and materials produced by the Contractor under this Contract shall be the property of Billings, which shall retain the exclusive right to publish, disclose, distribute and otherwise use, in whole or in part, any such data, documents, or other materials. Exclusive rights shall not be attributed to portions of such materials presently in the public domain or which are not subject to copyright. Contractor shall retain rights to pre-existing proprietary property including but not limited to interactive models. The Contractor shall have the right to include photographic or artistic representations of the design and construction of the Project among the Contractor's promotional and professional materials. The Contractor's materials shall not include Billings' confidential or proprietary information regardless of whether Billings has previously advised the Contractor in writing of the specific information considered by Billings to be confidential and proprietary.
B. Equipment purchased by the Contractor with Contract funds: See Appendix A, Section 3. Scope of Work.
C. Should Billings elect to reuse Work products provided under this Contract for other than the original project and/or purpose, Billings will indemnify and hold harmless the Contractor from any and all claims, demands and causes of action of any kind or character arising as a result of reusing the documents developed under this contract. Additionally, any reuse of design drawings or specifications provided under this Contract must be limited to conceptual or preliminary use for adaptation, and the original Contractor's or subcontractor's signature, professional seals and dates removed. Such reuse of drawings and specifications, which require professional seals and dates removed, will be signed, sealed, and dated by the professional who is in direct supervisory control and responsible for adaptation.

Section 10. Notices.

Any notice required pertaining to the subject matter of this Contract shall be either sent via facsimile (FAX) or mailed by prepaid first class registered or certified mail, return receipt requested to the following addresses:

Billings: Tyler Westrope, PE
City of Billings
Public Works - Engineering
2224 Montana Avenue
Billings, Montana 59101 FAX: (406) 237-6291

Contractor: Wade Irion, PE
DOWL
Water Practice Lead
222 N. 32nd Street, STE 700
Billings, Montana 59101 FAX: (406) 656-6398

Notices are effective upon the earlier of receipt, proof of good transmission (facsimiles only), or 5 days after proof of proper posting.

Section 11. Contract Budget.

In connection with its performance under this Contract, the Contractor shall not make expenditures other than as provided in line items in the Contract budget.

Section 12. Force Majeure.

A. Any failure to perform by either party due to force majeure shall not be deemed a violation or breach hereof.
B. As used in this Contract, force majeure is an act or event of substantial magnitude, beyond the control of the delayed party, which delays the completion of this Contract, including without limitation:

    1. Any interruption, suspension or interference resulting solely from the act of Billings or neglect of Billings not otherwise governed by the terms of this Contract.
    2. Strikes or Work stoppages.
    3. Any interruption, suspension or interference with the project caused by acts of God, or acts of a public enemy, wars, blockades, insurrections, riots, arrests or restraints of governments and people, civil disturbances or similar occurrences.
    4. Order of court, administrative agencies or governmental officers other than Billings.

Section 13. Financial Management System.

The Contractor shall establish and maintain a financial management system that:

A. Provides accurate, current, and complete disclosure of all financial transactions relating to the Contract;
B. Maintains separate accounts by source of funds for all revenues and expenditures and identifies the source and application of funds for the Contractor's performance under this Contract, including information pertaining to subcontracts, obligations, unobligated balances, assets, liabilities, outlays and income;
C. Effectively controls and accounts for all municipal funds and Contract property;

D. Compares actual expenditures with budgeted amounts and relates financial information to performance or productivity data including unit cost information where applicable;
E. Allocates administrative costs to direct service delivery units;
F. Minimizes the time between receipt of funds from Billings and their disbursement by the Contractor;
G. Provides accounting records supported by source documentation; and
H. Provides a systematic method assuring the timely and appropriate resolution of audit findings and recommendations.

Section 14. Funding Requirements.

In the event that any funding source for this Contract should impose additional requirements upon Billings for the use of those funds, the Contractor agrees to abide by those additional requirements immediately upon receipt of written notice thereof from Billings.

Section 15. Subcontracts.

The Contractor may enter into subcontracts for the purchase of goods and services necessary for the performance of this Contract, provided:

A. Every subcontract shall be reduced to writing and contain a precise description of the services or goods to be provided and the nature of the consideration paid therefor.
B. Every subcontract under which the Contractor delegates the provision of services shall be subject to review and approval by the Administrator before it is executed by the Contractor.
C. Every subcontract in an amount exceeding $1,000 shall require reasonable access to business records of the subcontractor relating to the purchase of goods or services pursuant to the subcontract.

PART II
GENERAL CONTRACT PROVISIONS

Section 1. Relationship of Parties.

The Contractor shall perform its obligations hereunder as an independent Contractor of Billings. Billings may administer the Contract and monitor the Contractor's compliance with its obligations hereunder. Billings shall not supervise or direct the Contractor other than a provided in this Section.

Section 2. Nondiscrimination.

A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, or marital status or who is a "qualified individual with a disability" (as that phrase is defined in the Americans With Disabilities Act of 1990). The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, or mental or physical impairment/disability. Such action shall include, without limitation, employment, upgrading, demotion or transfer, recruitment or recruiting advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
B. The Contractor shall state, in all solicitations or advertisements for employees to Work on Contract jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.
C. The Contractor shall comply with any and all reporting requirements that may apply to it which the City of Billings may establish by regulation.
D. The Contractor shall include the provisions of Subsections A through C of this Section in every subcontract or purchase order under this Contract, so as to be binding upon every such subcontractor or vendor of the Contractor under this Contract.
E. The Contractor shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.
F. The Contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

Section 3. Permits, Laws, and Taxes.

The Contractor shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this Contract. All actions taken by the Contractor under this Contract shall comply with all applicable statutes, ordinances, rules and regulations. The Contractor shall pay all taxes pertaining to its performance under this Contract.

Section 4. Nonwaiver.

The failure of either party at any time to enforce a provision of this Contract shall in no way constitute a waiver of the provision, nor in any way affect the validity of this Contract or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

Section 5. Amendment.

A. This Contract shall only be amended, modified or changed by a writing, executed by authorized representatives of the parties, with the same formality as this Contract was executed.
B. For the purposes of any amendment modification or change to the terms and conditions of this Contract, the only authorized representatives of the parties are:

Contractor: DOWL, Wade Irion, Water Practice Lead
(title of position)

Billings: City Council or Authorized Designee

C. Any attempt to amend, modify, or change this Contract by either an unauthorized representative or unauthorized means shall be void.

Section 6. Jurisdiction; Choice of Law.

Any civil action rising from this Contract shall be brought in the District Court for the Thirteenth Judicial District of the State of Montana, Billings. The law of the State of Montana shall govern the rights and obligations of the parties under this Contract.

Section 7. Severability.

Any provision of this Contract decreed invalid by a court of competent jurisdiction shall not invalidate the remaining provisions of the Contract.

Section 8. Integration.

This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions or obligations other than

those contained herein; and this Contract shall supersede all previous communications, representations or agreements, either oral or written, between the parties hereto.

Section 9. Liability.

The Contractor shall indemnify, defend, save, and hold Billings harmless from any and all claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, arising from any wrongful or negligent act, error or omission of the Contractor or any agent, employee or subcontractor as a result of the Contractor's or any subcontractor's performance pursuant to this Contract.

A. The Contractor shall not indemnify, defend, save and hold Billings harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of Billings occurring during the course of or as a result of the performance of the Contract.
B. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both Billings and the Contractor, the Contractor shall indemnify, defend, save, and hold Billings harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the Contractor's or any subcontractor's wrongful or negligent acts occurring as a result from the Contractor's performance pursuant to this Contract.

Section 10. Inspection and Retention of Records.

The Contractor shall, at any time during normal business hours and as often as Billings may deem necessary, make available to Billings, for examination, all of its records with respect to all matters covered by this Contract for a period ending three years after the date the Contractor is to complete performance in accordance with Section 2 of the Special Provisions. Upon request, and within a reasonable time, the Contractor shall submit such other information and reports relating to its activities under this Contract, to Billings, in such form and at such times as Billings may reasonably require. The Contractor shall permit Billings to audit, examine and make copies of such records, and to make audits of all invoices, materials, payrolls, records of personnel, and other data relating to all matters covered by this Contract. Billings may, at its option, permit the Contractor to submit its records to Billings in lieu of the retention requirements of this Section.

Section 11. Availability of Funds.

Payments under this Contract may require funds from future appropriations. If sufficient funds are not appropriated for payments required under this Contract, this Contract shall terminate without penalty to Billings; and Billings shall not be obligated to make payments under this Contract beyond those which have previously been appropriated.

IN WITNESS WHEREOF, the parties have executed this Contract on the date and at the place shown below.

City of Billings

_____
City Council or Designee

Date:_____

ATTEST:

_____
City Clerk

Date:_____

Contractor

Wade Irion, DOWL

Name:_____
Title: Water Practice Lead
Date:_____

IRS Tax ID # 92-0166301

APPROVED AS TO FORM:

By_____
BRENT BROOKS, City Attorney

State of Montana
County of _____
This instrument was signed and sworn to before me
on _____ by _____
(Name of signer)

_____
(Notary Signature)
[Affix seal/stamp to the left or below]

Note: Final contract documents will require the Contractor's signature to be notarized.

Appendix A

Basic Services of Engineer

Section 1. Engineer's Rights and Duties.

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete the Engineer's portion of the project as defined in the scope of work and to prepare and deliver to Billings all plans, specifications, bid documents, and other material as designated herein.

B. Ascertain such information as may have a bearing on the work from local units of government, utility companies, and private organizations and shall be authorized to procure information from other authorities besides Billings, but shall keep Billings advised as to the extent of these contacts and the results thereof.

C. Prepare and present such information as may be pertinent and necessary in order for Billings to pass critical judgment on the features of the work. The Engineer shall make changes, amendments or revisions in the detail of the work as may be required by Billings. When alternates are being considered, Billings shall have the right of selection.

D. Engineer's work shall be in accordance with the standards of sound engineering and present City, State, and National standards and policies currently in use.

E. Conform to the requirements of the Montana Code Annotated Title 18 "Public Contracts" and more particularly Sections 18-2-121 and 18-2-122, and all other codes of the State of Montana applicable to providing professional services including codes and standards nationally recognized.

F. The Engineer shall certify with the submission of final plans that the plans are in conformance with applicable sections of Title 69, Chapter 4, Part 5, of the Montana Code Annotated as pertaining to existing utilities.

G. To perform professional services in connection with the project and will serve as Billings' representative in those phases of the project to which this agreement applies.

H. Where Federal funds are involved, the necessary provisions to meet all requirements will be complied with and documents secured and placed in the bidding documents.

I. Submit an estimated progress schedule as to time and costs at the beginning of the work, and monthly progress reports thereafter until complete. The reports will include any problems, potential problems, and delays as foreseen by the Engineer. Reports will be submitted in a timely manner to permit prompt resolution of problems.

J. Contract administration duties will include review of contractor certified payrolls for wage rate compliance. Discrepancies in certified payrolls will be resolved with the

Contractor. A signed Engineer's Payroll Check Sheet (included in the Standard Modifications to MPWSS) will be submitted as proof of this review with one copy of each payroll.

K. Name a Task Director who shall be the liaison between Billings and the Engineer. For this project the Task Director designated for the Engineer is Wade Irion working under the Principal-in-Charge, John Shoff.

Section 2. Billings Rights and Duties.

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete Billings' portion of the project as designated in the scope of work.

B. Name a Task Director who shall be the liaison between the Engineer and Billings. For this project, the Task Director designated is _____.

Section 3. Scope of Work.

See following Pages:

SCOPE OF WORK
W.O. 17-26
62nd and Rimrock Detention Pond

Project Management

- DOWL will perform general project management tasks including monthly billing, project status updates, and regular coordination with the project team and the City of Billings.

- DOWL has also assumed coordination with third party developer's contractor and City of Billings for removal of soils within the 62nd Street Detention Pond Site.

Survey

- Establish new project control and tie the existing City of Billings control to the new control. DOWL anticipates setting 5-6 new project control points, observe their horizontal locations with GPS, and run differential levels to obtain vertical values. The new control and existing City of Billings control will all be converted to state plane. Control verification results will be shared with the City of Billings.

- DOWL will perform a validation survey to check the existing LIDAR data. This validation survey will consist of several cross section surveys through the site along with a channel survey for the lower portion of the City property, below pond 2.

- DOWL anticipates staking borrow excavation limits for a possible third party developer at each of the 4 pond locations. It is assumed that the project staking task will be executed once, with no need for re-staking.

- DOWL anticipates performing a topographic survey of the site following borrow excavation to establish the new baseline topography. This will allow DOWL to finalize the cut and fill quantities for the City contracted construction.

- DOWL survey services for this project do not include legal research or field survey relating to property locations with the assumption that this was all completed as part of the land purchase.

- DOWL will request locates of underground utilities on the project site and will survey any utilities identified within or adjacent to the project site.

Geotechincal

- DOWL will explore subsurface conditions at the site by drilling 7 soil borings within the cell and pond footprints. The soil borings will extend to a depth of approximately 20 feet, sound bearing stratum or auger refusal, whichever comes first.

- Perform a standard penetration resistance test.

- Obtain undisturbed Shelby tube samples for material testing.
    - Moisture content
    - Atterberg limts
    - Sieve analysis
    - Standard proctor
    - Unconfined compressive strength
    - PH/resistivity/water soluble sulfates

- Develop geotechnical report discussing considerations for design and construction of the new structures, subgrade improvement, slope stability, and corrective earthwork if necessary. The geotechnical report will include the following:
    - Foundation system alternates with associated design parameters,
    - Estimated settlement,
    - Groundwater conditions,
    - Seismic site classification,
    - Lateral earth pressures,
    - Subgrade preparation,
    - Water soluble sulfate content testing for use in concrete design,
    - Expected frost penetration depth and native soil susceptibility to frost heave,
    - Site grading and earthwork recommendations,
    - Utility trench excavation, shoring, backfill and compaction recommendations, and
    - Slope stability recommendations.

Grading Plan & Landscape Plan

- Develop a basemap of the site as it exists before borrow excavation by potential third party development contractor. The existing conditions basemap will be updated using the supplemental survey and will be used as a basis of excavation quantities and topsoil stockpile locations to guide borrow excavation activities.

- Develop the borrow excavation plan for the third party development contractor to be consistent with the planned final configuration of the site.

- Develop a post-borrow excavation basemap to be used as the basis of evaluating quantities for the City contracted project.

- Design final grading plan to define the low flow channel, detention berms, pond bottoms, water control structures, and access path.

- Coordinate with the City for incorporation of landscape features; which are anticipated to consist of revegetation with native grasses, and a limited number of trees and shrubs. No landscape irrigation system is anticipated.

Hydraulic Modeling

- Perform hydraulic modeling to evaluate the required site function with full-build out of the contributing areas.
    - Size outfall structures to restrict runoff from the 2-year, 10-year and 100-year storms to pre-development rates.

- Coordinate with the City of Billings to project development phasing and timing for the contributing areas. This information will be used to guide adaptive design of the outlet structures such that they can be used to control runoff under phased buildout .

- Design outfall structures and spillways. It is assumed that each of the structures will be very similar.

- Develop design memo documenting the methodology and results of the geotechnical evaluation and the hydrologic and hydraulic design.

Preliminary Design Package

- DOWL will develop a tree removal plan identifying Russian Olive or other trees or debris to be removed and disposed of. The final determination of tree removal will be coordinated through City personnel prior to construction.

- DOWL will develop landscaping plan sheets to guide the construction of elements to improve site aesthetics and public access. Plans sheets will include planting schematics and trails. The City will provide a desired list of trees and shrubs to be planted.

- DOWL will develop Preliminary Construction Plans for the City's review. Plans will include:
    - Cover sheet;
    - Sheet Index, Legend and Notes sheet;
    - Tree Removal and Demolition sheet;
    - Grading Plans of the Detention Ponds

- Miscellaneous Detail sheets (including embankment details, etc…);
- Low Flow Channel Plan and Profile;
- Outfall & Spillway Structural Detail sheets; and,
- Landscaping sheets

- DOWL will develop a Preliminary Project Manual. The project manual will include project specifications and special provisions based on the current edition of the Montana Public Works Standard Specifications (MPWSS) and City of Billings Standard Modifications to the MPWSS.

- DOWL will prepare a Pre-Final Opinion of Probable Construction Cost.

- DOWL will perform Quality Assurance and Quality Control checks during the Preliminary design submittal.

Final Design Package

- DOWL will attend a review meeting with City to discuss the City's Pre-Final design comments. DOWL will develop a comment response matrix to formally address City comments.

- DOWL will prepare Final Design Plans by incorporating the City's Pre-Final comments.

- DOWL will prepare the Final Project Manual by incorporating the City's Pre-Final comments.

- DOWL will prepare the final opinion of probable construction costs by incorporating the City's Pre-Final comments.

- DOWL will perform Quality Assurance and Quality Control before submittal of the Final design package.

- DOWL will provide the City with one copy of the final plans and project manual to verify all Pre-Final comments were addressed before advertisement.

- Following the City's final approval, DOWL will prepare bid-ready plans and project manual for bid advertisement. The number of copies of plans and project manuals to be produced will be determined by the City of Billings.

Environmental Permitting

- DOWL will conduct a wetland delineation of the project site utilizing the 1987 Army Corps of Engineers (USACE) Manual and the 2010 Regional Supplement – Great Plains Region. Wetland boundaries and waterways will be mapped using a map-grade GPS unit.

- Upon completion of the field delineation, DOWL will prepare figures, using current available aerials of the project site, and prepare a Wetland Delineation Report for submittal to the USACE.

- DOWL will coordinate with the USACE early in the project schedule regarding the proposed project scope and associated 404 permit requirements.

- DOWL will complete a Montana Joint Application for proposed work in Montana's Streams, Wetlands, Floodplain, and other Water Bodies and submit to the USACE for approval and authorization of a Section 404 permit. DOWL assumes the authorization will take place under a Nationwide Permit, and an individual 404 permit would not be required. DOWL will address comments and make changes to the permit application and plan set as needed. It is assumed that any comments received will only require minor refinement to the plan.

Bidding and Preconstruction Services

- DOWL will provide bid advertisement text, from the project manual, to the City for publication. The City will advertise the project.

- DOWL will distribute bid sets, maintain the plan-holders list, and issue addenda and clarifications.

- DOWL will attend the pre-bid meeting and assist the City during the pre-bid meeting with questions related to the construction documents. DOWL will issue pre-bid meeting minutes within one week after the meeting.

- DOWL will tabulate all bids received and provide the City with an award recommendation.

Construction Administration

- This scope of work and the associated fee estimate assumes:
    - One (1) construction contract/Contractor for this project, with construction duration not to exceed 70 calendar days.
    - Engineer shall consult with the City and act as representative for the City as defined in the construction contract documents, which will incorporate the MPWSS, and specifically the General Conditions contained therein as modified by the City of Billings Standard Modifications, latest edition.

    - The extent and limitation of the duties, responsibilities, and authority of the Engineer will be as assigned in the construction contracts documents and shall not be modified, except as Engineer may otherwise agree in writing.

- The City will schedule and conduct a pre-construction conference and publish meeting minutes. DOWL will address contractor questions. DOWL will attend a pre-construction field review with contractors as necessary.

- Take pre-construction photos and videos of the project area.

- It is assumed that DOWL will provide part-time construction observation for 5 calendar weeks of construction and full-time construction observation for the remaining 5 calendar weeks of construction. DOWL's Resident Project Representative (RPR) will assist the Engineer in observing progress, quality of work, and conformance to the contract documents and other applicable codes and standards. During full-time observation, one RPR will be on-site for 40 hours per week, 5 days a week. During part-time observation, one RPR will be on-site for 8 hours per week, 5 days a week. Inspection activities will include review of all major work items in the construction documents, including traffic control set-ups and sediment and erosion control plans. The RPR will prepare daily inspection reports, daily quantity summaries, weekly progress reports, weekly workforce and equipment reports, and other reports as required. RPR responsibilities are further defined in the General Conditions contained in the City of Billings Standard Modifications, latest edition.

- Develop and implement a quality assurance testing plan for materials testing in accordance with the City of Billings Standard Modifications, latest edition. DOWL will conduct a pre-construction testing meeting with RPRs, surveyors, field testing personnel, and lab manager to coordinate testing requirements. DOWL will provide qualified personnel, equipment, and supplies for surveying and field testing of materials throughout construction. Monitor and collect results from contractor's separate quality control materials testing program. Monitor and collect results from contractor's separate quality control materials testing program.

- Attend and conduct a weekly construction meeting with the City and contractor. Allow up to 3 hours per week for the weekly construction meeting and any related follow-up activities.

- Review contractor's submittals, such as shop drawings, samples, equipment, mix designs, aggregates, and other data, for conformance to the contract documents. This review does not include or extend to contractor's means, methods, techniques, sequences, procedures, or safety programs.

- Respond to contractor requests for information. Issue necessary clarifications and interpretations of the contract documents. Notify the City immediately of any contract problems or deviations from the approved contract documents. Issue notices as required by the construction contract. Recommend and prepare Work Change Directives and Change Orders for the City as necessary. Change orders that require additional design or

construction services by Engineer will be considered Additional Services and compensated in accordance with the provisions of this Contract.

- Receive, review, and transmit to City all contractor requests for City staff involvement and approvals, such as traffic control reviews, etc. Assure required advance notice requirements are being met by contractor for all requests to the City for reviews and inspections.

- Make visits to the site at intervals appropriate to various stages of construction to observe, as an experienced and qualified design professional, the progress of the contractor's work. Visits by the Engineer shall be limited to spot checking and similar methods of general observation of the work as assisted by the RPR.

- Review and recommend monthly contractor payment requests.

- Conduct substantial completion and final inspections with City and contractor. Prepare and monitor punchlist items required for completion of the work by contractor.

- Provide project management and internal quality assurance throughout this task.

- It is assumed that construction staking will be the responsibility of the contractor.

Record Drawings and Project Completion

- DOWL will prepare record drawings upon project completion based on construction notes and drawings compiled by the RPR.

- DOWL will attend and assist the City on a substantial completion walk-through of the project

- DOWL will attend and assist the City on a one-year warranty walk-through of the project.

Appendix B

Methods and Times of Payment

Section 1. Payments for Basic Services.

Billings shall authorize payment to the Engineer for services performed under Appendix A of this Agreement. Partial payment shall be due the Engineer upon receipt of the Engineer's pay estimate, said estimate being proportioned to the work completed by the Engineer.

Partial payment shall be made to the Engineer upon receipt of the Engineer's pay estimate, said estimate being proportioned to the work completed by the Engineer. Billings shall deduct five percent (5%) from each monthly pay estimate to be held until the completion of the final scope of work. The final payment shall be made only after acceptance of final documents by Billings, and determination that the scope of work has been satisfactorily completed.

A. For services rendered in accordance with the Scope of Work in Appendix A, the Engineer shall be paid based upon the following:

1.	Design Phase Services (Tasks 100 through 160)	$80,634
2.	Bidding Phase Services (Task 200)	$5,430
3.	Construction Phase Services (Task 300)	$54,180
4.	Post-Construction Close-Out (Task 400)	$5,460
	TOTAL	$145,704

B. Final payment shall be the above stated basic fee less all previous payments.

Section 2. Payments for Extra Services when Authorized by Billings.

Requests made or conditions identified through the course of this contract, which are beyond the scope and intent of this work shall be paid for on an hourly basis at the applicable fees in Appendix D.

Section 3. Corrections.

Costs of Billings work that is required for corrections to the Engineer's work which requires redoing by Billings shall be deducted from any payments due the Engineer, if the Engineer fails to make the required corrections.

Section 4. Fee Increases

For contracts and services that are expected to require more than one (1) year to complete, the above stated basic services payments may be reviewed and adjusted annually by mutual agreement of the parties, based upon documented evidence that the Engineer's costs and hourly rates as shown in Appendix D have increased for all comparable clients.

Appendix C

Additional Services of Engineer

Extra Services of the Engineer will be paid only with written prior authorization by Billings. Additional services may include, but are not limited to the following:

A. Additional surveying

B. Additional field and laboratory testing of materials and reports.

C. Additional construction inspection services

D. Additional hydrologic modeling and planning.

Appendix D

Schedule of Professional Fees

Current agreements for engineering services stipulate that the standard hourly rates are subject to review and adjustments. Hourly rates for services effective on the date of this Agreement are included below.

Personnel of the Engineer will be identified on invoices by name and/or labor category.

Description	Rate	Description	Rate
Accounting Manager	$150	Engineering Technician IV	$110
Accounting Technician	$80	Engineering Technician V	$115
Administrative Assistant	$55	Environmental Specialist I	$90
Administrative Manager	$90	Environmental Specialist II	$105
Archaeologist	$85	Environmental Specialist III	$110
Biologist III	$115	Environmental Specialist IV	$115
Biologist IV	$125	Environmental Specialist IX	$210
Biologist V	$160	Environmental Specialist V	$125
Civil and Transportation Designer	$90	Environmental Specialist VI	$165
Corporate Development Manager	$150	Environmental Specialist VII	$180
Crew Chief I	$85	Environmental Specialist VIII	$185
Crew Chief II	$95	Environmental Specialist X	$225
Crew Chief III	$100	Field Project Representative	$95
Crew Chief IV	$110	Geologist II	$110
Crew Chief V	$120	Geologist III	$120
Cultural Resources Specialist I	$85	Geologist IV	$140
Cultural Resources Specialist III	$110	GIS Coordinator	$120
Cultural Resources Specialist IV	$135	GIS Specialist	$85
Cultural Resources Specialist V	$155	GIS Technician	$75
Dispatcher	$90	Graphics Designer	$100
Document Production Supervisor	$110	Hydrogeologist	$110
Engineer I	$90	Hydrologist	$110
Engineer II	$95	Hydrologist III	$115
Engineer III	$105	Inspector - Supervisor	$130
Engineer IV	$135	Inspector I	$90
Engineer IX	$210	Inspector II	$100
Engineer V	$150	Intern	$50
Engineer VI	$165	Laboratory Manager	$95
Engineer VII	$175	Laboratory Supervisor	$105
Engineer VIII	$185	Landscape Architect I	$100
Engineer X	$225	Landscape Architect II	$105
Engineering Technician I	$65	Landscape Architect III	$120
Engineering Technician II	$80	Landscape Architect IV	$145
Engineering Technician III	$90	Landscape Architect V	$160

Description	Rate
Landscape Architect VII	$180
Landscape Planner	$105
Lead Materials Technician	$70
Marketing & Administrative Manager	$125
Marketing Assistant	$75
Marketing Coordinator	$90
Materials Manager	$100
Materials Supervisor	$105
Materials Technician	$60
Materials Technician II	$70
One-Person Survey Crew	$120
One-Person Survey Crew GPS/Robotics	$130
Planner I	$85
Planner II	$105
Planner III	$125
Planner IV	$145
Planner IX	$210
Planner V	$160
Planner VII	$165
Planner VIII	$195
Planner X	$250
Platting/Survey Technician	$120
Professional Land Surveyor I	$90
Professional Land Surveyor II	$100
Professional Land Surveyor III	$110
Professional Land Surveyor IV	$120
Professional Land Surveyor IX	$170
Professional Land Surveyor V	$130
Professional Land Surveyor VI	$135
Professional Land Surveyor VII	$145
Professional Land Surveyor VIII	$155
Professional Land Surveyor X	$180
Project Administrator	$80
Project Assistant I	$85
Project Assistant II	$100
Project Manager I	$115
Project Manager II	$120
Project Manager III	$130
Project Manager IV	$165

Description	Rate
Project Manager V	$170
Project Manager VI	$190
Project Quality Assurance Manager	$160
Proposal Manager	$110
Public Involvement Assistant	$80
Public Involvement Coordinator	$110
Public Involvement Planner	$95
Public Involvement Program Manager	$125
Real Estate Services Manager	$150
Right of Way Agent I	$95
Right of Way Agent II	$110
Right of Way Agent III	$125
Right of Way Agent IV	$150
Right of Way Agent VI	$185
Right of Way Assistant	$85
Risk Manager	$170
Senior Manager I	$195
Senior Manager II	$210
Senior Manager III	$220
Senior Manager IV	$250
Senior Materials Technician	$75
Survey Crew Surveyor I	$60
Survey Crew Surveyor II	$70
Survey Crew Surveyor III	$80
Survey Crew Surveyor IV	$90
Survey Crew Surveyor V	$100
Survey Technician -- Supervisor	$120
Survey Technician I	$50
Survey Technician II	$60
Survey Technician III	$70
Survey Technician IV	$85
Survey Technician V	$90
Survey Technician VI	$100
Systems Administrator	$125
Technical Coordinator	$135
Three-Person Survey Crew	$260
Two-Person Survey Crew	$180
Two-Person Survey Crew (PLS + LSIT)	$225
Two-Person Survey Crew GPS/Robotics	$190
Two-Person Survey Crew w/o GPS/Robotics	$160

Equipment, Materials, & Supplies

ATVs/Trailer	=	$150.00/day	
Boat/Trailer	=	$150.00/day	
	DAY	WEEK	MONTH
2 GPS Receivers (Survey Quality)	$425.00	$1,600.00	$4,320.00
Single/Each Additional Receiver	$250.00	$900.00	$2,700.00

Travel, Mileage, & Miscellaneous

Per diem will be billed when travel is more than 50 miles from the office during a meal allowance period of three or more consecutive hours or involves an overnight stay. The three meal allowance periods are breakfast (midnight to 10 am), lunch (10 am – 3 pm) and dinner (3 pm to midnight).

Per diem (per person, per day Montana)	=	$51.00/day
Lodging	=	cost per night
Airfare	=	cost
Vehicle Usage – Automobiles	=	0.75/mile
Vehicle Usage – Pickups, Suburban	=	1.00/mile
Printing/Supplies/Phone/Fax/Postage	=	Note 2
Specialized Software/Hardware	=	Note 3
Subcontractors	=	Cost + 10%
Laboratory Analysis	=	Cost + 10%
Other/Miscellaneous	=	Cost + 10%

Notes

1. DOWL's Professional Fee Services Fee Schedule is subject to adjustment each year or at the end of a contract period, whichever is appropriate. Should adjustments be anticipated or required, such adjustments will not affect existing contracts without prior agreement between Customer and DOWL.
2. Costs included in overhead rates for reasonable requests. Requests beyond those considered reasonable by the project manager billed at Cost + Agreed Upon Mark-up.
3. Specialized computer software or hardware necessary for a unique application for will be billed at a negotiated rate or unit cost.
4. Late charges will be assessed on the unpaid balance of all accounts not paid within 30 days of the billing date, at a rate of 1.0 percent per month (12% per year).

Appendix E

Project Schedule

Based on a notice to proceed from the City of Billings no later than August 15, 2017, the completion dates for the Engineer's work shall be as follows:

Final Design	March 1, 2018
Bidding Documents	May 1, 2018
Project Close-Out	December 31, 2019

Delays affecting the completion of the work within the time specified of more than ninety (90) days, not attributable to or caused by the Parties hereto, may be considered as cause for the renegotiation or termination of this Contract.

If the Engineer is behind on this Contract due to no fault of Billings, then the Engineer hereby acknowledges the right of Billings to withhold future Contracts to the Engineer in addition to any other remedy until this Contract is brought back on schedule or otherwise resolved.

Appendix F

Certificate(s) of Insurance

(Attach Certificate(s) of Insurance)

Certificates to be attached prior to City signatures.

Consent **1. D.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Approval of Terminal Expansion Project Engineering Agreement with Morrison-Maierle, Inc.

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Airport

Presentation: No

PROBLEM/ISSUE STATEMENT

One of the projects in the Airport's Capital Improvement Program (CIP) is the design and subsequent construction of the Terminal Building Expansion. Aviation and Transit staff recently advertised a Request for Qualifications (RFQ) for an Engineering firm to design and monitor construction of the upcoming 30 to 40 million dollar Terminal Building Expansion. The RFQ was advertised June 16, 23, and 30, 2017, with a deadline for submittal on July 7, 2017. Three firms responded including CTA Architects Engineers, KLJ Engineering, and Morrison-Maierle, Inc. A review team was formed including Councilman Sullivan, Aviation Transit Commission Chair, Ken Behling, and members of the Airport's staff. The review team unanimously selected Morrison-Maierle, Inc.

This Agreement with Morrison-Maierle will provide for all phases of the project including the preliminary design phase, the final design phase, the construction management of the project, and the civil engineering for any ramp changes required as a result of the impact to the aircraft parking locations caused by the Terminal Building expansion. As the scope of work for each phase is determined and the fees for that work are negotiated with staff and subsequently approved by the Federal Aviation Administration (FAA), an amendment to this Engineering contract will be brought to the Council for approval. Since this is a multi-year design followed by project construction, this Agreement will be in place for approximately 4 to 5 years.

Once the Agreement with Morrison-Maierle, Inc. is approved by Council, the City and Morrison-Maierle will jointly advertise the RFQ for Architectural services with the Architect being a subcontractor to Morrison-Maierle. When the Architect is selected, the design process will kick off on this important project and the preliminary design fees will be brought to Council for approval.

ALTERNATIVES ANALYZED

City Council may:

- Approve, the Engineering Agreement with Morrison-Maierle, Inc. for the Terminal Expansion Project; or
- Disapprove the Engineering Agreement with Morrison-Maierle, Inc. for the Terminal Expansion Project and advise staff on how to proceed.

FINANCIAL IMPACT

The total engineering fees to cover all phases of the project are unknown at this time. The engineering fees associated with each future phase of the project will be negotiated with staff and approved by the FAA. Subsequently, this base Agreement will be amended as each phase of the project is undertaken and the financial impact will be brought before the Council at that time. It is anticipated that the majority of the design costs will be funded with FAA Airport Improvement Program (AIP) grants funds. For the first phase of the project "the Preliminary Design" the Airport will be receiving an FAA AIP grant offer for $1,573,000, which will require a 10% local match of $174,778. Staff is planning to use next year's grant to help pay for the future additional design phases.

RECOMMENDATION

Staff recommends that the City Council approve the Agreement for Professional Engineering Services with Morrison-Maierle, Inc. for the Terminal Expansion Project and authorize the Mayor to sign the Agreement.

APPROVED BY CITY ADMINISTRATOR

Consent **1. E.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: W.O. 17-01 Schedule 1, 24th Street West Water Main Replacement Project - Contract Amendment

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

Presentation: No

PROBLEM/ISSUE STATEMENT

Staff is requesting that the City Council consider authorizing and executing Contract Amendment No. 1 for Professional Services with DOWL for W.O. 17-01 Schedule 1, 24th Street West Water Main Replacement Project in the amount of $123,610.00. The original contract approved by Council on October 24, 2016 in amount of $377,800.00 will now total $501,410.00. The purpose of this project is to replace the water main in 24th Street West from Central Avenue to Monad Road. DOWL was selected for design, bidding, and construction administration services through the City's proposal process. The original scope of work was based on daytime construction work. Prior to the project being bid, the construction schedule was switched from daytime work to nighttime work for the water main installation to avoid impacts to the traveling public and adjacent businesses. Daytime work is allowed for pavement restoration, concrete restoration, and water main flushing and testing. The switch in working hours has increased the design and construction administration efforts resulting in this contract amendment. When making the decision to do the work at night, these costs were considered and it was still determined that performing the work on 24th Street West during the night was beneficial given the use of the road by over 25,000 vehicles per day and the location of the water line.

ALTERNATIVES ANALYZED

City Council may:

- Approve Contract Amendment No. 1 with DOWL for additional design and construction administration services, or;
- Disapprove Contract Amendment No. 1. If Council does not approve the Contract Amendment No. 1 with DOWL, the scope for the remaining work will be adjusted to ensure the current budget is not exceeded. Without proper inspection, the potential for construction not being done in accordance with plans and specifications will be much greater.

FINANCIAL IMPACT

The funding source is water revenues budgeted in FY17 and FY18. There is adequate budget available.

RECOMMENDATION

Staff recommends that Council approve Professional Services Contract Amendment No.1 with DOWL in the amount of $123,610.00 for W.O. 17-01 Schedule 1, 24th Street West Water Main Replacement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Contract Amendment

AMENDMENT NO. 1

TO

CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

City of Billings W.O. 17-01, Schedule 1
South 24th Street West Water Main Replacement

THIS CONTRACT AMENDMENT, made and entered into on_____, 2017, by and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103,
Hereinafter designated the City

and

DOWL
PO Box 31318
Billings, Montana 59107
Hereinafter designated the Engineer

WITNESSETH:

WHEREAS, the City and Engineer have entered into a Contract dated October 24, 2016, for Engineer to provide professional services to the City for W.O. 17-01, Schedule 1, and;

WHEREAS, the City has need for additional professional services, and;

WHEREAS, the City has authority to contract for professional services, and;

WHEREAS, the Engineer represents that he is qualified to perform such services, is in compliance with Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the City;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree to amend the Contract as follows:

1. Appendix A of Contract – Basic Services of Engineer: Amended as follows:

   The attached EXHIBIT A-1: Amendment No. 1 Scope of Services (4 pages) is hereby made a part of this Amendment No. 1, and shall supplement the Basic Services outlined in Appendix A of the Contract.

2. Appendix B of Contract – Methods and Times of Payment: Amend Section 1 as follows:

   A. For services rendered under 'Appendix A', the Engineer shall be paid based upon actual time accrued, but not to exceed the following amount:

Design, Bidding, and Construction Phase Services (Contracted Services)	$377,800.00
Additional Services (per Scope of Services attached hereto, and in which payment is based upon actual time accrued and paid in accordance with Appendix D – Schedule of Professional Services)	$123,610.00
Total Professional Services Ceiling Amount, including Amendment No. 1	$501,410.00

All other terms and conditions of the contract, as amended, to which this Amendment applies, shall remain in full effect.

CITY OF BILLINGS, MONTANA

BY: _____

TITLE: _____

DATE: _____

ENGINEER: DOWL

BY: _____

TITLE: _____

DATE: _____

EXHIBIT A-1

Amendment No. 1 Scope of Services

City of Billings W.O. 17-01, Schedule 1
South 24th Street West Water Main Replacement

Contract Amendment No. 1 is for additional design and construction phase services resulting from project conditions not identified in the original Scope of Work, and includes the following:

Task A1.1: Design Phase Unbudgeted Services

A1.1a: This project required numerous design iterations that were not anticipated by the original scope, due to very unique layout requirements of the work that would accommodate pipe installation, pipe testing, surface restoration, traffic control, temporary water, and other elements. The specific constraints associated with each of these elements were unknown until the design process was in progress, and the Engineer was required to perform several design iterations throughout this phase due to competing design objectives. The degree of redesign was uncommon for a water main replacement project, particularly with regard to traffic control plans. In addition, the Engineer prepared 75% more traffic control figures (21) than originally budgeted (12).

A1.1b: An assumption of the original scope, and the Engineer's standard practice, is to only create detailed plan and profile drawings for water mains. As the design developed, it became evident that 8 large-diameter services on this project would also require detailed plan and profile drawings in the plan set in order properly convey vertical alignments, existing utility crossing depths, and other critical project information. The Engineer prepared these 8 service lateral drawings, along with 2 service line replacement layouts south of Monad, which served to offset the reduction in project scope between Monad and Lampman that occurred during the design phase. At that time, the project survey work, geotechnical work, and plan sheet mapping had effectively already been completed by the Engineer for the entire project between Central and Lampman.

A1.1c: Utility location requests made by the Engineer were frequently delayed or incomplete, resulting in inefficient field survey work. The utility location service did not meet required deadlines on several occasions, requiring multiple site trips and extra coordination for the Engineer's survey and management personnel. The Engineer was also required to provide unexpected traffic control assistance for the locators. Locate requests were always coordinated by the Engineer around inclement winter weather, but the missed deadlines by others further compounded the inefficient execution of survey work under snow-covered conditions.

A1.1d: The details and requirements associated with the Rimrock Mall private water systems (both fire and commercial) were unknown to the Engineer at the time of original project scoping. The Engineer provided a large amount of additional coordination with this stakeholder that was not budgeted.

The cost of services for the tasks above reflects actual expenditures in excess of the original contract amount.

Total Task A1.1 Services = $39,730.00

Task A1.2: Design Phase Services – Night Work Conversion

On 3/14/2017, just over a week before the original design phase completion milestone (bid advertisement date), the City directed the Engineer to convert this project to night work construction.

A1.2a: The Engineer made additions to the completed traffic control plans to account for different traffic control configurations during night work hours and daytime non-work hours.

A1.2b: The Engineer conducted a wide-ranging overhaul of the project specifications to account for the differing work requirements associated with night work.

Total Task A1.2 Services = $10,450.00

Task A1.3: Night Work Construction Phase Services

The subtasks below assume that there will be 70 night-work construction days, calculated as follows: 100 contract days – 14 weekends (28 days) – 2 holidays = 70 working days

A1.3a: Quality Assurance Materials Testing: The normal business hours for the Engineer's materials testing lab is weekdays from 8:00 AM – 5:00 PM, whereas the construction contract workings hours are 8:00 PM – 6:00 AM, Sunday night through Friday morning. In order to have personnel available for quality assurance testing on this project, the Engineer will assign one technician to this project for 40 hours per week (i.e., 8 hours per night) for on-demand testing during the stipulated contract working hours during the first 3 weeks of construction; and thereafter, up to 15 hours per week (i.e., averaging 3 hours per night, generally between 4:00 AM – 6:00 AM, and occasionally earlier when necessary). If other in-lab testing not associated with this project is available during these night work hours, when the technician is not performing services on this project, the technician will not be chargeable to this project during those times; otherwise, the technician will be chargeable to this project. The maximum calculated fee for these 'Lead Materials Technician' services is:

- 8 hrs/night x 15 nights x $65.00/hr = $7,800.00
- 3 hrs/night x 55 nights x $65.00/hr = $10,725.00

The anticipated quality assurance services performed at night include primarily soil density testing. The original budgeted fee for soil density testing was:

- 2 hrs/day x 67 days x $65.00/hr = $8,710.00

Therefore, the Amendment amount for this subtask is the difference between these two values.

Subtotal Task A1.3a Services = $9,815.00

A1.3b: Additional Working Hours: The Engineer's RPR was originally budgeted for 50 hours per week, or 10 hours per day (see Task C.4 in Appendix A of the Contract). Night work construction involves 2 extra hours of field work per day by the contractor (1 hour in the evening and 1 hour in the morning) for traffic control transitions and driving surface preparation. The Engineer will have an RPR on site for the critical morning transition activities, but not during the evening transitions, resulting in a total of 11 hours per day. In addition, the RPR will attend 14 weekly construction meetings that will be held outside of normal work hours. The additional budget for these 'Inspector II' overtime services is:

- [(1 hr/day x 70 days) + (1 hr/day x 14 days)] x $100.00/hr x 1.5 = $12,600.00

In addition, the project manager will make one trip to the project site per day on weekdays to monitor daytime traffic control and other project conditions since the RPR will be off site during peak traffic volumes. The additional budget for these 'Engineer VI' services is:

- Labor: 1 hr/day x 70 days x $160.00/hr = $11,200.00
- Vehicle Expense: 10 mi/day x 70 days x $1.00/mi = $700.00

Subtotal Task A1.3b Services = $24,500.00

A1.3c: Periodic Day Work Inspection: The construction contract allows for 2 days of daytime work per pipeline testing zone for asphalt restoration. The project includes 7 testing zones for a maximum possibility of 14 days of daytime paving. These inspection services will be covered by the Engineer's project manager. The additional budget for these 'Engineer VI' services is:

- Labor: 10 hrs/day x 14 days x $160.00/hr = $22,400.00
- Vehicle Expense: 10 mi/day x 14 days x $1.00/mi = $140.00

It is assumed that concrete restoration, which is also allowed during the daytime, does not require full-time inspection.

Subtotal Task A1.3c Services = $22,540.00

Total Task A1.3 Services = $56,855.00

Task A1.4: Additional Construction Contract Time

A1.4a: Pre-NTP Inspection: The construction contractor was allowed by the City to begin extensive temporary water installations and testing starting on 5/15/2017. The Engineer has an RPR on site for this critical activity. The contract NTP occurred on 6/11/2017. Of these additional 20 working days, the RPR was on site 16 days with no overtime. The additional budget for these 'Inspector II' services is:

- Labor: 8 hrs/day x 16 days x $100.00/hr = $12,800.00
- Vehicle Expense: 25 mi/day x 16 days x $1.00/mi = $400.00

Subtotal Task A1.4a Services = $13,200.00

A1.4b: Additional Contract Days: The original scope assumed 95 total contract days, equating to 67 work days, calculated as follows: 95 contract days – 13 weekends (26 days) – 2 holidays = 67 working days. The Engineer's RPR will be on site for 3 additional working days. Any daily hours in excess the originally budgeted 10 hrs/day is covered under Task A1.3b above. Therefore, the additional budget for these 'Inspector II' services is:

- Regular Labor: 8 hrs/day x $100.00/hr x 3 days = $2,400.00

- Overtime Labor: 2 hrs/day x ($100.00/hr x 1.5) x 3 days = $900.00
- Vehicle Expense: 25 mi/day x 3 days x $1.00/mi = $75.00

This Amendment does not increase the budget for other Engineer personnel involved in construction phase services, such as the project manager, for the additional contract days.

Subtotal Task A1.4a Services = $3,375.00

Total Task A1.4 Services = $16,575.00

Tasks A1.3 & A1.4 of this Scope of Services contains specific information regarding additional engineering hours and rates anticipated to complete the project. As the construction contractor's actual time to complete the project is not a definitive quantity, additional engineering costs to the project may either exceed or come in under the cost ceiling defined in this Amendment. Based on the construction contractor's time to complete the project, additional services beyond the scope of work identified in this Amendment may or may not be necessary.

Consent **1. F.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Acceptance of Memorandum Agreement with the Montana Department of Transportation (MDT) for TransADE Operating Assistance

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Transit

Presentation: No

PROBLEM/ISSUE STATEMENT

The City of Billings MET Transit Division was advised by the Montana Department of Transportation (MDT) - Transit Section, of the availability of a TransADE Operating Assistance grant that can be used to offset operating costs. The intent of the TransADE funding is to encourage agencies within the community to provide coordinated transit service for elderly and disabled citizens. The rising costs of transporting para-transit eligible citizens has a significant impact on operating budgets and the State is recognizing that its assistance is vital to continuing this needed service. The grant of $64,442.00 will be used to pay approximately 5.2% of MET's Para-transit FY 2018 operating costs.

ALTERNATIVES ANALYZED

City Council may:

- Approve this Memorandum Agreement with MDT and accept $64,442 of TransADE funding to reimburse a portion of the MET Transit's operating expenses; or
- Disapprove this Memorandum Agreement with MDT for the TransADE funding.

FINANCIAL IMPACT

This Memorandum Agreement will allow MET Transit to access $64,442 to pay for operating expenses incurred for transporting elderly and disabled citizens. This anticipated funding was included in the FY 2018 Revenue budget and will be used to cover approximately 5.2% of the Para-transit operation's budgeted costs.

RECOMMENDATION

Staff recommends that the City Council approve and the Mayor execute the attached Operating Assistance Memorandum Agreement with MDT to provide $64,442 of Paratransit operating assistance through the TransADE grant program.

APPROVED BY CITY ADMINISTRATOR

Attachments

Memorandum Agreement

MEMORANDUM AGREEMENT
BETWEEN
MONTANA DEPARTMENT OF TRANSPORTATION (MDT), PO Box 201001, Helena MT 59620-1001, and City of Billings, MET Transit, 1705 Monad Rd, Billings, MT 59101

TransADE

Transportation Assistance for Senior Citizens and Persons with Disabilities (MCA 7-14-112)

This agreement made and entered by and between the Montana Department of Transportation (MDT) and City of Billings (RECIPIENT). Liaison for the State is David Jacobs, Transit Supervisor. Liaison for the Recipient is Lynne Arnold. The parties to this agreement agree to the following:

1. The purpose of this agreement is to set forth the terms and conditions for MDT Transit to provide operating funds pursuant to 49 USC 5311 to counties, incorporated cities and towns, reservations, transportation districts, or nonprofit organizations for transportation services to persons at least 60 years of age and to persons with disabilities. The funds cannot be used to purchase capital items and must supplement any operating funds already provided by the local government and/or agency for public transportation activities.

2. This agreement is effective during **SFY 2018 (JULY 1, 2017 - June 30, 2018)** and shall terminate on June 30, 2018, or upon earlier completion of all terms of this agreement.

3. Funding – MCA 15-68-820 states that twenty-five percent of the revenue collected on the base rental charge for rental vehicles must be deposited in the state special revenue fund for senior citizens and persons with disabilities transportation services account.

4. Process for payment - RECIPIENT agrees to submit an annual financial statement showing the amount expended to support transportation services to persons at least 60 years of age and to persons with disabilities.

5. Method of payment - MDT agrees to review the annual expense reports and issue reimbursement payment for approved expenses to the RECIPIENT until the total amount of $64,442.00 to be used for RECIPIENT'S public transportation services (operating funds or matching funds) is depleted, or until the June 30th end of the fiscal year, whichever occurs soonest. MDT will inform the provider of the amount remaining with each reimbursement. RECIPIENT agrees that if the total amount awarded for each fiscal year is not expended by RECIPIENT the remaining awarded funds will revert to the state special revenue account for future award to any applicant.

6. Access and Retention of Records - RECIPIENT agrees to provide the state, Legislature Auditor, or their authorized agents access to any records supporting this Agreement for a period of three years after the completion date of this Agreement or the conclusion of any claim, litigation, or exception relating to this Agreement taken by the State of Montana or a third party.

7. Choice of Law and Venue - In the event of litigation concerning this Agreement, venue will only be in District Court of the First Judicial District of the State of Montana in and for the County of Lewis and Clark. This Agreement will be interpreted according to Montana law.

8. Agreement Modification - Any change to this Agreement will only be by written agreement between parties.

9. Assignment, Transfer and Subcontracting - RECIPIENT shall not assign, transfer or subcontract any portion of the contract without the express written consent of MDT.

10. Indemnification - The parties agree that MDT's only role in this Agreement is to provide payment for the public transportation system. RECIPIENT agrees to protect, defend, and save the State, MDT, its elected and appointed officials, agents and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character,

including the costs of defense including attorneys' fees, arising in favor of RECIPIENT employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of RECIPIENT or MDT's performance of this Agreement, including any use for public transportation activities under this Agreement.

11. Severability and Integration - If any single part or parts of this Agreement are determined to be void, the remaining parts will remain valid and operative. This Agreement, as written, expresses the total, final and only agreement of the parties relevant to its subject matter. No provision, expressed or implied, arising from any prior oral written request, bid, inquiry, negotiation, contract, or any other form of communication shall be a provision of this Agreement unless specifically provided within the written terms herein.

12. Compliance with Laws - RECIPIENT must, in the performance of this Agreement, fully comply with all applicable federal, state or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Attachment A, Non-Discrimination Notice, is incorporated into this Agreement and during the performance of this Agreement, RECIPIENT for itself, its assignees and successors in interest, agrees to adhere to the contents of Attachment A.

13. Termination - The parties may mutually terminate this Agreement in writing at any time. MDT, at its sole discretion, may terminate or reduce the scope of this Agreement if available funding is reduced for any reason. Either party may terminate this Agreement in whole or in part at any time the other party fails to perform the Agreement terms as set forth.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION

By:_____

Lynn Zanto, Administrator

MDT-Rail, Transit and Planning Division

Dated:_____20___

CITY OF BILLINGS

By:_____

Printed Name:_____

Title:_____

Dated:_____20___

APPROVED FOR CIVIL RIGHTS CONTENT

By: Michele Crosby

Date: June 27 2017

MDT Civil Rights Bureau

APPROVED FOR LEGAL CONTENT

By: Carol Grell Morris

Date: June 26 20 17

MDT Legal Services

RECIPIENT LEGAL REVIEW (optional)

By:_____

Date:_____20___

MDT NONDISCRIMINATION
AND
DISABILITY ACCOMMODATION NOTICE

Montana Department of Transportation ("MDT") is committed to conducting all of its business in an environment free from discrimination, harassment, and retaliation. In accordance with State and Federal law MDT prohibits any and all discrimination and protections are all inclusive (hereafter "protected classes") by its employees or anyone with whom MDT does business:

Federal protected classes	State protected classes
Race, color, national origin, sex, sexual orientation, gender identity, & Limited English Proficiency	Race, color, national origin, parental/marital status, pregnancy, childbirth, or medical conditions age, disability, related to pregnancy or childbirth, religion/ creed, social origin or condition, genetic information, sex, sexual orientation, gender identification or expression, national origin, ancestry, age, disability mental or physical, political or religious affiliations or ideas, military service or veteran status

For the duration of this contract/agreement, the PARTY agrees as follows:

(1) Compliance with Regulations: The PARTY (hereinafter includes consultant) will comply with all Acts and Regulations of the United States and the State of Montana relative to Non-Discrimination in Federally and State-assisted programs of the U.S. Department of Transportation and the State of Montana, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Non-discrimination:

a. The PARTY, with regard to the work performed by it during the contract, will not discriminate, directly or indirectly, on the grounds of any of the protected classes in the selection and retention of subcontractors, including procurements of materials and leases of equipment, employment, and all other activities being performed under this contract/agreement.

b. PARTY will provide notice to its employees and the members of the public that it serves that will include the following:
   i. Statement that PARTY does not discriminate on the grounds of any protected classes.
   ii. Statement that PARTY will provide employees and members of the public that it serves with reasonable accommodations for any known disability, upon request, pursuant to the Americans with Disabilities Act as Amended (ADA).
   iii. Contact information for PARTY's representative tasked with handling non-discrimination complaints and providing reasonable accommodations under the ADA.
   iv. Information on how to request information in alternative accessible formats.

c. In accordance with Mont. Code Ann. § 49-3-207, PARTY will include a provision, in all of its hiring/subcontracting notices, that all hiring/subcontracting will be on the basis of merit and qualifications and that PARTY does not discriminate on the grounds of any protected class.

(3) Participation by Disadvantaged Business Enterprises (DBEs):

a. If the PARTY receives federal financial assistance as part of this contract/agreement, the PARTY will make all reasonable efforts to utilize DBE firms certified by MDT for its subcontracting services. The list of all currently certified DBE firms is located on the MDT website at mdt.mt.gov/business/contracting/civil/dbe.shtml

b. By signing this agreement the PARTY assures that:
   The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

c. PARTY must include the above assurance in each contract/agreement the PARTY enters.

(4) Solicitation for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation, made by the PARTY for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the PARTY of the PARTY's obligation under this contract/agreement and all Acts and Regulations of the United States and the State of Montana related to Non-Discrimination.

(5) Information and Reports: The PARTY will provide all information and reports required by the Acts, Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MDT or relevant US DOT Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the PARTY will so certify to MDT or relevant US DOT Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

(6) Sanctions for Noncompliance: In the event of a PARTY's noncompliance with the Non-discrimination provisions of this contract/agreement, MDT will impose such sanctions as it or the relevant US DOT Administration may determine to be appropriate, including, but not limited to:

a. Withholding payments to the PARTY under the contract/agreement until the PARTY complies; and/or
b. Cancelling, terminating, or suspending the contract/agreement, in whole or in part.

(7) **Pertinent Non-Discrimination Authorities:**

During the performance of this contract/agreement, the PARTY, for itself, its assignees, and successor in interest, agrees to comply with the following non-discrimination statues and authorities; including but not limited to:

Federal

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airways Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-Discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).
- Executive Order 13672 prohibits discrimination in the civilian federal workforce on the basis of gender identity and in hiring by federal contractors on the basis of both sexual orientation and gender identity.

State

- Mont. Code Ann. § 49-3-205 Governmental services;
- Mont. Code Ann. § 49-3-206 Distribution of governmental funds;
- Mont. Code Ann. § 49-3-207 Nondiscrimination provision in all public contracts.

(8) Incorporation of Provisions: The PARTY will include the provisions of paragraph one through seven in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and/or directives issued pursuant thereto. The PARTY will take action with respect to any subcontract or procurement as MDT or the relevant US DOT Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the PARTY becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the PARTY may request MDT to enter into any litigation to protect the interests of MDT. In addition, the PARTY may request the United States to enter into the litigation to protect the interests of the United States.

Consent **1. G.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Assignment of Automobile Rental Concession and Lease

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Airport

Presentation: No

PROBLEM/ISSUE STATEMENT

On June 27, 2016, the City Council approved Automobile Rental Concessions and Leases with five car rental concessionaires, one of which was DTG Operations, Inc. DTG Operations, Inc. operates at the Airport as Thrifty Car Rental and Dollar Rent A Car. The Concessions and Leases became effective July 1, 2016 and continue through June 30, 2021. DTG Operations, Inc. desires to sell all of its assets and assign and transfer its Concession and Lease to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental. Overland West, Inc. intends to continue DTG Operation Inc.'s dual branded car rental operations at the Airport and assume all interests in the Concession and Lease. The Asset Purchase Agreement between the two companies was implemented on July 31, 2017. This Assignment and Transfer conveys all rights and interests of DTG Operations, Inc.'s Airport Car Rental Concession and Lease to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental. A copy of the Assignment and Transfer is on file in the City Clerk's Office. Overland West, Inc. presently operates at the Airport as Hertz Car Rental, and will continue this concession as a separate concession operation from the Dollar/Thrifty concession.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Assignment and Transfer of DTG Operation Inc.'s Concession and Lease to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental; or
- Not approve the Assignment and Transfer of DTG Operation Inc.'s Concession and Lease to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental.

FINANCIAL IMPACT

Staff believes that if there is any financial impact to the City or Airport with this Assignment and Transfer it would likely be positive, due to past experience with Overland West, Inc. The name of the Concessionaire is the only change under this Assignment and Transfer. All other terms and conditions of the Concession and Lease will remain unchanged and will transfer to Overland West, Inc. A condition of approval of the Assignment and Transfer is that all fees and charges accrued by DTG Operations, Inc. prior to the sale's closing date be paid in full. Overland West, Inc. will be responsible for all fees and charges incurred beginning with the closing date of the sale through the end of the term of the Concession and Lease.

RECOMMENDATION

Staff recommends that City Council approve the Assignment and Transfer of the Automobile Concession and Lease from DTG Operations, Inc. to Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental.

APPROVED BY CITY ADMINISTRATOR

Consent **1. H.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Burn the Point Noise Waiver

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

Presentation: No

PROBLEM/ISSUE STATEMENT

The annual Burn the Point event includes a street dance on Friday, September 1, 2017. BMCC Chapter 17 limits the amount of noise that any activity may create, with lower limits after 8:00 p.m. The Code allows staff to issue noise waivers for special events or circumstances. The event organizer applied for a noise waiver under BMCC 17-106, requesting a 12:30 a.m. (9/5/15) event stop time. Staff approved a stop time of 11:00 p.m., which is the usual downtown, weekend time limit that was established by the special events committee in consideration of the downtown hotels and residents. Events requesting a noise waiver beyond that time must appeal to City Council. The event organizer is requesting a 12:30 a.m. street dance end time. Because this is an annual event, staff requests that the approval or denial of the request be for a period of two years. This event has been an annual event for several years and has not received an inordinate number of noise complaints so staff is recommending approval.

ALTERNATIVES ANALYZED

City Council may:

- Approve the waiver request, or;
- Disapprove the request.

FINANCIAL IMPACT

There are no financial impacts from this action

RECOMMENDATION

Staff recommends that the City Council approve a noise waiver for the Burn the Point street dance with an event end time of 12:30 a.m. on September 2, 2017 and for the 2018 event.

APPROVED BY CITY ADMINISTRATOR

Attachments

Waiver request letter

BURN THE POINT

PO BOX 81388 Billings, MT 59108-1388 www.burnthepoint.com

Proceeds Benefit The Chase Hawks Community Crisis Fund 501C3 81-0499653

July 20, 2017

Mayor Hanel
Honorable Council Members
Ms. Tina Volek

CHMA-Burn the Point is requesting a variance to the noise waiver. The street dance is held yearly under Sky Point and is scheduled for September 1, 2017. The street dance starts after the Classic Car Parade and continues until 12:30 AM, September 2. Your consideration of our request is greatly appreciated.

Thank you in advance,

Sylvia Gusick

Sylvia Gusick
Chairperson, Burn the Point

Consent **1. I.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Annexation #17-05: Acknowledge receipt of petition and set a public hearing date

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: No

PROBLEM/ISSUE STATEMENT

Sanderson Stewart submitted a petition to annex land on behalf of owners Gary Oakland and Marvin Hessler using the provisions of Section 7-2-4600, MCA. The subject property is a 119 acre parcel described as a portion of Tract A, Certificate of Survey 1651; Tract 1, Certificate of Survey 1871; a portion of Tract 1, Certificate of Survey 2465; Tract 2A, Certificate of Survey 2465; and a portion of the north 30 feet of the NW1/4, NW1/4 of Section 36, T1N, R24E adjacent to Tract 1, Certificate of Survey 2465. The property is located at the northwest corner of the intersection of Rimrock Road and 70th Street West and borders the south side of the Burlington Northern and Santa Fe Railroad corridor. The property is vacant and has been used for dry land agriculture operations. The owners are requesting annexation in order to develop the property in the City for residential purposes similar to the adjacent Copper Ridge Subdivision. The owner has submitted a zone change application which is going through the process and will be heard by the City Council at the same meeting when it considers this annexation request.

The property is located within the five-year annexation area of the City's Limits of Annexation Map and appears to meet some of the City's criteria in its Annexation Policy. A detailed review and analysis of the Annexation Policy criteria will be provided in the Council's public hearing memo. The City Council’s policy is to consider annexations at two separate Council meetings. At the first meeting, the Council acknowledges receipt of a petition and sets a public hearing date. At the second meeting, the Council conducts the hearing and takes action on the annexation petition.

ALTERNATIVES ANALYZED

Section 7-2-4600, MCA, allows owners of more than 50% of the property to petition the City for annexation. The only alternative that is consistent with City Council policy is to acknowledge receipt of the petition and set a public hearing date.

FINANCIAL IMPACT

Analysis by City staff of how City services may be provided to this property and a recommendation on the annexation will be prepared and presented at the public hearing.

RECOMMENDATION

Staff recommends that the City Council acknowledge receipt of the annexation petition and schedule a public hearing for August 28, 2017 to consider annexing this property.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition
Annexation Exhibit

P2-17-00121

RECEIVED
JUL 03 2017
PLANNING & COMMUNITY SERVICES DEPARTMENT

PETITION FOR ANNEXATION TO THE CITY OF BILLINGS

NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the annexation of property to the City, pursuant to MCA Title 7, Chapter 2, Part 46. Procedures for annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of more than 50% of the Resident Freeholder Electors to be considered for annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.

2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

   The map must show:

   a. The present and proposed boundaries of the municipality;

   b. The present streets, major trunk water mains and sewer mains;

   c. The zoning of the property requesting annexation and the property immediately adjacent to it.

3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor at 2825 3rd Avenue North, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, Parks and Recreation Department, and the Finance Department. If the departments find no problems with the Petition, the City Clerk will schedule the Petition for City Council action.

4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.

5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
6-30-17	Marvin Hessler		P.O. Box 3178 Bozeman, MT 59772
6/30/17	Gary Oakland		175 North 27th Street, Suite 900 Billings, MT 59101

(continued on separate page)

(Should be completed prior to obtaining signatures of resident freeholder electors)

DESCRIPTION OF THE TERRITORY TO BE ANNEXED TO THE CITY OF BILLINGS

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
Tract 2A, Amended Tract 2 and 3, Certificate of Survey Number 2465	D11494 2101 - Tract Land BILLINGS OUTSIDE	NE corner of Rimrock Road and 70th Street W	Dryland agriculture, currently; Intending to rezone for residential use	HESSLER, MARVIN	PO BOX 3178 BOZEMAN, MT 59772-3178	
Tract 1, Certificate of Survey Number 1871	D04341 2101 - Tract Land BILLINGS OUTSIDE	NW corner of Rimrock Road and 70th Street W	Dryland agriculture, currently; Intending to rezone for residential use	OAKLAND, GARY	175 NORTH 27TH STREET SUITE 900 BILLINGS, MONTANA 59101	406-248-3641

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 7/3/17

Received By: Jeanette U.

Petition Number: AN17-05

Fee Paid: $1,125.00

Revised 10/03

EXHIBIT "A"

UNPLATTED
CERT 987
TRACT 2
TRACT A
TRACT 2
CERT 1380
TRACT 3
TRACT 4
TRACT 5
TRACT 6
CERT 201
CERT 201
R.O.W.
B N S F RAILROAD
C/S 2465
TRACT 2A
CERT 1871
TRACT 1
CITY ANNEXATION 17-05
LUCKY PENNY LN
WEST COPPER RIDGE LOOP
COPPER RIDGE LOOP
COPPER RIDGE LOOP
COPPER RIDGE SUB
WEST COPPER RIDGE LOOP
COPPER RIDGE DRIVE
RIMROCK ROAD
WEST
STREET
70TH
CERT. 1651
TR 1
TR 2
TR 3
TR 4
TR 5
TR 6
TR 8
TR 9
TR 10
TR 11
TR 12
TR 13
EXISTING CITY LIMITS
UNPLATTED
14
19
48-A
48-B
47
46
49
50
51
1A
1

Consent **1. J.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: EBURD Tax Increment Assistance - Mazabuka LLP - Structure Demolition at 319 and 323 North 14th Street

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: No

PROBLEM/ISSUE STATEMENT

The Billings Industrial Revitalization District (BIRD) Board of Directors is presenting this recommendation to the City Council for allocating $15,290.60 in tax increment finance district funds (TIFD) from the East Billings Urban Renewal District (EBURD) to Mazabuka, LLC for the demolition of two houses at 319 and 323 North 14th Street (See Mazabuka TIFD Application Attachment). If approved, the TIFD funds will reimburse the applicant for costs associated with demolishing the old houses and preparing the site for redevelopment. The TIFD funds would go toward structure demolition, site survey and permit fees, site grading and removal of debris, and capping and abandoning the public water and sewer services to the property. The BIRD Board of Directors voted to support funding of this application at its meeting on July 11, 2017 under its authority per the Memorandum of Understanding between the City of Billings, Big Sky Economic Development, and the BIRD, Inc. approved by the City Council in February 2014.

ALTERNATIVES ANALYZED

The City Council is the final authority in disbursing TIFD funding. The City Council may:

- Approve the recommendation from the BIRD Board for the expenditure of these TIFD funds, or;
- Disapprove the recommendation from the BIRD Board for the expenditure of these TIFD funds.

FINANCIAL IMPACT

The request is for a total of $15,290.60 to be paid in one payment to Mazabuka, LLC for the identified work (See Mazabuka TIFD Application Attachment). The funds are payable upon approval of this TIFD application by the City Council and submittal of an invoice to the City Finance Department. While there is funding in the FY17-18 EBURD project budget for payment of TIFD assistance, a budget amendment is likely following approval of this item to specifically account for it as an FY18 project. The current total cash balance for the EBURD is about $900,000.

RECOMMENDATION

The Billings Industrial Revitalization District (BIRD) Board of Directors recommends that the City Council approve a reimbursement totaling $15,290.60 from the EBURD tax increment finance district funds to Mazabuka, LLC.

APPROVED BY CITY ADMINISTRATOR

Attachments

Mazabuka TIFD Application
Financial Page Excerpt
Aerial View of Property

BILLINGS INDUSTRIAL REVITALIZATION DISTRICT

1413 4th Avenue North, Suite C • Billings, MT 59101

July 13, 2017

BIRD Urban Renewal Assistance

Re: Assistance application Mazabuka LLP

Mazabuka LLP, the owner of the property on which the Red Oxx retail store sits, also owns two old, blighted houses on the corner of 4th Ave. N and N 14th St., right across from the Wardens casino.

They have applied for TIF assistance in the removal of these blighted house. The state statutes allow using TIF funds in the removal and abatement of blight so this project is eligible. It is the intent of the property owner to redevelop this property and the removal of the blighted houses will be the first step.

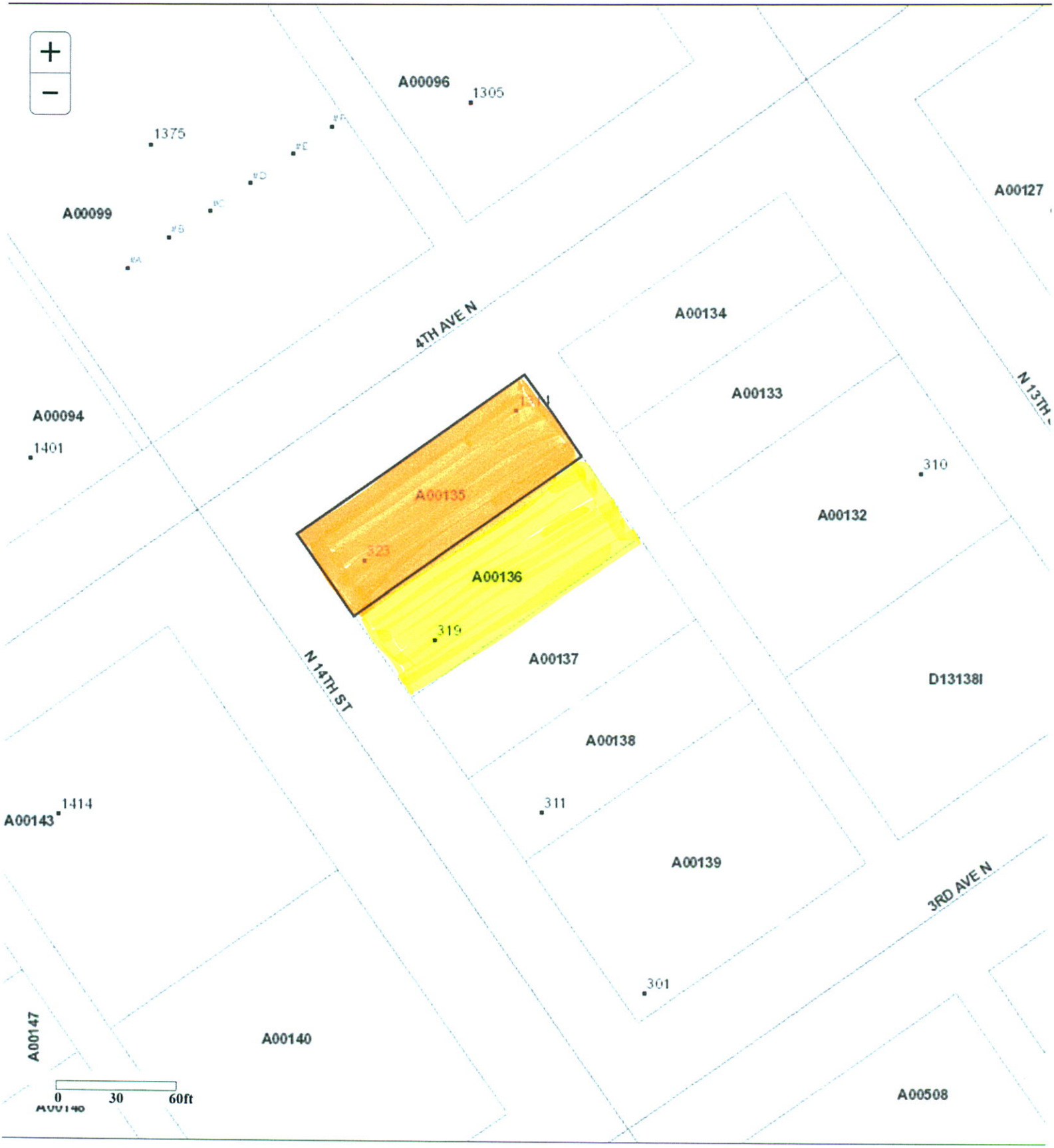
The TIF assistance recommended by the BIRD is listed in the accompanying documents.

Tim Goodridge

EBURD Coordinator

319 N 14th Street

323 N 14th Street



Longitude: -108.490 Latitude: 45.793
State Plane X, Y: 678522.101, 172024.680

BIRD board 7/11/2017

EAST BILLINGS URBAN RENEWAL DISTRICT RECOMMENDED ASSISTANCE

Project: Mazabuka LLC - 319-323 N 14th Street. North Billings, MT 50101

Tax parcel: A00135; A00136

Eligible Public Improvements	Requested	Recommended	MCA Statute
Demolition an abatement of structures and removal of blight	14,178.00	9,924.60	7-15-4288 (2)
Permits & Survey	4,850.00	2,910.00	7-15-4233 (n)
Site prep (strip the lot)	5,160.00	1,806.00	7-15-4288 (2)
Site prep (bedding rock)	4,200.00	-	
Site backfill	1,800.00	-	
Public Utilties abandon	3,250.00	650.00	7-15-4288 (4)
Public Utilities Relocate	4,050.00	-	
Traffic Control/Fencing	1,550.00	-	
Equipment mobilizatioon	500.00	-	
TOTAL	39,538.00	15,290.60	39%

Mazabuka (Red Oxx) is Demolishing and abating (2) blighted buildings on their property at the corner of 4th Ave. North and N 14th Street.

This project removes vacant, unproductive structures and accelerates redevelopment potential for the site.

Current taxable value	282,205.00
Projected taxable value on completion	282,205.00
value added	-
estimated annual increment generated	-
multiplied by remaining TIF years (14)	-

Public Benefit:

This project eliminates blight and correlates with the EBURD Master Plan and provides a visual economic stimulus to the district.

Earth Movers Excavation, Inc.

PO Box 81367
Billings, MT 59108

Estimate

Date	Estimate #
5/8/2017	136

Name / Address
Neumann Construction 1724 8th Ave. N. Billings, MT 59101

Project

Description	Qty	Cost	Total
Mobilization of Equipment to job site	1	500.00	500.00
Demo Permits and Bond	1	2,500.00	2,500.00
Traffic Control	1	750.00	750.00
Construction Fencing	1	800.00	800.00
Demo two houses, shed, and dispose of waste	2,336	4.47	10,441.92
Demo concrete and dispose of waste	450	0.97	436.50
Demo Fencing and dispose of waste	1	300.00	300.00
Strip Building lot 6"	12,900	0.40	5,160.00
Remove 2 large trees and tree stumps around yards and dispose of waste	1	3,000.00	3,000.00
Abandon Water line	1	2,750.00	2,750.00
Abandon Sewer line to houses	1	500.00	500.00
Dig up and trench gas line for MDU to hook up to shop in back	1	600.00	600.00
Water Line Excavation for new 1" meter pit and connection to shop in back of lot	1	3,450.00	3,450.00
Haul in dirt for fillings basement / crawl space in the house demo areas	150	12.00	1,800.00
Haul in 3/4 bedding rock if wanted	300	14.00	4,200.00
Exclusions - We have excluded the asbestos testing, asbestos removal and disposal, and geotechnical material testing services.		0.00	0.00
		Total	$37,188.42

Customer Signature

Sewer/Water Lines Capping per City Engineering Division

The water service for 323 North 14th Street is lead and was installed in 1918. The water service for 319 North 14th Street is copper and was installed in 1949. The water service for 323 shall be destroyed at the water main by digging at the corporation stop at the water main, shutting the corporation stop, cutting the pipe and then removing the curb box near the property line of North 14th Street. If the water service for 319 is not going to be reused it to shall be destroyed in the same manner as 323's water service.

The sanitary sewer services shall be capped near the property line of the alley.

Joe Sheridan
Public Works Dept., Engineering Division
2224 Montana Ave., Billings, MT 59101
Phone: 406-657-8341 Fax: 406-237-6291

Castlerock Excavating, Inc.
51 N15th St Suite 2
Billings, MT 59101

PROPOSAL

SPECIFICATIONS AND ESTIMATE
DATE: 11/11/14

PROPOSAL SUBMITTED TO: Red Oxx Mfg. Inc	PHONE:
STREET:	JOB NAME: Red Oxx Demo
CITY STATE ZIP Billings MT 59101	JOB LOCATION: Billings, MT
ENGINEER: DATE OF PLANS:	

- 1. Mobilization: $2,200.00
- 2. Building Demos (Includes tearing down and removing foundation and building materials to city landfill. Also, includes demo permit from the City of Billings): $13,870.00
- 3. Excludes the required asbestos inspection or any potentially necessary asbestos abatement.

General Conditions

- Work not mentioned above will not be considered part of this proposal.
- This proposal is to be constructed in accordance with Montana Public Works and all associated addendums & City of Billings Modifications.
- All scheduling of the work needs to be pre-approved by Castlerock Excavating, Inc.
- We have excluded project staking, quality control & geotechnical material testing services, all handling / disposal of hazardous / contaminated materials, all construction related permits & fees, & erosion control permits and measures.
- We have not included bond. Please add 3% for bond if required. Insurance is included.

WE PROPOSE hereby to furnish labor – complete in accordance with above referenced project documents:
16,070.00

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance

Authorized Signature
Project Estimator

Note: This proposal may be withdrawn by us if not accepted within 5 days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

Neumann Construction

1724 8th Ave. North, Billings, MT 59101

Estimate

TOTAL DUE

Salesperson	Tony C. Neumann
Invoice number	
Invoice date	
FED TAX ID #	
Terms	ON RECEIPT
Date shipped	
Shipped via	
FOB	
Prepaid / Collect	
Tax exempt	
Reason	
PERMIT #	
WORK ORDER#	

SOLD TO

Name	Red oxx
Address (line 1)	
Address (line 2)	
City, State	BILLINGS, MT
Postal code	
Phone	
Fax	
Company name	

JOB SITE Red Oxx

QTY	DESCRIPTION	PRICE EACH	TOTAL
	*Mobilization		
	*Demolition		
	*Labor, Equipment, Dump fees, and permits to tear down two houses and foundations at 1314 4th Ave. N. Billings MT 59101		
	*Excludes asbestos inspection and if needed asbestos abatement		
	*Excludes refill and compaction labor and materials		
	*Includes insurance		
	TOTAL		$15,850.00

Please make checks payable to:

Neumann Construction

PERMIT	
PAYMENTS	
PLEASE PAY THIS AMOUNT	

TERMS: ON RECEIPT

Yellowstone County, Montana

Disclaimer: Not all fields are currently maintained. The accuracy of the data is not guaranteed. Please notify the Appraisal/Assessment Office of any inaccuracies.

Back to Search Form Full Orion Detail

Owner Information

Please Note: Owner information is supplied by the **Montana Department of Revenue**. To request updates to addresses or other ownership information, please **contact the DOR office at 896-4000**. Records for the current year will **not** be updated after tax bills have been sent out, so changes requested after you receive your bill will appear only on next year's records.

Tax ID: A00135

Primary Party

Primary Owner Name: MAZABUKA, LLC

2017 Mailing Address: MAZABUKA, LLC
310 N 13TH ST
BILLINGS, MT 59101-2527

Property Address: 1314 4TH AVE N

Township: 01 N Range: 26 E Section: 33

Subdivision: BILLINGS ORIGINAL TOWNSITE Block: 30 Lot: 13

Full Legal: BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 30, Lot 13 - 14

GeoCode: 03-1033-33-1-09-05-0000

Show on Map *(May not work for some newer properties.)*

Property Assessment Information

Levy District: EAST BILLINGS URBAN RENEW

Assessed Value Summary

Assessed Land Value = $ 119,175.00

Assessed Building(s) Value = $ 74,030.00

Total Assessed Value = $ 193,205.00

Assessed Value Detail Tax Year: 2016

Class Code	Amount
2207 - Commercial City or Town Lots = $	119,175.00
3501 - Improvements on Residential City or Town Lots = $	42,750.00
3507 - Improvements on Commercial City or Town Lots = $	31,280.00

Yellowstone County, Montana

Disclaimer: Not all fields are currently maintained. The accuracy of the data is not guaranteed. Please notify the Appraisal/Assessment Office of any inaccuracies.

Back to Search Form Full Orion Detail

Owner Information

Please Note: Owner information is supplied by the **Montana Department of Revenue**. To request updates to addresses or other ownership information, please **contact the DOR office at 896-4000**. Records for the current year will **not** be updated after tax bills have been sent out, so changes requested after you receive your bill will appear only on next year's records.

Tax ID: A00136

Primary Party

Primary Owner Name: MAZABUKA, LLC

2017 Mailing Address: MAZABUKA, LLC
310 N 13TH ST
BILLINGS, MT 59101-2527

Property Address: 319 N 14TH ST

Township: 01 N Range: 26 E Section: 33

Subdivision: BILLINGS ORIGINAL TOWNSITE Block: 30 Lot: 15

Full Legal: BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 30, Lot 15 - 16

GeoCode: 03-1033-33-1-09-06-0000

Show on Map *(May not work for some newer properties.)*

Property Assessment Information

Levy District: EAST BILLINGS URBAN RENEW

Assessed Value Summary

Assessed Land Value = $ 27,300.00

Assessed Building(s) Value = $ 61,700.00

Total Assessed Value = $ 89,000.00

Assessed Value Detail Tax Year: 2016

Class Code	Amount
2201 - Residential City or Town Lots = $	27,300.00
3501 - Improvements on Residential City or Town Lots = $	61,700.00

NORTHERN INDUSTRIAL HYGIENE, INC.
- ENVIRONMENTAL CONSULTING -
201 S. 30th Street
Billings, Montana 59101
Phone: 406/245-7766
FAX: 406/254-1428

April 11, 2017

SENT VIA E-MAIL Amanda@redoxx.com

Ms. Amanda Markel
Red Oxx Manufacturing – Mazabuka, LLC
310 N. 13th Street
Billings, MT 59101

RE: Proposal 17-33
Asbestos Inspection and Reporting
Residences at 319 and 323 N. 14th Street
Billings, Montana

Dear Ms. Markel:

Northern Industrial Hygiene, Inc. (Northern) is pleased to present this proposal to perform asbestos inspections at the above referenced facilities. The following paragraphs outline our current understanding of the project scope.

These inspections are required by the Occupational Safety and Health Administration (OSHA) in their regulations that govern the exposure of workers to asbestos. The asbestos regulations are detailed in 29 CFR 1926.1101. The Environmental Protection Agency (EPA) and the state of Montana also regulate asbestos in buildings and require surveys of all public and commercial buildings prior to commencement of renovation or demolition activities. These regulations are presented by EPA in 40 CFR 763 and 40 CFR 61. The state of Montana regulations are presented in ARM 17.74.

We understand that two buildings are included in this inspection and that both were formerly used as residential dwellings. The property located at 319 N. 14th Street is a single story structure with a partial basement that was constructed in 1930 and is approximately 960 square feet in size. The property located at 323 N. 14th Street is a two-story structure with a partial basement that was constructed prior to 1930. The size of the building was not known.

SCOPE OF SERVICES

Task I – Asbestos Inspection and Reporting

Asbestos Inspection

- Northern will perform asbestos inspections of the interior and exterior of the buildings. The roof of the buildings will also be inspected. The inspection will be performed by persons with current accreditation by the state of Montana Department of Environmental Quality and inspection procedures will follow the inspection requirements outlined in 40 CFR Part 763. Suspect asbestos-containing materials will be catalogued and quantified on a room-by-room basis. Per state of Montana regulation, Northern will take three samples of all friable and miscellaneous materials. Surfacing materials will be sampled following the 3-5-7 rule as outlined in current state of Montana regulations.

- The surveys and reporting will be conducted in full compliance with state of Montana Asbestos Control Program requirements as stipulated in ARM 17.74.354, "Inspection Requirements for Demolition and Renovation Activities".

- All bulk samples will be analyzed at a laboratory participating in the National Voluntary Laboratory Accreditation Program (NVLAP).

Reporting

- Northern will prepare concise letter reports of our findings. One report will be prepared per building. They will include sections that include introduction, survey procedures, findings, conclusions and recommendations for viable management/abatement options. Data will be presented in table format. Asbestos sample and material location drawings will not be developed. Locations of asbestos materials will be clearly identified in the body of the report.

SCHEDULE

We are prepared to start work promptly upon receipt of your written authorization to proceed. Based on our previous experience in facility inspections the two surveys are anticipated to require approximately one day to complete for our one-person inspection team. We will transmit preliminary information to you when we have completed reviewing the laboratory reports. The final report can be completed within two weeks of receiving laboratory data.

PROFESSIONAL FEES

Estimated professional fees associated with the above-described tasks are presented below.

Task I – Asbestos Inspections and Reporting

Asbestos Inspection and Reporting (estimated)	$ 2,350

BIRD board 7/11/2017

EAST BILLINGS URBAN RENEWAL DISTRICT RECOMMENDED ASSISTANCE

Project: Mazabuka LLC - 319-323 N 14th Street. North Billings, MT 50101

Tax parcel: A00135; A00136

Eligible Public Improvements	Requested	Recommended	MCA Statute
Demolition an abatement of structures and removal of blight	14,178.00	9,924.60	7-15-4288 (2)
Permits & Survey	4,850.00	2,910.00	7-15-4233 (n)
Site prep (strip the lot)	5,160.00	1,806.00	7-15-4288 (2)
Site prep (bedding rock)	4,200.00	-	
Site backfill	1,800.00	-	
Public Utilties abandon	3,250.00	650.00	7-15-4288 (4)
Public Utilities Relocate	4,050.00	-	
Traffic Control/Fencing	1,550.00	-	
Equipment mobilizatioon	500.00	-	
TOTAL	39,538.00	15,290.60	39%

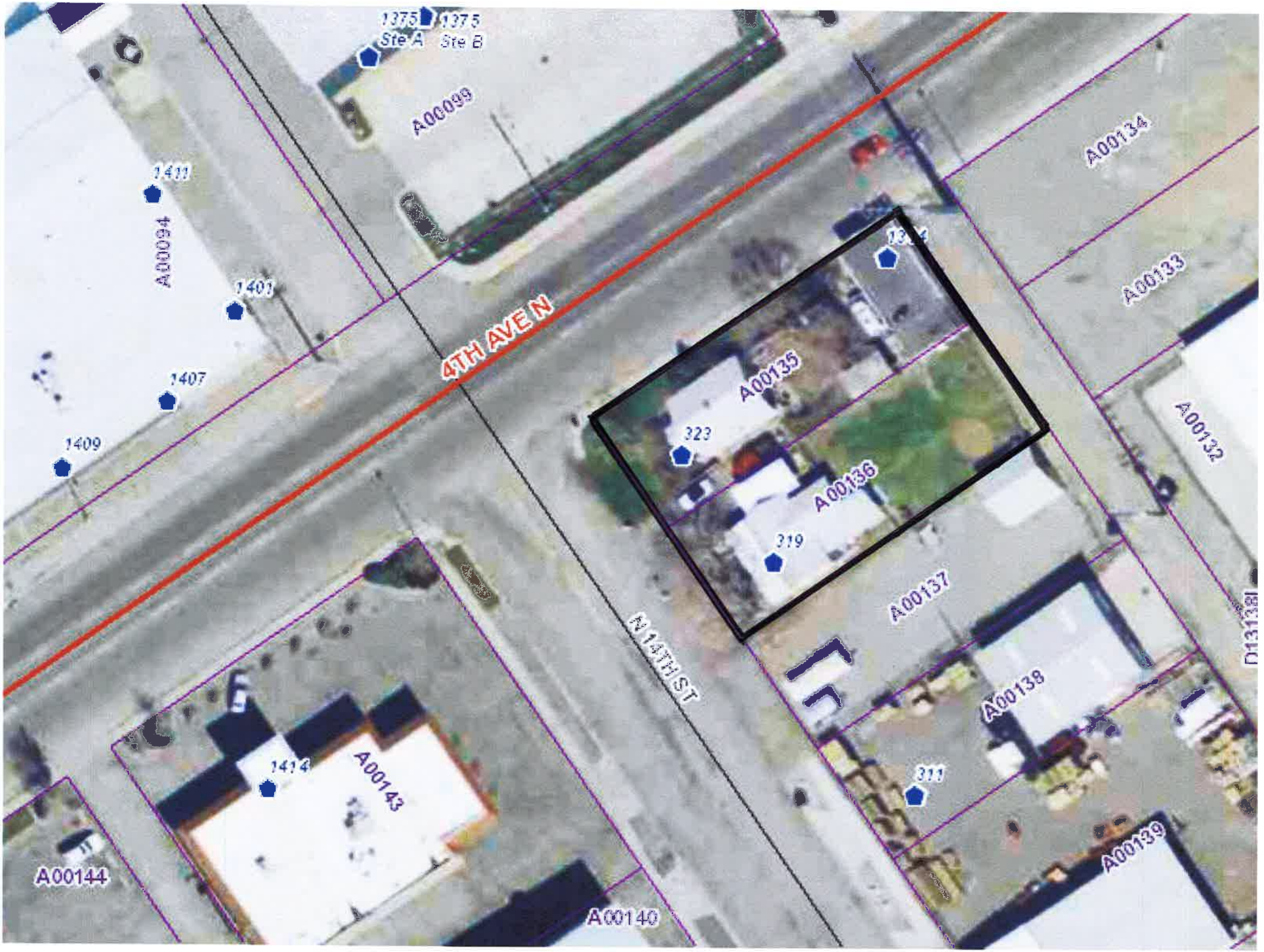
Mazabuka (Red Oxx) is Demolishing and abating (2) blighted buildings on their property at the corner of 4th Ave. North and N 14th Street.

This project removes vacant, unproductive structures and accelerates redevelopment potential for the site.

Current taxable value	282,205.00
Projected taxable value on completion	282,205.00
value added	-
estimated annual increment generated	-
multiplied by remaining TIF years (14)	-

Public Benefit:

This project eliminates blight and correlates with the EBURD Master Plan and provides a visual economic stimulus to the district.


1375
1375
Ste A
Ste B
A00099
1411
A00094
1401
1407
1409
4TH AVE N
A00134
A00133
A00135
323
A00136
319
A00132
A00137
N 14TH ST
A00138
311
A00139
1414
A00143
A00144
A00140

Consent **1. K.**

Regular City Council Meeting

Meeting Date: 08/14/2017
TITLE: Zone Change 958 - 2nd reading
PRESENTED BY: Wyeth Friday
Department: Planning & Community Services
Presentation: No

PROBLEM/ISSUE STATEMENT

This is a zone change from Planned Development (PD) and Residential Multi-family (RMF) to Residential Professional (RP) on Lot 4-12 and 17-21 of Block 59, Foster's Addition, and Billings Original Town, Block 269, Lots 4-11, a 1.12 acre parcel of land. The Zoning Commission conducted a public hearing on July 5, 2017, and is forwarding a recommendation of approval based on the findings of the 10 criteria. The City Council conducted a public hearing on July 24, 2017 and approved the zone change on the first reading. A second reading is required to pass the zone change.

Zone Change applications are reviewed using statutory criteria referenced in the Alternatives Analyzed section of this memo. Zone Changes require approval through an ordinance. Zone Changes allow the change from one type of zoning district to another types of zoning – e.g. residential single family to residential multi-family or residential to commercial. A Zone Change cannot have conditions of approval and if approved, permits the owner to use the land for any purpose allowed within the zoning district.

ALTERNATIVES ANALYZED

City Council may:

- Approve the zone change and adopt the findings of the 10 criteria as recommended by the Zoning Commission;
- Deny the zone change and adopt different findings of the 10 criteria;
- Allow the applicant to withdraw the zone change; or
- Delay action on the zone change request for up to 30 days.

The Planning staff reviewed the application and recommended approval to the Zoning Commission based on the findings of the 10 review criteria. The Zoning Commission concurred with the recommendation. The proposed zoning and use of the property is compatible with the adjacent and surrounding land uses. Since the property is directly adjacent to land zoned for residential purposes and used for residential dwellings, the requirements of Section 27-612(e), will need to be followed. These regulations, better known as Neighborhood Manners, restrict outdoor lighting, signage locations, waste storage and collection, as well as requiring screening and buffering of adjacent property.

Prior to making a decision on the requested zone change, the City Council shall consider the following findings and criteria:

1. *Is the new zoning designed in accordance with the Growth Policy?*

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

Essential Investments and Strong Neighborhoods: Neighborhoods that are safe and attractive and provide essential services are much desired.

- New buildings, sidewalks, landscaping and fencing would make this area of Billings more visually appealing to residents and visitors. Infill development is the most cost effective since there is already infrastructure in place. Providing basic services near residential development is much desired and convenient to the local residential community.

Prosperity: A diversity of available jobs can ensure a strong Billings' economy. Successful businesses that provide local jobs benefit the community.

- Rezoning the parcel will allow construction of the proposed medical building which will require employees and provide jobs that will be a benefit to the community.

Strong Neighborhoods: Neighborhoods that are safe and attractive and provide essential services are much desired.

- The proposed zoning will allow the construction of the proposed medical building and clean up an area in Billings that has been underused and fallen into disrepair which attracts unwanted activity in the area. New development will provide needed.

2. Is *the new zoning designed to secure from fire and other dangers?*
The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

3. *Whether the new zoning will promote public health, public safety and general welfare?*
Public health and public safety will be promoted by the proposed zoning. The current zoning of the parcel does not lend itself to single family housing because it is on the edge of a commercial development and a major road, 27th Street, and doesn't provide for enough separation from the traffic noises or safety concerns. Most of this property has fallen into disuse and neglect over the years. This has had a negative effect on the surrounding properties and neighborhood.
Re-zoning this property would allow redevelopment and will promote the public health, safety and general welfare of the area.

4. *Will the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?*
Transportation: The proposed zoning will have no measurable effect on the transportation system.
Water and Sewer: The City provides water and sewer to the property. There will be no additional impacts to the system from the proposed zoning.
Schools and Parks: Schools should not be affected by the proposed zoning.
Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5. *Will the new zoning provide adequate light and air?*
The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

6. *Will the new zoning effect motorized and non-motorized transportation?*
The new zoning should have no effect on vehicle or pedestrian traffic.

7. *Will the new zoning will promote compatible urban growth?*
The new zoning does promote compatibility with urban growth. The proposed zoning will allow this parcel to re-develop into a medical building which will provide needed service to Billings and the surrounding areas around Billings, and a lower traffic use for a medical building is compatible with the existing neighborhood.

8. *Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?*
The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. The proposed zoning will allow the re-development of the land as a medical use and improve the area with new buildings, landscaping and separation from the major road, 27th Street, for the residential uses that it abuts.

9. *Will the new zoning conserve the value of buildings?*
The property is currently mostly a vacant lot with 3 older residential building that have fallen into disrepair. The proposed development of a medical building with landscape, new sidewalks, and buildings will most likely improve values in the neighborhood. Approval of the zone change will conserve the value of the existing surrounding buildings and the parcel will be improved by the proposed zoning.

10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*
The proposed zoning will allow re-development of the land to a new medical building. Residential development on this property and more intense commercial development is not the most appropriate use of the land at this location. A medical services development to buffer residential from higher intensity commercial development is the best use of the land.

FINANCIAL IMPACT

If the zone change is approved, the property will likely develop as proposed by the owner for professional offices or medical uses. The property value will increase based on the value of those improvements. The City fees assessed based on zoning will be adjusted for the new zoning district. If the zone change is not approved, it is not likely a new development for residential purposes will be proposed by this owner. The land will remain mostly undeveloped.

RECOMMENDATION

With a 4-0 vote, the Zoning Commission recommends that the City Council approve and adopt the findings of the 10 criteria for Zone Change 958.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 17-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR Lots 4-12 and 17-21 of Block 59 Foster's Additions and Billings Original Town block 269, Lots 4-11, a 1.12-acre parcel of land, generally located on the south west corner of 7th Avenue North and North 25th Street.

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. 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 ten (10) criteria required by state law.

2. DESCRIPTION That Lots 4-12 and 17-21 of Block 59 Foster's Additions and Billings Original Town block 269, Lots 4-11, a 1.12-acre parcel of land, generally located on the south west corner of 7th Avenue North and North 25th Street is presently zoned **Planned Development with Residential Multi-family-Restricted (RMF-R) as underlying zoning** and is shown on the official zoning maps within these zones.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcel** is hereby changed from **Planned Development with underlying zoning of Residential Multi-family-Restricted (RMF-R) to Residential Professional (RP)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential Professional (RP)** as set out in the Billings, Montana City Code.

4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. 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 July 24, 2017

PASSED, ADOPTED AND APPROVED on second reading August 14, 2017.

CITY OF BILLINGS:

BY:_____
Thomas W. Hanel, Mayor

ATTEST:

BY:_____
Denise Bohlman, City Clerk

Zone Change 958 – south west corner of 7th Avenue North and North 25th Street

Consent **1. L.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: High Sierra Subdivision, 9th Filing: Preliminary Plat Approval Extension Request

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: No

PROBLEM/ISSUE STATEMENT

The developer of the High Sierra Subdivision, 9th Filing, is requesting the City Council grant a one-year extension of the preliminary plat approval for the subdivision. High Sierra Subdivision, 9th Filing would create 13 lots for residential development out of 3.7 acres, and is part of a larger master planned area with multiple filings (see attached Master Plan). The property is located north of Greenbriar Road and west of Lake Heights Drive in the Lake Hills area of the Billings Heights. The property is zoned Residential-9600 (R-96) and Residential-7000-Restricted (R-70-R).

City Council granted conditional approval of the preliminary plat of High Sierra Subdivision, 9th Filing on August 25, 2014. The three year preliminary plat approval period expires on August 25, 2017. There have been challenges that have slowed the development of the subject property. While there have been some market conditions that have slowed the development of this property, the main reason for delay has been working through the mitigation of storm water run-off for the site. The developer has been actively pursuing use of an off-site area for storm water treatment and detention. The City Public Works Department is aware of this process and the progress being made. With the approval deadline approaching, the subdivider has requested a one year extension. If the extension is granted, the preliminary plat approval will remain valid until August 25, 2018.

Section 23-302.M. of the City Subdivision Regulations stipulates that the conditional approval of major preliminary plats shall be in force for not more than three years unless extended by the City Council to a period of time mutually agreed-upon by Council and the subdivider. The governing body may issue more than one extension.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the request to extend the preliminary plat approval for one year; or
- Deny the request.

Section 23-302.M. lists seven criteria for City Council to consider when evaluating a request for a preliminary plat approval extension request. They are as follows:

1. Changes to the subdivision regulations since the original approval and whether the subdivision as originally approved is essentially compliant with the new regulations.
2. Progress to date in completing the subdivision as a whole and any phases.
3. Phasing of the subdivision and the ability for the existing development to operate without the delayed development.

4. Dependence of infrastructure development on the subdivision.
5. Duration of the requested extension.
6. Demonstrated ability of the subdivider to complete the subdivision.
7. Such other factors or criteria as deemed material in the discretion of the governing body.

Planning staff's evaluation of these criteria is included in Attachment 1.

FINANCIAL IMPACT

Platting and subsequent development of 13 lots for residential development would increase the tax revenues for the City. Allowing the subdivider additional time to install required infrastructure and to prepare the final plat documents for approval and recording should not have any direct financial impact to the City.

RECOMMENDATION

Planning staff recommends that the City Council approve the request for an extension of the preliminary plat approval date for High Sierra Subdivision, 9th Filing for one year, and set the new expiration date to August 25, 2018.

APPROVED BY CITY ADMINISTRATOR

Attachments

Preliminary Plat Extension Request Criteria Review
Letter of Request and Reason
High Sierra Master Plan

Preliminary Plat Approval Extension Request—Review Criteria

High Sierra Subdivision, 9th Filing

When considering a request for an extension of the preliminary plat approval period, the City Council may use the following criteria to evaluate the request. Below each criterion, staff has provided some information for Council to consider.

1. *Changes to the subdivision regulations since the original approval and whether the subdivision as originally approved is essentially compliant with the new regulations;*

   The preliminary plat for High Sierra Subdivision, 9th Filing was conditionally approved in August 2014. Since that time, only minor changes to the City Subdivision Regulations have been made, and none of the amendments will cause this proposal to be out of compliance.

2. *Progress to date in completing the subdivision as a whole and any phases;*

   The proposed subdivision is one filing of a larger master planned development. Platting and construction on the western filings of High Sierra (5th, 7th and 8th Filings) have been completed and this has provided a building inventory for the developer. Sometime before those lots are built out the developer is hopeful the storm drainage system can be implemented and move forward with the 9th Filing.

3. *Phasing of the subdivision and the ability for the existing development to operate without the delayed development;*

   The subdivider has not proposed to phase this subdivision, but will develop the improvements for all 13 lots at once when the storm water plan is in place and the design is functioning.

4. *Dependence of infrastructure development on the subdivision;*

   The subdivision improvements will construct part of 2 residential streets that connects to Greenbriar Road. These roads will be continued with future filings. There are no other development plans hinging on the completion of this connection. Delay of the subdivision should not have a negative impact on infrastructure development needs.

5. *Duration of the requested extension;*

   The subdivider has requested an additional one year. It is likely that the inventory from the other filings will be sold out within the next few years, and the subdivision will become more marketable as a result.

6. *Demonstrated ability of the subdivider to complete the subdivision.*

   The subdivider has a history of developing similar lots at a steady pace nearby. They have indicated that as soon as factors mentioned above in the staff report can be dealt with they will be ready to move forward with the 9th Filing.

7. *Such other factors or criteria as deemed material in the discretion of the governing body.*

July 26, 2017

Planning & Community Services Department
Attn: Dave Green, Planner II
2825 3rd Ave. North, 4th Floor
Billings, MT 59101

RE: High Sierra Subdivision, 9th Filing.

Dear Mr. Green

Please accept this letter as our official request to the Planning Department for a one year extension of the High Sierra 9th Filing preliminary plat approval.

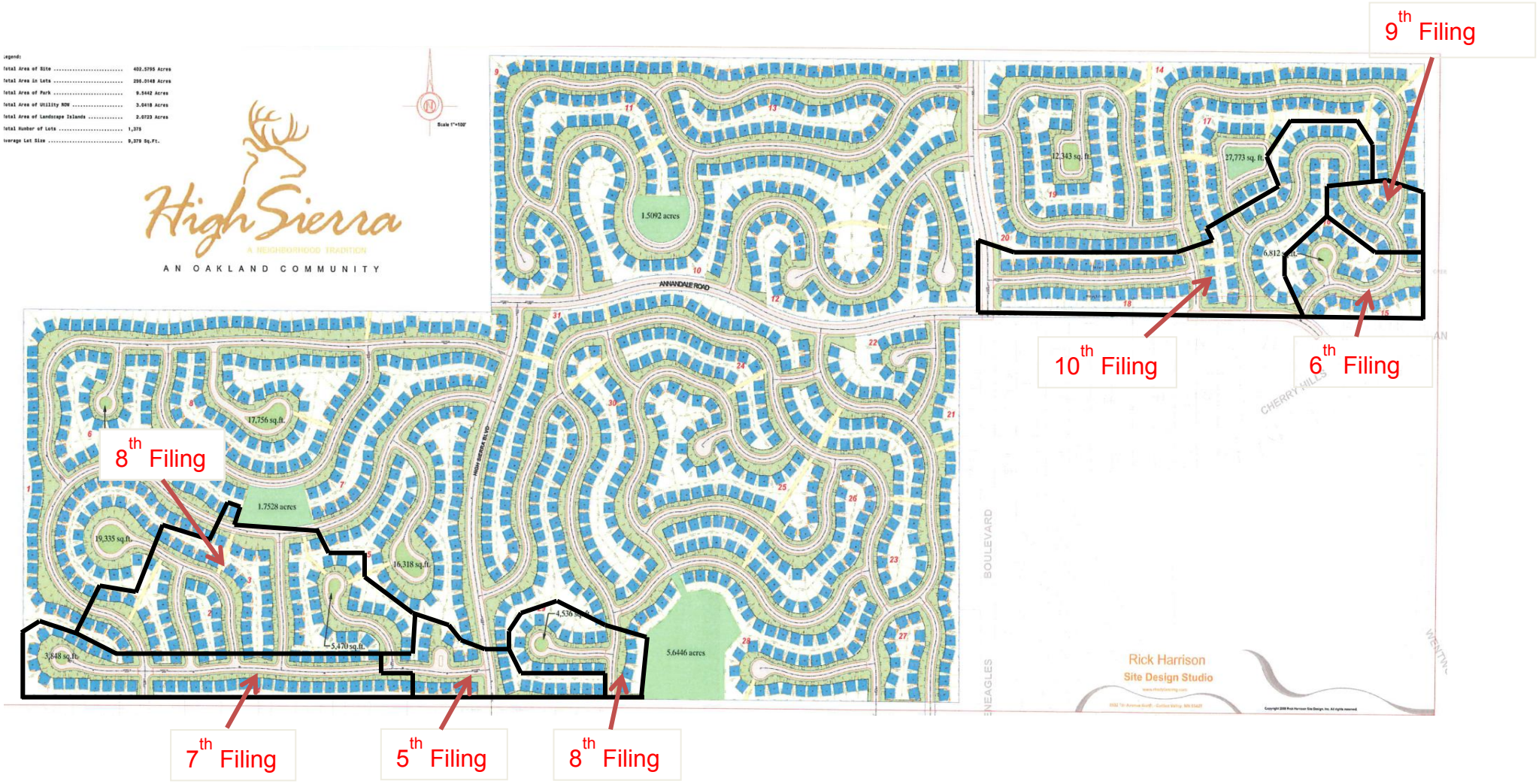
If you have any questions, please call my office.

Sincerely,

Landy Leep
Vice President
High Sierra II, Inc.

Cc: Mac Fogelsong, Sanderson Stewart.

ATTACHMENT: 2008 High Sierra Master Plan



Consent **1. M.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: High Sierra Subdivision, 10th Filing: Preliminary Plat Approval Extension Request

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: No

PROBLEM/ISSUE STATEMENT

The developer of the High Sierra Subdivision, 10th Filing, is requesting the City Council grant a two-year extension of the preliminary plat approval for the subdivision. High Sierra Subdivision, 10th Filing would create 37 lots for residential development out of 19.56 acres, and is part of a larger master planned area with multiple filings (see attached Master Plan). The property is located north of Annandale Road and east of Greenbriar Road in the Lake Hills area of the Billings Heights. The property is zoned Residential-7000-Restricted (R-70-R).

City Council granted conditional approval of the preliminary plat of High Sierra Subdivision, 10th Filing on August 25, 2014. The three year preliminary plat approval period expires on August 25, 2017. There have been challenges that have slowed the development of the subject property, including timing of access and utilities (water, sewer, storm) running up Annandale Road, which are now complete. There also has been some delay in working through the mitigation of storm water run-off for the site. The developer has been actively pursuing use of an off-site area for storm water treatment and detention. The City Public Works Department is aware of this process and the progress being made. With the approval deadline approaching, the subdivider has requested a two year extension. If the extension is granted, the preliminary plat approval will remain valid until August 25, 2019.

Section 23-302.M. of the City Subdivision Regulations stipulates that the conditional approval of major preliminary plats shall be in force for not more than three years unless extended by City Council to a period of time mutually agreed-upon by Council and the subdivider. The governing body may issue more than one extension.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the request to extend the preliminary plat approval for two years; or
- Deny the request.

Section 23-302.M. lists seven criteria for City Council to consider when evaluating a request for a preliminary plat approval extension request. They are as follows:

1. Changes to the subdivision regulations since the original approval and whether the subdivision as originally approved is essentially compliant with the new regulations.
2. Progress to date in completing the subdivision as a whole and any phases.
3. Phasing of the subdivision and the ability for the existing development to operate without the delayed development.
4. Dependence of infrastructure development on the subdivision.

5. Duration of the requested extension.
6. Demonstrated ability of the subdivider to complete the subdivision.
7. Such other factors or criteria as deemed material in the discretion of the governing body.

Planning staff's evaluation of these criteria is included in Attachment 1.

FINANCIAL IMPACT

Platting and subsequent development of 37 lots for residential development would increase the tax revenues for the City. Allowing the subdivider additional time to install required infrastructure and to prepare the final plat documents for approval and recording should not have any direct financial impact to the City.

RECOMMENDATION

Staff recommends that the City Council approve the request for an extension of the preliminary plat approval date for High Sierra Subdivision, 10th Filing for two years, and set the new expiration date to August 25, 2019.

APPROVED BY CITY ADMINISTRATOR

Attachments

Preliminary plat extension criteria and review
Letter of request and reason
High Sierra Master Plan

Preliminary Plat Approval Extension Request—Review Criteria

High Sierra Subdivision, 10th Filing

When considering a request for an extension of the preliminary plat approval period, the City Council may use the following criteria to evaluate the request. Below each criterion, staff has provided some information for Council to consider.

1. *Changes to the subdivision regulations since the original approval and whether the subdivision as originally approved is essentially compliant with the new regulations;*

   The preliminary plat for High Sierra Subdivision, 10th Filing was conditionally approved in August 2014. Since that time, only minor changes to the City Subdivision Regulations have been made, and none of the amendments will cause this proposal to be out of compliance.

2. *Progress to date in completing the subdivision as a whole and any phases;*

   The proposed subdivision is one filing of a larger master planned development. Platting and construction on the western filings of High Sierra (5th, 7th and 8th Filings) have been completed and this has provided a building inventory for the developer. Sometime before those lots are built out the developer is hopeful the storm drainage system can be implemented and move forward with the 10th Filing.

3. *Phasing of the subdivision and the ability for the existing development to operate without the delayed development;*

   The subdivider has not proposed to phase this subdivision, but will develop the improvements for all 37 lots at once when the storm water plan is in place and the design is functioning.

4. *Dependence of infrastructure development on the subdivision;*

   The subdivision improvements will construct part of a residential street that connects to Annandale Road. High Sierra 6th Filing will complete the residential street, from the 10th Filing, and will connect to Greenbriar Road and back to Annandale Road. There are no other development plans hinging on the completion of this connection. Delay of the subdivision should not have a negative impact on infrastructure development needs.

5. *Duration of the requested extension;*

   The subdivider has requested an additional two years. It is likely that the inventory from the other filings will be sold out within the next few years, and the subdivision will become more marketable as a result.

6. *Demonstrated ability of the subdivider to complete the subdivision.*

   The subdivider has a history of developing similar lots at a steady pace nearby. They have indicated that as soon as the three factors can be dealt with mentioned in the staff report they will be ready to move forward with the 10th Filing.

7. *Such other factors or criteria as deemed material in the discretion of the governing body.*

July 26, 2017

Planning & Community Services Department
Attn: Dave Green, Planner II
2825 3rd Ave. North, 4th Floor
Billings, MT 59101

RE: High Sierra Subdivision, 10th Filing.

Dear Mr. Green

Please accept this letter as our official request to the Planning Department for a two year extension of the High Sierra 10th Filing preliminary plat approval.

We are planning on building the 6th and 9th Filings of the High Sierra Subdivision before building the 10th Filing, thus the request for a two year extension.

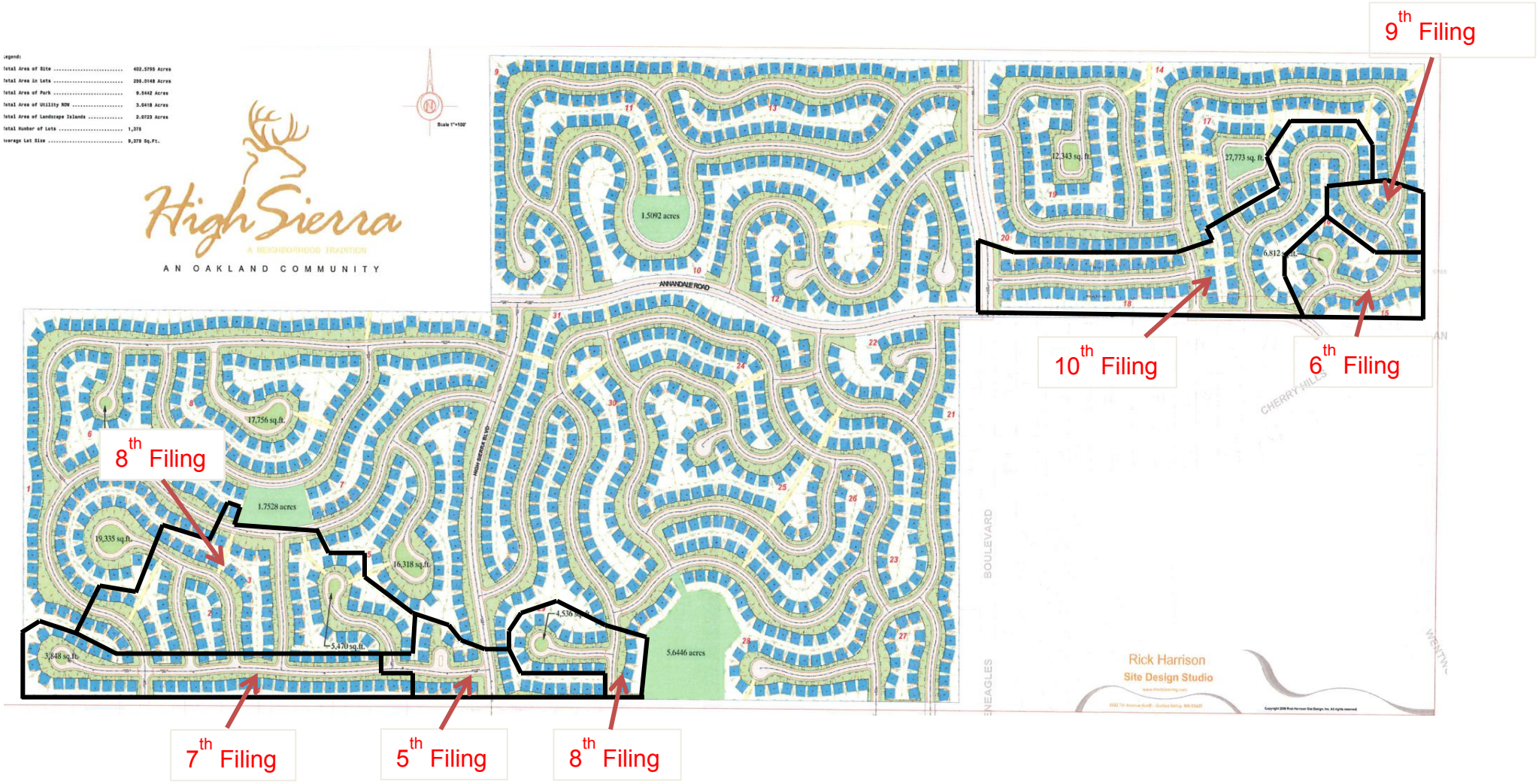
If you have any questions, please call my office.

Sincerely,

Landy Leep
Vice President
High Sierra II, Inc.

Cc: Mac Fogelsong, Sanderson Stewart.

ATTACHMENT: 2008 High Sierra Master Plan



Consent **1. N. 1.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Payment of Claims July 5,7,11&17, 2017

PRESENTED BY: Andy Zoeller

Department: City Hall Administration

Presentation: No

PROBLEM/ISSUE STATEMENT

Claims in the amount of $6,232,080.85 have been audited and are presented for City Council payment approval. A complete listing of the claims dated July 5,7,11 & 17, 2017, are available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

councilmemo_7/5-7/17/2017

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/11/2017	805451	A & I Distributors	Public Safety	$19.98	21 22DEF 2/2.5 GAL PURUS
07/11/2017	805451	A & I Distributors	Fleet	$1,683.47	2976887 PO NUM 302820
07/11/2017	805451	A & I Distributors	Fleet	$561.18	2979721 PO NUM 302820
07/11/2017	805451	A & I Distributors	Street/Traffic Oper	$185.90	2979723
07/11/2017	805451	A & I Distributors	Public Safety	$26.52	2982851
07/11/2017	805451	A & I Distributors	Fleet	$526.81	2982851 PO NUM 302820
07/11/2017	805451	A & I Distributors	Public Safety	$296.46	2984680
07/11/2017	805451	A & I Distributors	Solid Waste	$1,047.75	Blue DEF for the Landfill
07/11/2017	805451	A & I Distributors	Transit	$1,672.35	BUS MET PO NUM 302820
07/11/2017	805451	A & I Distributors	Solid Waste	$160.40	Grease for Landfill equipment
07/11/2017	805451	A & I Distributors	Solid Waste	$57.60	Grease Gun
07/11/2017	805451	A & I Distributors	Wastewater	$92.95	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805451	A & I Distributors	Solid Waste	$1,152.47	Oil for Landfill equipment
07/11/2017	805451	A & I Distributors	Solid Waste	$110.91	pump for drums for the Landfill
07/11/2017	805451	A & I Distributors	Water	$49.28	WATER PARTS AND SUPPLIES
07/11/2017	805451	A & I Distributors	Street/Traffic Oper	$92.95	2979727
07/11/2017	805451	A & I Distributors	Street/Traffic Oper	$26.52	2982851
07/11/2017	805451	A & I Distributors	Fleet	$4,676.25	2982851 PO NUM 302820
07/11/2017	805451	A & I Distributors	Public Safety	$187.00	2985584
07/11/2017	805451	A & I Distributors	Transit	$93.00	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805451	A & I Distributors	Solid Waste	$26.89	2982851
07/11/2017	805451	A & I Distributors	Transit	$185.90	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805454	Ace Electric Inc	Facilities Mngmt	$4,200.00	Inv. 40089 Heat tape in gutters
07/11/2017	805454	Ace Electric Inc	Parking	$107.53	Park One Lease.
07/11/2017	805454	Ace Electric Inc	Facilities Mngmt	$3,100.00	Inv. 40090 Install heat tape
07/17/2017	805805	Ace Electric Inc	Arterial Streets	$115,463.68	WO 16-12 4th Ave N & Division
07/11/2017	805458	Advanced Office Solutions Llc	Public Safety	$2,600.00	TOSHIBA E-3040C COPIER
07/11/2017	805464	Allstates Coating Company	Street/Traffic Oper	$17,440.50	yellow paint tote
07/11/2017	805464	Allstates Coating Company	Street/Traffic Oper	$5,813.50	white paint tote
07/11/2017	805464	Allstates Coating Company	Street/Traffic Oper	$10,531.20	5 gallon white pails
07/17/2017	805810	American Assoc Of Airport Executive	Airport	$6,500.00	Invoice #1025579. IET
07/17/2017	805813	Archie Cochrane	Public Safety	$93.56	5216746
07/17/2017	805813	Archie Cochrane	Fleet	$191.46	5217075 PO NUM 303511
07/17/2017	805813	Archie Cochrane	Property Ins	$1,667.48	Inv. 842859 Patrol Car 1498
07/17/2017	805813	Archie Cochrane	Public Safety	$46.45	5216904
07/17/2017	805813	Archie Cochrane	Fleet	$131.94	5217588 PO NUM 303511
07/17/2017	805813	Archie Cochrane	Street/Traffic Oper	$73.38	5217076
07/17/2017	805813	Archie Cochrane	Fleet	$62.70	5217600 PO NUM 303511
07/17/2017	805813	Archie Cochrane	Fleet	$82.00	5217117
07/17/2017	805813	Archie Cochrane	Fleet	$596.05	5217766 PO NUM 303511
07/11/2017	805473	Arrow Striping & Manufacturing Inc	Street/Traffic Oper	$3,600.00	glass beads for paint striping

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07/11/2017	805473	Arrow Striping & Manufacturing Inc	Street/Traffic Oper	$3,600.00	paint beads
07/17/2017	805814	Beartooth Environmental, Inc.	Solid Waste	$2,287.50	Hazardous Waste Disposal
07/17/2017	805814	Beartooth Environmental, Inc.	Transit	$5,070.50	Sump sludge waste disposal
07/11/2017	805479	Bibliotheca LLC	Library	$3,275.00	Order for RFID tags
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.66	Invoice #S0005955.
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.67	Invoice #S0005955.
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.67	Invoice #S0005955.
07/11/2017	805482	Big Sky Linen & Uniform	Public Safety	$43.00	Jun-17
07/11/2017	805482	Big Sky Linen & Uniform	Facilities Mngmt	$449.85	Jun-17
07/11/2017	805482	Big Sky Linen & Uniform	Facilities Mngmt	$834.75	Jun-17
07/11/2017	805482	Big Sky Linen & Uniform	Water	$354.70	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Water	$55.56	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Water	$838.30	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Water	$488.25	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Wastewater	$17.09	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Wastewater	$738.10	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Wastewater	$325.50	Uniforms
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.33	Invoice #S0000400.
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.34	Laundry service for cleaning
07/11/2017	805482	Big Sky Linen & Uniform	Parking	$1.33	Laundry service for cleaning
07/17/2017	805817	Billings Clinic	Public Safety	$1,200.00	SANE 2017045 & 2017055
07/17/2017	805817	Billings Clinic	Public Safety	$2,400.00	Sane Exams
07/17/2017	805818	Billings Construction Supply, Inc	Engineering	$199.68	75053
07/17/2017	805818	Billings Construction Supply, Inc	Water	$3,949.00	Traffic control
07/17/2017	805818	Billings Construction Supply, Inc	Engineering	$35.00	75053
07/11/2017	805490	Billings Gazette	Library	$493.90	102-00003450
07/11/2017	805490	Billings Gazette	General	-$39.00	102-60001620
07/11/2017	805490	Billings Gazette	General	$39.00	102-60001620
07/11/2017	805490	Billings Gazette	General	$3,404.51	102-60001620
07/11/2017	805490	Billings Gazette	General	$390.00	102-60001620
07/11/2017	805490	Billings Gazette	Building Inspection	$497.00	102-60001620
07/11/2017	805490	Billings Gazette	Water	$3,404.51	102-60001620
07/11/2017	805490	Billings Gazette	Water	$1,045.00	102-60001620
07/11/2017	805490	Billings Gazette	Library	$430.00	102-60003259
07/11/2017	805490	Billings Gazette	Transit	$265.72	MET Transit 102-00027006
07/11/2017	805490	Billings Gazette	City County Planning	$265.72	City/County Planning
07/11/2017	805490	Billings Gazette	Library	$493.90	Library 102-00003728
07/11/2017	805498	Border States Electric	Wastewater	$78.20	Breakers
07/11/2017	805498	Border States Electric	Water	$249.90	ELECTRICAL FOR WTP
07/11/2017	805498	Border States Electric	Wastewater	$303.09	SSP & AFT parts
07/11/2017	805498	Border States Electric	Wastewater	$228.71	Tape and wire for GT #2

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07/11/2017	805498	Border States Electric	Wastewater	$13,894.28	Variable Frequency Drive
07/11/2017	805500	Brenntag Pacific Inc	Wastewater	$3,145.00	Silicone antifoam
07/17/2017	805821	Bruco Inc	Airport	$137.40	Invoice #361909. Stain Remover
07/17/2017	805821	Bruco Inc	Airport	$4,733.10	Invoice #362183. Floor Scrubber
07/17/2017	805823	Business Tax Section	Park District 1	$1,053.98	Business tax on Hardy
07/17/2017	805823	Business Tax Section	Park District 1	$154.95	Tax on Cotter's
07/17/2017	805823	Business Tax Section	General	$130.00	Tax on the contract with Prorover
07/17/2017	805823	Business Tax Section	Arterial Streets	$1,166.29	WO 16-12 4th Ave N & Division
07/17/2017	805823	Business Tax Section	Gas Tax	$5,169.55	WO 17-03 2017 Street Maint
07/17/2017	805823	Business Tax Section	Gas Tax	$333.33	WO 17-04 2017 ADA Ramp
07/17/2017	805823	Business Tax Section	Water	$8,150.81	WO 1701 2017 Water & Sewer
07/17/2017	805823	Business Tax Section	Wastewater	$2,095.17	WO1701 Sch 2B COP
07/17/2017	805823	Business Tax Section	Wastewater	$735.79	WO1701 Sch 2C Western
07/17/2017	805826	Central Services Division	Public Safety	$40,373.38	CJIN Services 7/1/2017
07/11/2017	805511	Century Link	Airport	$36.56	406-245-1044 Airport Terminal
07/11/2017	805511	Century Link	Parking	$49.10	406-252-2041 Park 2 Elevator
07/11/2017	805511	Century Link	Wastewater	$73.12	406-259-2328 PUD Sahara Sand
07/11/2017	805511	Century Link	Transit	$50.49	406-245-1789 Transit STS
07/11/2017	805511	Century Link	Airport	$55.83	406-252-0721 Airport 1FB Line
07/11/2017	805511	Century Link	Street/Traffic Oper	$100.98	406-259-3298 PW Traffic 3728
07/11/2017	805511	Century Link	Solid Waste	$61.29	406-245-7193 Solid Waste Landfill
07/11/2017	805511	Century Link	Solid Waste	$50.49	406-256-7001 Solid Waste Scale
07/11/2017	805511	Century Link	Solid Waste	$184.81	406-245-9820 Solid Waste Landfil
07/11/2017	805511	Century Link	Street/Traffic Oper	$37.59	406-652-8104 PW Traffic Signal
07/11/2017	805511	Century Link	Street/Traffic Oper	$36.56	406-245-9906 PW Traffic Signal
07/11/2017	805511	Century Link	General	$39.39	406-652-8403 Stewart Park
07/11/2017	805511	Century Link	Airport	$98.20	406-252-9412 Airport
07/11/2017	805511	Century Link	General	$50.57	406-652-5507 Parks
07/11/2017	805511	Century Link	Transit	$50.49	406-254-7038 MET Transit
07/11/2017	805511	Century Link	General	$49.10	406-652-0269 Cemetery FAX Line
07/11/2017	805511	Century Link	EOC 911	$7,307.43	406-255-9700 E911
07/11/2017	805511	Century Link	Public Safety	$49.10	406-655-0728 Fire Maintenance
07/11/2017	805511	Century Link	General	$36.56	406-657-3014 Parks 3890
07/11/2017	805511	Century Link	Telephone System	$2,718.63	406-657-8377 Main System
07/11/2017	805511	Century Link	Telephone System	$80.62	406-248-9124 Met Measured
07/11/2017	805511	Century Link	Telephone System	$75.18	406-248-3329 Airport Measured
07/11/2017	805511	Century Link	Telephone System	$114.87	406-657-3009 PUD Measured
07/11/2017	805511	Century Link	Public Safety	$36.58	406-245-6600 Crime Prevention
07/11/2017	805511	Century Link	Parking	$36.62	406-657-3054 Park 1 Elevator
07/11/2017	805511	Century Link	Telephone System	$78.31	406-252-3774 BOC Measured
07/11/2017	805511	Century Link	EOC 911	$0.50	406-255-9702 E911 Backup Line

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07/11/2017	805511	Century Link	Information Resourc	$37.33	406-245-4437 Kenco Security
07/11/2017	805511	Century Link	Public Safety	$37.59	406-245-1743 Fire Elevator
07/11/2017	805511	Century Link	Library	$169.11	406-245-1579 Library 6 lines
07/11/2017	805511	Century Link	Telephone System	$56.37	406-245-1579 Library 6 lines
07/11/2017	805515	Chicago Title of Montana LLC	CDBG	$15,000.00	FTHB Christina Griffin
07/11/2017	805514	Chicago Title of Montana LLC	CDBG	$15,000.00	FTHB Madilyn Lemieux
07/11/2017	805516	Chicago Title of Montana LLC	CDBG	$15,000.00	FTHB Sherree Cruse
07/17/2017	805828	Civicplus	Information Resourc	$261.19	1st Quarterly CivicSend IT
07/17/2017	805828	Civicplus	Airport	$261.19	1st Quarterly CivicSend Airport
07/17/2017	805828	Civicplus	Information Resourc	$6,079.02	1st Quarterly Hosting & Support
07/17/2017	805829	Cop Construction Co	Wastewater	$207,421.46	WO 17-01 2017 Water & Sewer
07/17/2017	805830	Cotter's Sewer Service, Inc.	General	$275.00	Portable restroom for Poly Vista
07/17/2017	805830	Cotter's Sewer Service, Inc.	Park District 1	$15,340.05	Replace seWer line
07/17/2017	805830	Cotter's Sewer Service, Inc.	General	$100.00	Portable restroom for South
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$2,457.99	Water charges for Twin Oaks
07/17/2017	805831	County Water District Of Billings Heights	General	$2,003.10	Water charges for Arrowhead
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$597.23	Water charges for Arrowhead
07/17/2017	805831	County Water District Of Billings Heights	General	$440.38	Water charges for Clevenger
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$2,076.86	Water charges for Walden
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$1,111.08	Water charges for France's
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$287.59	Water charges for Luthern
07/17/2017	805831	County Water District Of Billings Heights	General	$1,524.01	Water charges for Primrose
07/17/2017	805831	County Water District Of Billings Heights	Parks Maintenance	$1,438.04	Water charges for Unita
07/17/2017	805831	County Water District Of Billings Heights	General	$18.85	Water charges for Arrowhead
07/17/2017	805831	County Water District Of Billings Heights	General	$2,449.52	Water charges for Hawthorne
07/11/2017	805526	Crescent Electric Supply	Wastewater	$66.04	Heater element
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$120.72	signal box
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$186.95	signal box and lid
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$1,202.92	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$421.50	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$407.43	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$113.71	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$61.61	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$175.74	STREET LIGHTS
07/11/2017	805526	Crescent Electric Supply	Street/Traffic Oper	$702.30	STREET LIGHTS
07/17/2017	805834	CTA Construction & Environmental LLC	Facilities Mngmt	$7,832.50	BOC Exterior Lighting Retrofit
07/11/2017	805530	Cummins Rocky Mountain LLC	Public Safety	$5.99	004-46209
07/11/2017	805530	Cummins Rocky Mountain LLC	Solid Waste	$32.94	004-46425
07/11/2017	805530	Cummins Rocky Mountain LLC	Fleet	$130.42	004-46524 PO NUM 303407
07/11/2017	805530	Cummins Rocky Mountain LLC	Transit	$560.20	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805530	Cummins Rocky Mountain LLC	Transit	$619.15	BUS MET PO NUM 303402

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07/11/2017	805530	Cummins Rocky Mountain LLC	Solid Waste	$103.40	004-46452
07/11/2017	805530	Cummins Rocky Mountain LLC	Solid Waste	$20.00	004-46452
07/11/2017	805530	Cummins Rocky Mountain LLC	Library	$1,007.35	004-46454
07/11/2017	805530	Cummins Rocky Mountain LLC	Library	-$1,007.35	004-46535
07/11/2017	805530	Cummins Rocky Mountain LLC	Solid Waste	$94.21	004-46603
07/11/2017	805530	Cummins Rocky Mountain LLC	Fleet	$155.73	004-46691
07/11/2017	805530	Cummins Rocky Mountain LLC	Fleet	$30.00	004-46691
07/11/2017	805530	Cummins Rocky Mountain LLC	Library	$1,240.81	004-46734
07/11/2017	805530	Cummins Rocky Mountain LLC	Library	-$343.75	004-46828
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$412.25	004-46772
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$3,675.14	004-46776
07/17/2017	805835	Cummins Rocky Mountain LLC	Fleet	$236.54	004-46869 PO NUM 303513
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$24.68	004-46772
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$17,773.52	004-47242
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$103.40	004-46843
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$1,690.83	004-47373
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$20.00	004-46843
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$16.00	004-46861
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$144.66	004-46865
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$144.66	004-47170
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$107.67	004-47282
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$38.97	004-47303
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$30.00	004-47303
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$88.91	004-47327
07/17/2017	805835	Cummins Rocky Mountain LLC	Solid Waste	$20.00	004-47327
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$59.71	004-47372
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$30.00	004-47372
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	-$34.91	004-47434
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$182.28	004-47462
07/17/2017	805835	Cummins Rocky Mountain LLC	Street/Traffic Oper	$30.00	004-47462
07/11/2017	805532	Dale & Jax Door & Glass Inc	Library	$4,990.00	Invoice 19495
07/11/2017	805532	Dale & Jax Door & Glass Inc	Parking	$1,200.00	Park Three Garage
07/11/2017	805533	Data Imaging System, Inc.	Building Inspection	$1,396.80	I17-027073 Data Imaging System
07/11/2017	805533	Data Imaging System, Inc.	Building Inspection	$86.00	I17-028133 Data Imaging System
07/11/2017	805533	Data Imaging System, Inc.	Facilities Mngmt	$371.00	Inv. 31641
07/11/2017	805533	Data Imaging System, Inc.	General	$5,152.00	Inv. 31681, 2 PaperFlow Pro
07/11/2017	805534	DC Frost Associates Inc	Wastewater	$3,566.25	ORD Lamps
07/11/2017	805535	Dell Computer L P	Water	$812.48	1-Dell 5000 series i5 processor
07/11/2017	805535	Dell Computer L P	Water	$860.26	1-Dell 5000 series i5 processor
07/11/2017	805535	Dell Computer L P	Public Safety	$1,106.59	1-Dell Latitude i5 processor radio
07/11/2017	805535	Dell Computer L P	Water	$190.49	Dell 24"Monitor

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07/11/2017	805535	Dell Computer L P	Solid Waste	$1,270.94	Dell GO 5000 i7 processor
07/11/2017	805535	Dell Computer L P	Solid Waste	$1,176.35	Dell GO 5000 series i5 processor
07/11/2017	805535	Dell Computer L P	Wastewater	$541.66	1-Dell 5000 series i5 processor
07/11/2017	805535	Dell Computer L P	Wastewater	$573.50	1-Dell 5000 series i5 processor
07/11/2017	805535	Dell Computer L P	Water	-$148.99	Credit for duplicate payment
07/11/2017	805540	Dixie Petro-Chem	General	$1,586.00	Chemicals for pools
07/11/2017	805540	Dixie Petro-Chem	General	$1,189.50	Chemicals for the pools
07/11/2017	805540	Dixie Petro-Chem	Water	$3,192.00	WATER PARTS AND SUPPLIES
07/11/2017	805540	Dixie Petro-Chem	General	$594.75	Chemicals for pools
07/11/2017	805542	Dorsey & Whitney Llp	Tax Increment N 27t	$3,580.50	3359189 - One Big Sky Center
07/11/2017	805542	Dorsey & Whitney Llp	2015 GO Refunding	$3,267.40	3359190 - Stadium use
07/11/2017	805542	Dorsey & Whitney Llp	BallPark Series B	$2,475.10	3359190 - Stadium use
07/11/2017	805543	DOWL	Storm Sewer	$10,832.35	WO 16-14 West Billings
07/11/2017	805543	DOWL	Water	$21,762.25	WO 17-01 2017 Water & Sewer
07/11/2017	805545	Downtown Billings BID, Inc.	Parks Maintenance	$3,313.00	BID contract services
07/11/2017	805545	Downtown Billings BID, Inc.	Parks Maintenance	$3,313.00	BID contract services
07/05/2017	805448	Downtown Billings Partnership, Inc.	Tax Increment N 27t	$67,825.50	160 2018 1st quarter services
07/11/2017	805546	DST Forms, Inc	Information Resourc	$575.26	6M Blank Z Fold Direct Deposit
07/11/2017	805546	DST Forms, Inc	Parking	$3,499.32	Manual Parking Tickets
07/11/2017	805546	DST Forms, Inc	Parking	$30.00	Typesetting.
07/11/2017	805546	DST Forms, Inc	Parking	$99.00	Shipping.
07/11/2017	805547	Dustbusters	Street/Traffic Oper	$11,237.20	dustgard for dust suppressant
07/11/2017	805547	Dustbusters	Street/Traffic Oper	$2,596.44	dustgard for gravel streets
07/11/2017	805548	Dykman Electrical Inc	Water	$14,847.17	sole source Emergency repair
07/17/2017	805842	Ebms	City Health Ins Fund	$1,490.00	July 2017 Fee Breakdown
07/17/2017	805842	Ebms	City Health Ins Fund	$25,380.20	July 2017 Fee Breakdown
07/17/2017	805842	Ebms	City Health Ins Fund	$50,989.91	July 2017 Fee Breakdown
07/17/2017	805842	Ebms	City Health Ins Fund	$815.50	July 2017 Fee Breakdown
07/17/2017	805842	Ebms	City Health Ins Fund	$1,710.00	July 2017 Fee Breakdown
07/17/2017	805842	Ebms	City Health Ins Fund	$4,259.20	July 2017 Fee Breakdown
07/11/2017	805563	First Montana Title Co	CDBG	$10,000.00	FTHB Lacy Wood 2600 Rehberg
07/11/2017	805562	First Montana Title Co	CDBG	$15,000.00	FTHB Nicole Gunsch 425 Byrd
07/11/2017	805566	Forterra Concrete Products Inc	Street/Traffic Oper	$1,959.25	frame and grate for manhole
07/11/2017	805566	Forterra Concrete Products Inc	Street/Traffic Oper	$3,726.08	storm sewer pipe and accessory
07/11/2017	805571	Galles Filter Service	Water	$6.54	69760-.03
07/11/2017	805571	Galles Filter Service	Transit	$86.43	Auto & Truck Maint. Items
07/11/2017	805571	Galles Filter Service	Transit	$2.90	BUS MET
07/11/2017	805571	Galles Filter Service	Transit	$363.80	BUS MET PO NUM 302825
07/11/2017	805571	Galles Filter Service	Solid Waste	$433.02	Filters for Landfill equipment
07/11/2017	805571	Galles Filter Service	Solid Waste	$485.24	Filters for Landfill equipment
07/11/2017	805571	Galles Filter Service	Solid Waste	$816.67	Filters for Landfill equipment

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07/11/2017	805571	Galles Filter Service	Solid Waste	$947.91	Filters for Landfill equipment
07/11/2017	805571	Galles Filter Service	Water	$13.16	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805571	Galles Filter Service	Fleet	$4.76	P-69764-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Street/Traffic Oper	$27.78	P-69999-01
07/11/2017	805571	Galles Filter Service	Fleet	$48.97	P-70130-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$43.22	P-70379-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Solid Waste	$45.02	P-70433-01
07/11/2017	805571	Galles Filter Service	Fleet	$13.58	P-70456-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	General	$5.40	P-70633-01
07/11/2017	805571	Galles Filter Service	Solid Waste	$53.96	P-70720-01
07/11/2017	805571	Galles Filter Service	Solid Waste	$1,081.50	Vehicle parts
07/11/2017	805571	Galles Filter Service	Water	$188.92	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Water	$94.24	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Water	$84.95	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Water	$6.54	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Transit	$30.98	Auto & Truck Maint. Items
07/11/2017	805571	Galles Filter Service	Fleet	$95.16	P-69768-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$133.66	P-70223-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$289.62	P-70455-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$62.80	P-70469-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Street/Traffic Oper	$96.02	P-70742-01
07/11/2017	805571	Galles Filter Service	Solid Waste	-$45.02	T-68907
07/11/2017	805571	Galles Filter Service	Water	$27.93	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Water	$22.10	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Water	$2.85	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Fleet	$137.39	P-69919-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$7.67	P-70224-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$369.65	P-70605-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Water	$317.56	WATER PARTS AND SUPPLIES
07/11/2017	805571	Galles Filter Service	Fleet	$311.96	P-69998-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$384.42	P-70374-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$161.30	P-70695-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$204.78	P-70129-01 PO NUM 302825
07/11/2017	805571	Galles Filter Service	Fleet	$39.14	T-68827 PO NUM 302825
07/11/2017	805574	General Contractors Construction	Airport	$14,835.15	AIP 53 Concourse B Upgrades
07/11/2017	805574	General Contractors Construction	Airport	$1,648.35	AIP 53 Concourse B Upgrades
07/11/2017	805574	General Contractors Construction	Airport	$8,167.50	AIP 53 Concourse B Upgrades
07/11/2017	805576	Gillig Corporation	Transit	$1,810.92	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805576	Gillig Corporation	Transit	$9,695.00	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805576	Gillig Corporation	Transit	$7,656.24	BUS MET PO NUM 303466
07/11/2017	805585	Hardrives Construction Inc	Facilities Mngmt	$4,998.00	Remove and replace 3" asphalt

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07/11/2017	805585	Hardrives Construction Inc	Gas Tax	$3,943.32	WO 17-03 2017 Street Maint
07/17/2017	805856	Hardy Construction Co.	Park District 1	$104,344.35	Provide landscaping improvement
07/11/2017	805589	HDR, Inc.	Wastewater	$89,406.01	WO 14-11 WWTP Nutrient
07/17/2017	805858	HDR, Inc.	Water	$13,173.61	WO 15-21 Logan Reservoir/Pump
07/11/2017	805590	Heartland Paper Company	Solid Waste	$1,086.24	380066
07/11/2017	805590	Heartland Paper Company	Facilities Mngmt	$3,587.98	Inv. 382158-0 Auto Disk Scrubber
07/11/2017	805591	High Point Networks LLC	Telephone System	$4,455.00	Qty.1 Block HPN Professional
07/11/2017	805595	Iaff	Sidewalk Debt Svc	$4,640.90	Payroll Summary
07/11/2017	805598	Industrial Communication & Electronics	Public Safety	$680.00	BRUSH 1 (4083)
07/11/2017	805598	Industrial Communication & Electronics	Public Safety	$2,300.00	MTR 2000 VHF 100WATT
07/11/2017	805598	Industrial Communication & Electronics	Public Safety	$1,550.00	QUANTAR 800MHZ 100WATT
07/11/2017	805598	Industrial Communication & Electronics	Public Safety	$760.00	TAIT PORTABLES: INTERFACE
07/11/2017	805598	Industrial Communication & Electronics	Public Safety	$1,880.00	TAIT MOBILES: INTERFACE
07/11/2017	805601	Ingram Library Services Inc.	Library	$10.17	98925659
07/11/2017	805601	Ingram Library Services Inc.	Library	$13.54	98999882
07/11/2017	805601	Ingram Library Services Inc.	Library	$9.15	98925660
07/11/2017	805601	Ingram Library Services Inc.	Library	$21.11	98999883
07/11/2017	805601	Ingram Library Services Inc.	Library	$11.91	98999883
07/11/2017	805601	Ingram Library Services Inc.	Library	$111.61	98925661
07/11/2017	805601	Ingram Library Services Inc.	Library	$7.35	98925661
07/11/2017	805601	Ingram Library Services Inc.	Library	$49.65	98999884
07/11/2017	805601	Ingram Library Services Inc.	Library	$30.68	98930211
07/11/2017	805601	Ingram Library Services Inc.	Library	$17.36	99108033
07/11/2017	805601	Ingram Library Services Inc.	Library	$31.48	98930212
07/11/2017	805601	Ingram Library Services Inc.	Library	$26.92	99108034
07/11/2017	805601	Ingram Library Services Inc.	Library	$5.99	99108034
07/11/2017	805601	Ingram Library Services Inc.	Library	$43.21	98930213
07/11/2017	805601	Ingram Library Services Inc.	Library	$52.43	98930213
07/11/2017	805601	Ingram Library Services Inc.	Library	$56.69	99108035
07/11/2017	805601	Ingram Library Services Inc.	Library	$79.05	98930214
07/11/2017	805601	Ingram Library Services Inc.	Library	$17.99	99108036
07/11/2017	805601	Ingram Library Services Inc.	Library	$49.56	98930215
07/11/2017	805601	Ingram Library Services Inc.	Library	$21.22	98930215
07/11/2017	805601	Ingram Library Services Inc.	Library	$15.90	99108037
07/11/2017	805601	Ingram Library Services Inc.	Library	$20.19	99108037
07/11/2017	805601	Ingram Library Services Inc.	Library	$67.91	98930216
07/11/2017	805601	Ingram Library Services Inc.	Library	$54.32	98930216
07/11/2017	805601	Ingram Library Services Inc.	Library	$15.33	99108038
07/11/2017	805601	Ingram Library Services Inc.	Library	$93.31	99108038
07/11/2017	805601	Ingram Library Services Inc.	Library	$269.77	98930217
07/11/2017	805601	Ingram Library Services Inc.	Library	$755.66	98930217

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07/11/2017	805601	Ingram Library Services Inc.	Library	$56.16	98930217
07/11/2017	805601	Ingram Library Services Inc.	Library	$267.32	98930217
07/11/2017	805601	Ingram Library Services Inc.	Library	$21.99	99122453
07/11/2017	805601	Ingram Library Services Inc.	Library	$132.42	98932006
07/11/2017	805601	Ingram Library Services Inc.	Library	$37.72	98932006
07/11/2017	805601	Ingram Library Services Inc.	Library	$212.69	99122454
07/11/2017	805601	Ingram Library Services Inc.	Library	$83.11	99122454
07/11/2017	805601	Ingram Library Services Inc.	Library	$53.17	99122454
07/11/2017	805601	Ingram Library Services Inc.	Library	$172.13	98987394
07/11/2017	805601	Ingram Library Services Inc.	Library	$165.67	98987394
07/11/2017	805601	Ingram Library Services Inc.	Library	$7.80	98987394
07/11/2017	805601	Ingram Library Services Inc.	Library	$79.70	99122455
07/11/2017	805601	Ingram Library Services Inc.	Library	$126.95	99122455
07/11/2017	805601	Ingram Library Services Inc.	Library	$5.99	98987395
07/11/2017	805601	Ingram Library Services Inc.	Library	$57.76	99022720
07/11/2017	805601	Ingram Library Services Inc.	Library	$42.61	99022721
07/11/2017	805601	Ingram Library Services Inc.	Library	$366.23	99022722
07/11/2017	805601	Ingram Library Services Inc.	Library	$47.48	99022722
07/11/2017	805601	Ingram Library Services Inc.	Library	$15.34	99022722
07/11/2017	805601	Ingram Library Services Inc.	Library	$20.98	99022722
07/11/2017	805601	Ingram Library Services Inc.	Library	$8.24	99022723
07/11/2017	805601	Ingram Library Services Inc.	Library	$16.51	99022724
07/11/2017	805601	Ingram Library Services Inc.	Library	$11.20	99022725
07/11/2017	805601	Ingram Library Services Inc.	Library	$29.50	99022726
07/11/2017	805601	Ingram Library Services Inc.	Library	$83.73	99022726
07/11/2017	805601	Ingram Library Services Inc.	Library	$87.77	99022727
07/11/2017	805601	Ingram Library Services Inc.	Library	$18.60	99022727
07/11/2017	805601	Ingram Library Services Inc.	Library	$22.50	99022728
07/11/2017	805601	Ingram Library Services Inc.	Library	$9.60	99022729
07/11/2017	805601	Ingram Library Services Inc.	Library	$11.99	99022730
07/11/2017	805601	Ingram Library Services Inc.	Library	$1,311.29	99022731
07/11/2017	805601	Ingram Library Services Inc.	Library	$460.79	99022731
07/11/2017	805601	Ingram Library Services Inc.	Library	$574.35	99022731
07/11/2017	805601	Ingram Library Services Inc.	Library	$62.74	99022732
07/11/2017	805601	Ingram Library Services Inc.	Library	$445.37	99022732
07/11/2017	805601	Ingram Library Services Inc.	Library	$415.33	99022732
07/11/2017	805601	Ingram Library Services Inc.	Library	$16.79	99022733
07/11/2017	805601	Ingram Library Services Inc.	Library	$59.75	99023688
07/11/2017	805601	Ingram Library Services Inc.	Library	$11.03	99023688
07/11/2017	805603	Intermountain Traffic, LLC	Street/Traffic Oper	$12,956.00	Gridsmart G52 video detection
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	-$1,193.64	AUTO &TRUCK MAINT.ITEMS

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07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$474.99	BUS MET PO NUM 303375
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$474.99	BUS MET PO NUM 303403
07/11/2017	805605	Interstate Power Systems, Inc.	Solid Waste	$76.98	C007042980.01
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$1,366.51	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$9,438.99	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$312.23	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	$3,490.52	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805605	Interstate Power Systems, Inc.	Transit	-$4,200.00	AUTO &TRUCK MAINT.ITEMS
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$392.06	C251222775.01
07/11/2017	805594	I-State Truck, Inc.	Fleet	$58.40	C251223093.01 PO NUM 303381
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	$284.40	C251223355.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$21.45	C251222775.01
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	$401.41	C251223367.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$600.17	C251222984.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$38.45	C251223422.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$249.26	C251223055
07/11/2017	805594	I-State Truck, Inc.	Public Safety	$533.70	C251223487.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	-$57.50	C251223067.01
07/11/2017	805594	I-State Truck, Inc.	Public Safety	-$533.70	C251223493.01
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	$336.29	C251223090.01
07/11/2017	805594	I-State Truck, Inc.	Public Safety	$647.72	C251223494.01
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	$21.45	C251223090.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$48.24	C251223607.01
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	$246.06	C251223131.01
07/11/2017	805594	I-State Truck, Inc.	Solid Waste	$1,993.72	R251059268.01
07/11/2017	805594	I-State Truck, Inc.	Street/Traffic Oper	-$46.00	C251223146.1
07/11/2017	805607	J & J Concrete Inc.	Gas Tax	$49,616.32	WO 16-04 2016 ADA Ramp
07/11/2017	805613	Kadrmas Lee & Jackson	Tax Increment Sout	$6,131.53	WO 15-07 Orchard Lane
07/11/2017	805613	Kadrmas Lee & Jackson	Water	$3,638.56	WO 15-18 WTP Clearwell
07/11/2017	805613	Kadrmas Lee & Jackson	Storm Sewer	$38,672.50	WO 17-07 Hilltop Rd & Aronson
07/11/2017	805616	Kemira Water Solutions, Inc	Water	$76,494.46	WATER PARTS AND SUPPLIES
07/11/2017	805617	Kenco Enterprises Inc.	Wastewater	$2,647.78	Camera/Antenna/Labor
07/11/2017	805617	Kenco Enterprises Inc.	Wastewater	$1,256.20	Installation of keyboard/controller
07/11/2017	805617	Kenco Enterprises Inc.	Facilities Mngmt	$2,007.94	Inv. #1399671 Install Access
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$61.03	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$189.13	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$244.78	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$306.50	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$320.56	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$322.24	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$356.70	1 1/2" crushed base

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07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$492.38	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$609.38	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$705.42	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$854.52	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,586.49	1 1/2" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$30.00	1 1/2" washed rock for st andews
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$122.86	1" washed rock
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$62.84	3" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$507.43	3" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$701.19	3" crushed base and 6" boulders
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$428.95	3" crushed base for Sierra Grande
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,533.55	3" crushed base for Sierra Grande
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,594.37	3" crushed base for Sierra Grande
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,935.75	3" crushed base for Sierra Grande
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$960.49	3" crushed base on sierra grande
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,070.57	3/4" and 3" crushed base
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$215.73	3/8" chips
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$265.34	3/8" chips
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$387.23	3/8" chips
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,946.76	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$2,316.17	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$184.22	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$361.12	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$362.34	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$665.28	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$875.35	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,088.24	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,381.04	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$4,270.00	asphalt
07/11/2017	805620	Knife River (JTL Group Inc.)	Street/Traffic Oper	$8,215.48	asphalt for sierra grande
07/17/2017	805872	Knife River (JTL Group Inc.)	Park District 1	$634.00	Concrete for High Sierra disk golf
07/17/2017	805872	Knife River (JTL Group Inc.)	Gas Tax	$511,785.45	WO 17-03 2017 Street Maint
07/11/2017	805624	KTVQ Communications, Inc.	General	$300.00	Advertising
07/11/2017	805624	KTVQ Communications, Inc.	General	$2,150.00	Advertising
07/11/2017	805624	KTVQ Communications, Inc.	General	$1,650.00	Advertising
07/11/2017	805626	L P Anderson Tire Co. Inc.	Public Safety	$50.00	1079185
07/11/2017	805626	L P Anderson Tire Co. Inc.	Airport	$4,502.44	2 new tires for A-20
07/11/2017	805626	L P Anderson Tire Co. Inc.	Public Safety	$50.00	1079380
07/17/2017	805874	LGI Construction	Gas Tax	$32,998.89	WO 17-04 2017 ADA Ramp
07/11/2017	805633	Liquid Engineering Corporation	Water	$2,555.00	Inspection of aeration system
07/11/2017	805636	Mailing Technical Services	Parking	$132.98	parking - special inserts only

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07/11/2017	805636	Mailing Technical Services	Central Services	$5,086.47	Postage Fund (weekly bills)
07/11/2017	805656	Montana CSED	Sidewalk Debt Svc	$3,975.70	Payroll Summary
07/11/2017	805658	Montana Dakota Utilities CNG	Fleet	$7,846.16	071317 PO NUM 303396
07/11/2017	805659	Montana Dakota Utilities Co	Water	$23.12	010 490 1000 0
07/11/2017	805659	Montana Dakota Utilities Co	Water	$16.01	2251 Belknap UV Building
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$26.59	2750 Bitterroot
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$17.37	470 750 1000 0
07/11/2017	805659	Montana Dakota Utilities Co	General	$543.80	061 943 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$13.30	559 250 1000 5
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$14.60	062 907 9494 7
07/11/2017	805659	Montana Dakota Utilities Co	Water	$12.71	825 150 1000 5
07/11/2017	805659	Montana Dakota Utilities Co	Water	$15.54	110 490 1000 9
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$13.30	958 650 1000 3
07/11/2017	805659	Montana Dakota Utilities Co	Facilities Mngmt	$76.80	130 733 1000 8
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$431.67	169 233 1000 3
07/11/2017	805659	Montana Dakota Utilities Co	Water	$34.09	210 490 1000 8
07/11/2017	805659	Montana Dakota Utilities Co	Library	$448.58	219 924 4851 0
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$1,941.93	293 780 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$3,883.85	293 780 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$1,941.93	293 780 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Water	$235.05	310 490 1000 7
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$78.34	310 490 1000 7
07/11/2017	805659	Montana Dakota Utilities Co	General	$24.30	371 101 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	Water	$55.24	410 490 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$18.41	410 490 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	General	$37.34	437 780 1000 9
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$71.33	442 190 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Water	$370.56	500 490 1000 7
07/11/2017	805659	Montana Dakota Utilities Co	Water	$17.75	510 490 1000 5
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$18.69	514 117 0478 9
07/11/2017	805659	Montana Dakota Utilities Co	Water	$15.54	527 033 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$78.19	533 653 1000 1
07/11/2017	805659	Montana Dakota Utilities Co	Water	$23.12	566 923 1000 8
07/11/2017	805659	Montana Dakota Utilities Co	P.W. Admin	$33.38	595 373 1000 1
07/11/2017	805659	Montana Dakota Utilities Co	Engineering	$50.05	595 373 1000 1
07/11/2017	805659	Montana Dakota Utilities Co	Water	$8.35	600 490 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	Water	$8.35	600 490 1000 6
07/11/2017	805659	Montana Dakota Utilities Co	Water	$15.54	610 490 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Water	$16.70	666 923 1000 7
07/11/2017	805659	Montana Dakota Utilities Co	Water	$41.21	700 490 1000 5
07/11/2017	805659	Montana Dakota Utilities Co	Parking	$14.60	717 353 1000 6

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07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$30.94	735 453 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Facilities Mngmt	$421.31	757 633 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Solid Waste	$49.37	770 390 1000 2
07/11/2017	805659	Montana Dakota Utilities Co	Parking	$26.85	799 152 1209 0
07/11/2017	805659	Montana Dakota Utilities Co	Water	$31.08	800 490 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Water	$15.54	832 001 1000 1
07/11/2017	805659	Montana Dakota Utilities Co	Wastewater	$34.00	868 563 1000 7
07/11/2017	805659	Montana Dakota Utilities Co	Public Safety	$79.95	885 880 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Water	$90.58	900 490 1000 3
07/11/2017	805659	Montana Dakota Utilities Co	General	$28.36	927 890 1000 3
07/11/2017	805659	Montana Dakota Utilities Co	Facilities Mngmt	$815.48	929 780 1000 4
07/11/2017	805659	Montana Dakota Utilities Co	Transit	$631.17	962 880 1000 0
07/11/2017	805659	Montana Dakota Utilities Co	Facilities Mngmt	$204.90	989 733 1000 0
07/11/2017	805659	Montana Dakota Utilities Co	Facilities Mngmt	$166.41	993 733 1000 4
07/17/2017	805886	Montana Department Of Environmental	Solid Waste	$36,064.80	Quarterly Landfill license
07/17/2017	805887	Montana League Of Cities and Towns	General	$19,800.00	2017-2018 Membership Dues
07/11/2017	805661	Montana Municipal Interlocal Authority	Sidewalk Debt Svc	$469,332.57	Workers' Compensation Program
07/17/2017	805888	Montana Municipal Interlocal Authority	Sidewalk Debt Svc	$3,554.07	Additional $3,554.07
07/11/2017	805663	Montana State Fireman's Assoc	Sidewalk Debt Svc	$3,813.87	Payroll Summary
07/11/2017	805664	Montana State University Billings	General	$50,000.00	Council Contingency Donation
07/11/2017	805668	Morrison Maierle Inc	Water	$3,659.16	2017 Water & Sewer Projects
07/11/2017	805668	Morrison Maierle Inc	Wastewater	$15,010.00	2017 Water & Sewer Projects
07/17/2017	805892	Morrison Maierle Inc	Water	$8,284.80	2017 Water & Sewer Projects
07/17/2017	805892	Morrison Maierle Inc	Water	$3,145.50	WO 17-16 Zone 4 North Fox
07/17/2017	805892	Morrison Maierle Inc	Wastewater	$33,984.57	2017 Water & Sewer Projects
07/11/2017	805670	Moulton Bellingham PC	General	$3,422.00	Stone et al v. COB
07/11/2017	805670	Moulton Bellingham PC	General	$88.83	Watters et al v. COB
07/11/2017	805673	MPPA Montana Police Protective	Sidewalk Debt Svc	$2,597.18	Payroll Summary
07/11/2017	805674	MT Waterworks	Water	$820.85	Gate valves/gaskets
07/11/2017	805674	MT Waterworks	Water	$400.00	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805674	MT Waterworks	Water	$729.27	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805674	MT Waterworks	Water	$1,961.26	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805674	MT Waterworks	Water	$449.72	SYSTEMS PO NUM 303346
07/11/2017	805674	MT Waterworks	Water	$66.00	SYSTEMS PO NUM 303419
07/11/2017	805674	MT Waterworks	Water	$350.00	SYSTEMS PO NUM 303472
07/11/2017	805674	MT Waterworks	Water	$12,000.00	WATER PARTS AND SUPPLIES
07/11/2017	805674	MT Waterworks	Water	$2,169.27	SYSTEMS PO NUM 303420
07/11/2017	805674	MT Waterworks	Water	$119.00	WATER PARTS AND SUPPLIES
07/11/2017	805674	MT Waterworks	Water	$3,113.14	SYSTEMS PO NUM 303335
07/11/2017	805674	MT Waterworks	Water	$152.25	WATER PARTS AND SUPPLIES
07/11/2017	805674	MT Waterworks	Water	$1,977.95	SYSTEMS PO NUM 303336

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07/11/2017	805674	MT Waterworks	Water	$737.04	SYSTEMS PO NUM 303421
07/11/2017	805674	MT Waterworks	Water	$168.00	WATER PARTS AND SUPPLIES
07/17/2017	805895	Musol Limited	Wastewater	$4,399.76	MPOX 40
07/11/2017	805675	Napa Auto Parts	Fleet	-$7.48	3977-852605 PO NUM 303481
07/11/2017	805675	Napa Auto Parts	Public Safety	$3.88	3977-852674
07/11/2017	805675	Napa Auto Parts	Public Safety	$63.28	850072
07/11/2017	805675	Napa Auto Parts	Fleet	$357.27	850960 PO NUM 303400
07/11/2017	805675	Napa Auto Parts	Transit	$211.62	BUS MET PO NUM 303376
07/11/2017	805675	Napa Auto Parts	General	$93.16	3977-853041
07/11/2017	805675	Napa Auto Parts	Fleet	$557.75	3977-853645 PO NUM 303481
07/11/2017	805675	Napa Auto Parts	Solid Waste	$5.35	850216
07/11/2017	805675	Napa Auto Parts	Fleet	$13.60	851490 PO NUM 303400
07/11/2017	805675	Napa Auto Parts	Solid Waste	$78.16	3977-853062
07/11/2017	805675	Napa Auto Parts	Fleet	$57.36	3977-853727 PO NUM 303481
07/11/2017	805675	Napa Auto Parts	Solid Waste	$9.80	850290
07/11/2017	805675	Napa Auto Parts	Fleet	$66.36	851002 PO NUM 303400
07/11/2017	805675	Napa Auto Parts	General	$14.10	3977-853283
07/11/2017	805675	Napa Auto Parts	Solid Waste	$113.16	850557
07/11/2017	805675	Napa Auto Parts	Fleet	$26.96	3977-853388
07/11/2017	805675	Napa Auto Parts	Water	$112.50	850778
07/11/2017	805675	Napa Auto Parts	Public Safety	$21.00	3977-853523
07/11/2017	805675	Napa Auto Parts	Street/Traffic Oper	$18.22	850932
07/11/2017	805675	Napa Auto Parts	Public Safety	$53.18	3977-853544
07/11/2017	805675	Napa Auto Parts	Public Safety	$80.18	850941
07/11/2017	805675	Napa Auto Parts	General	$82.29	3977-853797
07/11/2017	805675	Napa Auto Parts	General	$9.20	851034
07/11/2017	805675	Napa Auto Parts	General	$9.64	3977-853800
07/11/2017	805675	Napa Auto Parts	General	$9.42	851081
07/11/2017	805675	Napa Auto Parts	Public Safety	$160.36	3977-853939
07/11/2017	805675	Napa Auto Parts	Public Safety	$33.96	851292
07/11/2017	805675	Napa Auto Parts	Public Safety	$15.00	3977-854074
07/11/2017	805675	Napa Auto Parts	Public Safety	$27.00	851394
07/11/2017	805675	Napa Auto Parts	Street/Traffic Oper	$94.50	851403
07/11/2017	805675	Napa Auto Parts	Public Safety	$80.18	851463
07/11/2017	805675	Napa Auto Parts	Public Safety	$344.30	851589
07/11/2017	805675	Napa Auto Parts	Public Safety	-$146.96	851602
07/11/2017	805675	Napa Auto Parts	Street/Traffic Oper	$9.12	851749
07/11/2017	805675	Napa Auto Parts	Public Safety	$64.77	851756
07/11/2017	805675	Napa Auto Parts	Public Safety	$60.68	851777
07/11/2017	805675	Napa Auto Parts	General	$5.29	851802
07/11/2017	805675	Napa Auto Parts	Public Safety	$62.34	851840

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07/11/2017	805675	Napa Auto Parts	Public Safety	-$88.08	851895
07/11/2017	805675	Napa Auto Parts	Solid Waste	$39.08	851965
07/11/2017	805675	Napa Auto Parts	Public Safety	-$60.68	854852
07/11/2017	805675	Napa Auto Parts	Water	$19.80	951172
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$422.54	Bushings, valves, elbows
07/11/2017	805680	Northwest Pipe Fittings	Water	$43.53	Elbows, thread plugs, nipples
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$14.14	For water coolers
07/11/2017	805680	Northwest Pipe Fittings	Water	$161.37	Main Valve rubber for hydrant
07/11/2017	805680	Northwest Pipe Fittings	Water	$136.88	MISC Chlor Tech unit
07/11/2017	805680	Northwest Pipe Fittings	Water	$132.36	misc for Stapples
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$258.19	misc parts
07/11/2017	805680	Northwest Pipe Fittings	Water	$75.00	misc Staples
07/11/2017	805680	Northwest Pipe Fittings	Water	$80.40	misc Staples chlor Tech unit
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$153.36	Nipples, ball valve
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$2.04	Pipe
07/11/2017	805680	Northwest Pipe Fittings	Water	$17.58	Sample sink
07/11/2017	805680	Northwest Pipe Fittings	Water	$192.70	Sample sink for lab
07/11/2017	805680	Northwest Pipe Fittings	Street/Traffic Oper	$20.68	sluminum dust cap for unit 1324
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$15.00	Sprinkler parts
07/11/2017	805680	Northwest Pipe Fittings	Water	$57.04	staples unit
07/11/2017	805680	Northwest Pipe Fittings	Water	$63.84	Staples Unit
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$250.00	valve
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$1,360.00	water cooler for Admin Building
07/11/2017	805680	Northwest Pipe Fittings	Wastewater	$1,360.00	water cooler for Solids
07/11/2017	805680	Northwest Pipe Fittings	Water	$3,322.80	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$1,026.13	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$25.84	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$204.07	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$44.49	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$16,340.40	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$1,144.19	Water parts and Supplies
07/11/2017	805680	Northwest Pipe Fittings	Water	$628.38	SYSTEMS PO NUM 303302
07/11/2017	805680	Northwest Pipe Fittings	Water	$16,180.20	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$11,900.00	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$12,140.00	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$322.05	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$2,656.18	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$43.75	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$127.50	WATER PARTS AND SUPPLIES
07/11/2017	805680	Northwest Pipe Fittings	Water	$20.55	SYSTEMS PO NUM 303296
07/11/2017	805680	Northwest Pipe Fittings	Water	$12,140.00	WATER PARTS AND SUPPLIES

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07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$2,371.38	22529.03 EXTREME SAR
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$135.84	42604.01.100 NRS HELMENT
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$305.68	30032.01 WETSHOE
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$271.68	25014 M'S HYDROSKIN
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$781.84	40025.01.101 NRS RAPID
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$152.84	47300.02.103 PILOT KNIFE
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$101.92	45103.01.101 RESCUE BAG 75'
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$30.44	45304.01.100 FOX 40 EPIK
07/11/2017	805681	Northwest River Supplies Inc	Public Safety	$28.93	SHIPPING
07/11/2017	805682	NorthWestern Energy	Public Safety	$3,154.24	0100476-1: FIRE STATION #1
07/11/2017	805682	NorthWestern Energy	Public Safety	$454.49	0100477-9: FIRE 6 (HEIGHTS)
07/11/2017	805682	NorthWestern Energy	Airport	$23,067.06	0100482-9. Vault Main Account
07/11/2017	805682	NorthWestern Energy	Facilities Mngmt	$6,706.25	0100507-3
07/11/2017	805682	NorthWestern Energy	Airport	$115.06	0712533-9. Airport Entrance
07/11/2017	805682	NorthWestern Energy	General	$60.32	0712539-6
07/11/2017	805682	NorthWestern Energy	Water	$1,182.07	1699 High Sierra
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$7.32	2047007-6
07/11/2017	805682	NorthWestern Energy	Wastewater	$1,546.27	2750 Bitterroot
07/11/2017	805682	NorthWestern Energy	Water	$6,495.94	3116 17TH ST W
07/11/2017	805682	NorthWestern Energy	Water	$338.52	805 Constituion
07/11/2017	805682	NorthWestern Energy	Library	$8,324.93	Electric usage
07/11/2017	805682	NorthWestern Energy	General	$1,545.99	Electrical charges for office
07/11/2017	805682	NorthWestern Energy	Airport	$245.36	0712535-4. Employee Parking
07/11/2017	805682	NorthWestern Energy	Public Safety	$536.81	0712537-0
07/11/2017	805682	NorthWestern Energy	General	$835.57	0720841-6
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$7.32	2047010-0
07/11/2017	805682	NorthWestern Energy	General	$102.39	0712683-2
07/11/2017	805682	NorthWestern Energy	Airport	$16.72	0712791-3. Gate 16. June 2017
07/11/2017	805682	NorthWestern Energy	Water	$9.45	0722249-0
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$6.94	2047013-4
07/11/2017	805682	NorthWestern Energy	Transit	$24.02	0712764-0
07/11/2017	805682	NorthWestern Energy	Airport	$16.61	0712795-4. Gate 17. June 2017
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722253-2
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$7.32	2047017-5
07/11/2017	805682	NorthWestern Energy	Airport	$15.50	0712797-0. Gate 9. June 2017
07/11/2017	805682	NorthWestern Energy	Parking	$312.27	0720829-1
07/11/2017	805682	NorthWestern Energy	General	$223.83	0722256-5
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$6.84	2047019-1
07/11/2017	805682	NorthWestern Energy	Airport	$7.32	0712813-5. NW Burn Pit.
07/11/2017	805682	NorthWestern Energy	Parking	$2,173.76	0720834-1
07/11/2017	805682	NorthWestern Energy	General	$8.09	0722258-1

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07/11/2017	805682	NorthWestern Energy	Airport	$2,420.32	0719543-1. Parking Lot Light.
07/11/2017	805682	NorthWestern Energy	Public Safety	$343.68	0720840-8
07/11/2017	805682	NorthWestern Energy	General	$23.58	0722259-9
07/11/2017	805682	NorthWestern Energy	Airport	$15.73	0719759-3. Gate 12. June 2017
07/11/2017	805682	NorthWestern Energy	Radio	$165.85	0721580-9
07/11/2017	805682	NorthWestern Energy	Water	$5,047.71	0722270-6
07/11/2017	805682	NorthWestern Energy	Airport	$17.82	0719760-1. Gate 14. June 2017
07/11/2017	805682	NorthWestern Energy	General	$69.06	0722237-5
07/11/2017	805682	NorthWestern Energy	General	$9.98	0722272-2
07/11/2017	805682	NorthWestern Energy	Airport	$12.44	0719761-9. Gate 15. June 2017
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722247-4
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$6.64	0722272-2
07/11/2017	805682	NorthWestern Energy	Airport	$16.96	0719762-7. Gate 13. June 2017
07/11/2017	805682	NorthWestern Energy	General	$203.30	0722251-6
07/11/2017	805682	NorthWestern Energy	General	$28.02	0722273-0
07/11/2017	805682	NorthWestern Energy	Airport	$14.04	0720296-3. Gate 29. June 2017
07/11/2017	805682	NorthWestern Energy	Water	$1,526.04	0722252-4
07/11/2017	805682	NorthWestern Energy	General	$13.31	0722274-8
07/11/2017	805682	NorthWestern Energy	General	$0.10	0722254-0
07/11/2017	805682	NorthWestern Energy	General	$111.12	0722275-5
07/11/2017	805682	NorthWestern Energy	Airport	$18.04	2114868-9. Runway Weather
07/11/2017	805682	NorthWestern Energy	Airport	$5.85	0712805-1. IP-10. June 2017
07/11/2017	805682	NorthWestern Energy	General	$99.53	0722255-7
07/11/2017	805682	NorthWestern Energy	General	$39.98	0722277-1
07/11/2017	805682	NorthWestern Energy	General	$345.53	0722257-3
07/11/2017	805682	NorthWestern Energy	General	$33.15	0722278-9
07/11/2017	805682	NorthWestern Energy	General	$263.97	0722260-7
07/11/2017	805682	NorthWestern Energy	General	$17.01	0722279-7
07/11/2017	805682	NorthWestern Energy	General	$18.11	0722261-5
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722280-5
07/11/2017	805682	NorthWestern Energy	General	$6.31	0722262-3
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722281-3
07/11/2017	805682	NorthWestern Energy	General	$9.02	0722263-1
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722283-9
07/11/2017	805682	NorthWestern Energy	General	$43.21	0722265-6
07/11/2017	805682	NorthWestern Energy	General	$5.97	0722284-7
07/11/2017	805682	NorthWestern Energy	General	$92.40	0722266-4
07/11/2017	805682	NorthWestern Energy	General	$17.01	0722808-3
07/11/2017	805682	NorthWestern Energy	General	$3.15	0722268-0
07/11/2017	805682	NorthWestern Energy	General	$8.68	0722852-1

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07/11/2017	805682	NorthWestern Energy	General	$13.09	0722269-8
07/11/2017	805682	NorthWestern Energy	General	$8.09	0722862-0
07/11/2017	805682	NorthWestern Energy	General	$12.78	0722292-0
07/11/2017	805682	NorthWestern Energy	General	$57.78	0722901-6
07/11/2017	805682	NorthWestern Energy	General	$34.82	0722293-8
07/11/2017	805682	NorthWestern Energy	General	$6.33	0722976-8
07/11/2017	805682	NorthWestern Energy	General	$14.33	0722905-7
07/11/2017	805682	NorthWestern Energy	General	$105.67	0722995-8
07/11/2017	805682	NorthWestern Energy	General	$135.72	0722933-9
07/11/2017	805682	NorthWestern Energy	General	$85.63	0723005-5
07/11/2017	805682	NorthWestern Energy	General	$5.97	0723025-3
07/11/2017	805682	NorthWestern Energy	General	$109.25	0723035-2
07/11/2017	805682	NorthWestern Energy	General	$7.43	0723036-0
07/11/2017	805682	NorthWestern Energy	General	$21.18	0723039-4
07/11/2017	805682	NorthWestern Energy	General	$200.23	0723037-8
07/11/2017	805682	NorthWestern Energy	Water	$3,751.26	0723043-6
07/11/2017	805682	NorthWestern Energy	General	$11.93	0723038-6
07/11/2017	805682	NorthWestern Energy	General	$5.85	0723046-9
07/11/2017	805682	NorthWestern Energy	General	$60.62	0723042-8
07/11/2017	805682	NorthWestern Energy	General	$21.51	0723049-3
07/11/2017	805682	NorthWestern Energy	General	$476.39	0723044-4
07/11/2017	805682	NorthWestern Energy	General	$12.77	0723053-5
07/11/2017	805682	NorthWestern Energy	General	$81.07	0723048-5
07/11/2017	805682	NorthWestern Energy	General	$17.78	0723064-2
07/11/2017	805682	NorthWestern Energy	General	$112.99	0723050-1
07/11/2017	805682	NorthWestern Energy	General	$17.78	0723065-9
07/11/2017	805682	NorthWestern Energy	General	$1.92	0723051-9
07/11/2017	805682	NorthWestern Energy	Wastewater	$75.28	0723383-6
07/11/2017	805682	NorthWestern Energy	General	$38.58	0723052-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723384-4
07/11/2017	805682	NorthWestern Energy	General	$318.21	0723054-3
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.72	0723385-1
07/11/2017	805682	NorthWestern Energy	General	$11.48	0723055-0
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.72	0723386-9
07/11/2017	805682	NorthWestern Energy	General	$48.33	0723056-8
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.72	0723387-7
07/11/2017	805682	NorthWestern Energy	General	$17.51	0723057-6
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.72	0723388-5
07/11/2017	805682	NorthWestern Energy	General	$28.57	0723058-4
07/11/2017	805682	NorthWestern Energy	General	$3.88	0723391-9

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07/11/2017	805682	NorthWestern Energy	General	$7.35	0723090-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$2.58	0723391-9
07/11/2017	805682	NorthWestern Energy	General	$5.85	0723162-4
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.72	0723392-7
07/11/2017	805682	NorthWestern Energy	General	$652.95	0723170-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$6.71	0723393-5
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723394-3
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$5.85	0723644-1
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723395-0
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$5.85	0723645-8
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723396-8
07/11/2017	805682	NorthWestern Energy	General	$32.73	0789437-1
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723397-6
07/11/2017	805682	NorthWestern Energy	General	$5.85	0831702-6
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723398-4
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$122.07	1059093-3
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.97	0723835-5
07/11/2017	805682	NorthWestern Energy	Parking	$1,211.08	1569636-2
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$8.09	0723836-3
07/11/2017	805682	NorthWestern Energy	Parking	$1,043.04	1594282-4
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$5.85	0723840-5
07/11/2017	805682	NorthWestern Energy	P.W. Admin	$415.50	1741314-7
07/11/2017	805682	NorthWestern Energy	Wastewater	$471.10	0723878-5
07/11/2017	805682	NorthWestern Energy	Engineering	$623.27	1741314-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$137.24	0723879-3
07/11/2017	805682	NorthWestern Energy	Transit	$82.59	1784756-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$6.46	0723883-5
07/11/2017	805682	NorthWestern Energy	Public Safety	$378.47	1984150-1
07/11/2017	805682	NorthWestern Energy	General	$116.19	0723884-3
07/11/2017	805682	NorthWestern Energy	Public Safety	$298.08	1984155-0
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$6.71	0723885-0
07/11/2017	805682	NorthWestern Energy	Parking	$1,462.89	3067416-2
07/11/2017	805682	NorthWestern Energy	General	$17.78	0723887-6
07/11/2017	805682	NorthWestern Energy	Parking	$158.22	3279035-4
07/11/2017	805682	NorthWestern Energy	General	$0.00	0723027-9
07/11/2017	805682	NorthWestern Energy	General	$67.08	0920801-8
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$0.90	0971824-8
07/11/2017	805682	NorthWestern Energy	General	$61.09	0999807-1
07/11/2017	805682	NorthWestern Energy	Radio	$156.79	1006915-1

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07/11/2017	805682	NorthWestern Energy	General	$53.84	1141284-8
07/11/2017	805682	NorthWestern Energy	General	$26.62	1156527-2
07/11/2017	805682	NorthWestern Energy	General	$878.91	1160780-1
07/11/2017	805682	NorthWestern Energy	General	$5.85	1230066-1
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$0.78	1312707-1
07/11/2017	805682	NorthWestern Energy	General	$1.35	1409394-2
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$122.02	1513796-1
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$82.75	1513800-1
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$18.08	1513802-7
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$7.07	1513804-3
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$6.59	1564209-3
07/11/2017	805682	NorthWestern Energy	General	$21.25	1635289-0
07/11/2017	805682	NorthWestern Energy	General	$65.38	1692666-9
07/11/2017	805682	NorthWestern Energy	Wastewater	$9.38	1704025-4
07/11/2017	805682	NorthWestern Energy	Wastewater	$27.00	1704030-4
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$9.38	1738989-1
07/11/2017	805682	NorthWestern Energy	General	$7.20	1902257-3
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$2.14	2041362-1
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$6.71	2047000-1
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$7.32	2047011-8
07/11/2017	805682	NorthWestern Energy	Street/Traffic Oper	$7.43	2047018-3
07/11/2017	805682	NorthWestern Energy	General	$16.35	3020837-5
07/11/2017	805682	NorthWestern Energy	Parks Maintenance	$0.00	1396192-5
07/17/2017	805900	NorthWestern Energy	Wastewater	$93.18	389 62nd St
07/17/2017	805900	NorthWestern Energy	Water	$651.92	5809 Canyonwoods
07/17/2017	805900	NorthWestern Energy	Transit	$2,876.33	Electricity at Metroplex
07/11/2017	805685	Paddock Heating & Cooling	Public Safety	$2,550.00	1293:FIRE1/ENGINE1
07/17/2017	805902	Payne Financial Group	Airport	$47,175.00	Invoice #135962. Business
07/17/2017	805902	Payne Financial Group	Airport	$11,269.00	Invoice #136012. Business
07/17/2017	805902	Payne Financial Group	Airport	$15,568.00	Invoice #136003. Business
07/11/2017	805686	PayneWest Insurance Inc	Wastewater	$17,378.00	WO 14-11 Water Reclamation
07/17/2017	805903	PayneWest Insurance Inc	Property Ins	$5,028.00	Inv. #136440 Renewal Business
07/17/2017	805903	PayneWest Insurance Inc	Property Ins	$389,183.00	Inv. #136441 Renewal Business
07/11/2017	805689	Peterson Office Furniture	General	$1,108.00	#14042 Lobby
07/11/2017	805689	Peterson Office Furniture	General	$4,924.65	#14067 Furniture for Val's
07/11/2017	805689	Peterson Office Furniture	Facilities Mngmt	$2,615.84	Inv. 202729 Lobby Furniture
07/11/2017	805689	Peterson Office Furniture	Public Safety	$3,056.10	Purchase 3 LEAP Chairs
07/11/2017	805690	Petty Cash CCSIU	Police Programs	$3,456.05	Receipts on file at the BPD
07/17/2017	805905	Petty Cash CCSIU	Police Programs	$1,000.00	June, 2017 Petty Cash.
07/17/2017	805905	Petty Cash CCSIU	Police Programs	$2,033.50	Reimbursement of PE/PI money

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07/11/2017	805699	Proforce Law Enforcement	Public Safety	$964.05	Item #11002, TSR X26P BLK
07/11/2017	805699	Proforce Law Enforcement	Public Safety	$93.31	Item #AC31022/TRJ MRO
07/11/2017	805699	Proforce Law Enforcement	Public Safety	$58.38	Item #22012, TSR TACT
07/11/2017	805699	Proforce Law Enforcement	Public Safety	$57.04	Item #11504, TSR HLST X26P
07/11/2017	805699	Proforce Law Enforcement	Public Safety	$1,462.50	Item #44203, TSR CART M26/X26
07/11/2017	805699	Proforce Law Enforcement	Public Safety	$13.20	Handling
07/11/2017	805701	Public Utilities	Parks Maintenance	$85.74	102418
07/11/2017	805701	Public Utilities	Wastewater	$1,872.88	111176
07/11/2017	805701	Public Utilities	Parks Maintenance	$558.61	136082
07/11/2017	805701	Public Utilities	Parks Maintenance	$948.26	136087
07/11/2017	805701	Public Utilities	Parks Maintenance	$674.29	242652
07/11/2017	805701	Public Utilities	General	$1,422.38	136087
07/11/2017	805701	Public Utilities	General	$91.73	137793
07/11/2017	805701	Public Utilities	Parks Maintenance	$2,662.19	136090
07/11/2017	805701	Public Utilities	Parks Maintenance	$8,187.27	136091
07/11/2017	805701	Public Utilities	Parks Maintenance	$13,117.91	136092
07/11/2017	805701	Public Utilities	Parks Maintenance	$500.53	136093
07/11/2017	805701	Public Utilities	Parks Maintenance	$4,916.05	136095
07/11/2017	805701	Public Utilities	Parks Maintenance	$24.71	136096
07/11/2017	805701	Public Utilities	Parks Maintenance	$69.20	136098
07/11/2017	805701	Public Utilities	Parks Maintenance	$580.71	136099
07/11/2017	805701	Public Utilities	Parks Maintenance	$1,071.22	136100
07/11/2017	805701	Public Utilities	Parks Maintenance	$484.26	136101
07/11/2017	805701	Public Utilities	Parks Maintenance	$12,935.60	136103
07/11/2017	805701	Public Utilities	Parks Maintenance	$1,539.79	136108
07/11/2017	805701	Public Utilities	Parks Maintenance	$123.17	136111
07/11/2017	805701	Public Utilities	Parks Maintenance	$40.49	136112
07/11/2017	805701	Public Utilities	Parks Maintenance	$83.48	136115
07/11/2017	805701	Public Utilities	Airport	$14,484.30	136516
07/11/2017	805701	Public Utilities	Parks Maintenance	$632.20	148074
07/11/2017	805701	Public Utilities	Parks Maintenance	$2,108.25	148398
07/11/2017	805701	Public Utilities	Parks Maintenance	$277.49	148423
07/11/2017	805701	Public Utilities	Parks Maintenance	$2,531.95	148654
07/11/2017	805701	Public Utilities	Parks Maintenance	$9.67	148702
07/11/2017	805701	Public Utilities	Parks Maintenance	$661.13	158252
07/11/2017	805701	Public Utilities	Facilities Mngmt	$318.48	158260
07/11/2017	805701	Public Utilities	Parks Maintenance	$9.67	158992
07/11/2017	805701	Public Utilities	Parks Maintenance	$9.67	158993
07/11/2017	805701	Public Utilities	Parks Maintenance	$74.16	163944

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07/11/2017	805701	Public Utilities	Parks Maintenance	$779.14	168362
07/11/2017	805701	Public Utilities	Parks Maintenance	$214.66	177710
07/11/2017	805701	Public Utilities	Parks Maintenance	$12.98	179987
07/11/2017	805701	Public Utilities	Parks Maintenance	$760.66	180092
07/11/2017	805701	Public Utilities	Wastewater	$9.67	180645
07/11/2017	805701	Public Utilities	Parks Maintenance	$52.10	187900
07/11/2017	805701	Public Utilities	Parks Maintenance	$436.30	201942
07/11/2017	805703	Public Works-Administration	Water	$6,630.60	PWU June 2017 Engineering
07/11/2017	805703	Public Works-Administration	Water	$2,925.00	PWU June 2017 Engineering
07/11/2017	805703	Public Works-Administration	Wastewater	$370.00	PWU June 2017 Engineering
07/11/2017	805706	RDO Equipment Co.	Water	$33.99	NONSTOCKING ITEMS-P.U.D.
07/11/2017	805706	RDO Equipment Co.	Solid Waste	$3,591.98	W17564
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$3,919.24	May IOP
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$1,901.38	May Day Treatment
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$1,521.04	May AC
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$3,414.69	May IOP
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$1,162.48	May Coordinator
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$1,586.18	May AC
07/11/2017	805710	Rimrock Foundation	Municipal Court Grai	$3,944.89	May BJA Co-Occurring
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$66.00	5-103537
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$50.00	5-103652
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$180.00	5-103782
07/11/2017	805711	Rimrock Tire Inc	Public Safety	$2,543.76	5-GS103579
07/11/2017	805711	Rimrock Tire Inc	General	$422.56	5-GS103693
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$90.00	5-103685
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$33.28	5-103812
07/11/2017	805711	Rimrock Tire Inc	Public Safety	$549.68	5-GS103647
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$240.00	5-103540
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$32.00	5-103715
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$58.97	5-103817
07/11/2017	805711	Rimrock Tire Inc	Street/Traffic Oper	$30.81	5-103673
07/11/2017	805712	Riverstone Health	General	$12,960.00	Jan - June 2017 business license
07/11/2017	805717	Rolling Right Door Service	Public Safety	$387.00	1577 FIRE1: ADD'L DOOR
07/11/2017	805717	Rolling Right Door Service	Public Safety	$2,730.00	BRUSH SEALS
07/11/2017	805720	Rust Automation & Controls Inc	Water	$2,826.94	Sensalert/wire
07/11/2017	805724	Sanderson Stewart	Water	$4,804.97	2017 Water & Sewer Project
07/11/2017	805724	Sanderson Stewart	Water	$4,427.85	WO 16-07 I-90 Water System
07/11/2017	805724	Sanderson Stewart	Water	$12,690.32	WO 16-07 I-90 Water System
07/11/2017	805724	Sanderson Stewart	Storm Sewer	$152.75	WO1622 62nd and Rimrock Rd
07/11/2017	805724	Sanderson Stewart	Wastewater	$5,045.31	2017 Water & Sewer Project

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07/11/2017	805727	School Outfitters	Public Safety	$3,487.92	LNT-TSU3044-TSU3042-SO-PK
07/11/2017	805727	School Outfitters	Fire Grants	$3,487.92	LNT-TSU3044-TSU3042-SO-PK
07/11/2017	805727	School Outfitters	Public Safety	$850.00	SHIPPING AND HANDLING
07/11/2017	805727	School Outfitters	Public Safety	-$0.16	payment correction
07/17/2017	805921	Schutz Foss Architects	Public Safety	$4,936.65	Final invoice for comprehensive
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$1,088.33	Invoice #W5669864.
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$1,088.34	Invoice #W5669864.
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$1,088.33	Invoice #W5669864.
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$2,016.00	Additional guard services.
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$2,016.00	Additional guard services
07/11/2017	805729	Securitas Security Services USA, Inc	Parking	$1,638.00	Additional guard services
07/11/2017	805733	SHI International Corp	Information Resourc	$378.79	1-Acrobat Adobe Pro 2017 Mac
07/11/2017	805733	SHI International Corp	Information Resourc	$757.58	2-Acrobat Pro 2017 Mac
07/11/2017	805733	SHI International Corp	Information Resourc	$4,389.92	2-Bogmar Licenses Part#SDPE
07/11/2017	805733	SHI International Corp	Telephone System	$2,194.96	2-Annual Maintenance
07/11/2017	805741	Solid Waste Systems Inc	Solid Waste	$111.56	96439
07/11/2017	805741	Solid Waste Systems Inc	Fleet	$287.45	96514 PO NUM 303432
07/11/2017	805741	Solid Waste Systems Inc	Solid Waste	$932.71	96609
07/11/2017	805741	Solid Waste Systems Inc	Solid Waste	$51.86	96439
07/11/2017	805741	Solid Waste Systems Inc	Solid Waste	$84.26	96609
07/11/2017	805741	Solid Waste Systems Inc	Fleet	$297.83	96682 PO NUM 303432
07/11/2017	805741	Solid Waste Systems Inc	Solid Waste	$544.81	96675
07/11/2017	805741	Solid Waste Systems Inc	Fleet	$892.46	96683 PO NUM 303432
07/17/2017	805923	Solid Waste Systems Inc	Solid Waste	$1,646.65	96886
07/17/2017	805923	Solid Waste Systems Inc	Fleet	$492.28	96976 PO NUM 303541
07/17/2017	805923	Solid Waste Systems Inc	Solid Waste	$470.79	96886
07/17/2017	805923	Solid Waste Systems Inc	Fleet	$424.13	96999 PO NUM 303541
07/11/2017	805743	Spectrum Group Architects PC	Facilities Mngmt	$4,900.00	Inv. #2017/0808-2 Administration
07/17/2017	805925	St Vincent Occupational Health	General	$3,525.00	Inv. #50969 Drug Testing,
07/17/2017	805925	St Vincent Occupational Health	General	$95.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Public Safety	$50.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Public Safety	$850.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Public Safety	$20.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Street/Traffic Oper	$50.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Water	$114.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Wastewater	$180.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Wastewater	$76.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	Transit	$475.00	Inv. #50969 Drug Testing
07/17/2017	805925	St Vincent Occupational Health	City Health Ins Fund	$742.50	Inv. #50969 Drug Testing
07/11/2017	805750	Stewart Title Company	CDBG	$10,000.00	FTHB Gisele Little Wolf 530
07/11/2017	805751	Stewart Title Company	CDBG	$15,000.00	FTHB Kevin Johnson

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07/17/2017	805928	Sunset Excavation	Water	$2,700.00	114 Yellowstone
07/17/2017	805928	Sunset Excavation	Water	$4,250.00	119 Yellowstone
07/17/2017	805928	Sunset Excavation	Water	$4,900.00	3029 Stillwater
07/17/2017	805928	Sunset Excavation	Water	$3,250.00	3030 Stillwater
07/17/2017	805928	Sunset Excavation	Water	$1,150.00	835 Alderson
07/11/2017	805756	Sysco Montana, Inc.	General	$50.74	Food for concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$55.25	Food for Rose concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$578.52	Food for Rose concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$477.27	Food for concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$606.29	Food for Rose concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$690.43	Food for Rose concessions
07/11/2017	805756	Sysco Montana, Inc.	General	$119.17	Food for Rose concessions
07/11/2017	805762	Tetra Tech, Inc.	Solid Waste	$543.50	Landfill Gas and Groundwater
07/11/2017	805762	Tetra Tech, Inc.	Solid Waste	$8,069.30	Landfill Gas and Groundwater
07/11/2017	805764	Tire-Rama	Street/Traffic Oper	$35.00	1030176216
07/11/2017	805764	Tire-Rama	Public Safety	$1,001.43	1050286687
07/11/2017	805764	Tire-Rama	Solid Waste	$1,200.00	New wheels for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$846.25	Recapped tires for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$2,404.00	Recapped tires for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$4,035.00	Recapped tires for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$4,928.00	Recapped tires for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$4,928.00	Recapped tires for the garbage
07/11/2017	805764	Tire-Rama	Solid Waste	$4,962.58	Steer tires for the garbage trucks
07/11/2017	805764	Tire-Rama	Solid Waste	$415.80	Tire for the Landfill equipment
07/11/2017	805764	Tire-Rama	Solid Waste	$4,483.80	Tire repair
07/11/2017	805764	Tire-Rama	Solid Waste	$17.50	Tire repair for a Solid Waste
07/11/2017	805764	Tire-Rama	Solid Waste	$170.00	Tire repair to the Loader
07/11/2017	805764	Tire-Rama	Solid Waste	$97.50	Tire repairs for landfill Equipment
07/11/2017	805764	Tire-Rama	Solid Waste	$480.00	Tire repairs for the garbage trucks
07/11/2017	805764	Tire-Rama	Solid Waste	$1,341.50	Tire repairs for the garbage trucks
07/11/2017	805764	Tire-Rama	Solid Waste	$1,347.50	Tire repairs for the garbage trucks
07/11/2017	805764	Tire-Rama	Solid Waste	$996.32	Tires for Landfill equipment
07/11/2017	805764	Tire-Rama	Public Safety	$1,102.40	1050286688
07/11/2017	805764	Tire-Rama	Street/Traffic Oper	$17.50	1050287312
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$786.88	765715
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$466.00	broom for unit 1243
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$1,864.00	brooms for sweepers
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$650.62	grate lifter installation
07/11/2017	805765	Titan Machinery Inc	Wastewater	$196,781.00	Order for 1- new current model
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$326.72	9484938
07/11/2017	805765	Titan Machinery Inc	Wastewater	-$25,000.00	Trade in of Unit 7990

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07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$36.50	9484938
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$361.66	9484939
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$89.34	9484939
07/11/2017	805765	Titan Machinery Inc	Street/Traffic Oper	$102.96	9491781
07/11/2017	805768	Town & Country Supply Association	Fleet	$18,899.49	245455 PO NUM 303394
07/11/2017	805768	Town & Country Supply Association	Fleet	$19,573.17	245462 PO NUM 303467
07/11/2017	805768	Town & Country Supply Association	Transit	$10,063.20	BUS MET PO NUM 303405
07/11/2017	805768	Town & Country Supply Association	Airport	$16,071.20	Invoice #245459. QTA Car Rental
07/11/2017	805768	Town & Country Supply Association	Fleet	$2,384.60	245970 PO NUM 303394
07/11/2017	805768	Town & Country Supply Association	Transit	$3,651.42	BUS MET PO NUM 303405
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$4,850.00	Broom for the Track Loader
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$2,175.00	Fork and Carriage for Track
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$468,285.00	New compactor for the Landfill
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$387,118.00	New Front End Loader with 5 year
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$64.20	Parts for Landfill Equipment
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$164.75	Parts for Landfill Equipment
07/11/2017	805769	Tractor & Equipment Co.	Solid Waste	$2,100.87	Parts for Landfill equipment
07/17/2017	805933	Tractor & Equipment Co.	Solid Waste	$4,887.32	BLW00176722
07/17/2017	805933	Tractor & Equipment Co.	Solid Waste	$21.60	Parts for Landfill equipment
07/17/2017	805933	Tractor & Equipment Co.	Water	$917.63	BLW00176732
07/17/2017	805933	Tractor & Equipment Co.	Solid Waste	$14,275.25	BLW00176892
07/17/2017	805934	Tristate Equipment	Solid Waste	$99.64	M03825
07/17/2017	805934	Tristate Equipment	Solid Waste	$9.28	M03887
07/17/2017	805934	Tristate Equipment	Fleet	$66.96	M03952
07/17/2017	805934	Tristate Equipment	Street/Traffic Oper	$206.39	M04073
07/17/2017	805934	Tristate Equipment	Street/Traffic Oper	$21.10	M04073
07/17/2017	805934	Tristate Equipment	Solid Waste	$950.00	M04166
07/17/2017	805934	Tristate Equipment	Solid Waste	$30.46	M04167
07/17/2017	805934	Tristate Equipment	Solid Waste	$208.21	M04182
07/17/2017	805934	Tristate Equipment	Solid Waste	$61.40	M04216
07/17/2017	805934	Tristate Equipment	Solid Waste	$99.64	M04270
07/17/2017	805934	Tristate Equipment	Solid Waste	$1,823.29	N29687
07/11/2017	805772	Trusco Manufacturing Company	Parking	$3,820.00	Trueline Striper w/ 5 gallon paint
07/11/2017	805772	Trusco Manufacturing Company	Parking	$167.08	Shipping/Handling
07/07/2017	ACH	U.S. Bank PCards	Transit	$157.87	Zoro Tools Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.40	Zeecreative - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$52.99	Www.Newegg.Com - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$264.95	Www.Newegg.Com - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$81.39	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$214.12	Worden Safety & Chocks.Co
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$86.00	Western Ranch Supply - Pcard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	CDBG	$33.75	Western Awards & Engravin
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$81.00	Volgistics Inc - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$2,500.00	Village Gardens - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.00	Village Gardens - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$375.00	Vet-To-Go - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$800.00	Vermeer Rocky Mountain - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$165.00	Van Meter & Associates - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$46.00	Valet Today Cleaners - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$48.15	Valet Today Cleaners - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$115.74	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$82.83	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$21.00	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$355.27	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$38.37	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$28.14	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$429.00	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$7.19	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$28.38	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$22.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$8.09	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$151.15	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$6.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.97	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$55.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$26.68	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$9.69	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$6.17	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.96	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$26.97	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$58.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.77	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$11.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$19.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$46.92	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.69	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$18.20	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$31.49	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$14.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$14.38	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$11.99	Kings Ace Hdwe - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$8.00	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$9.52	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$50.97	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$47.78	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$3.18	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$2.32	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.77	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.72	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$13.66	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$19.78	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$32.34	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$22.95	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$3.17	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$2.12	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$20.69	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$21.94	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$80.93	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$2.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$23.31	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$56.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.75	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.73	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$87.48	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$71.80	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$139.00	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$6.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$6.29	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$17.95	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$17.99	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$33.46	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$369.94	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$30.98	Kings Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$220.00	Pow R Tow - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$34.00	Knife River 5601 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$375.50	Knife River 5601 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$223.85	Knife River 5601 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$30.00	Knife River 5601 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$30.00	Knife River 5601 - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Transit	$210.00	In *Canyon Creek Nursery - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$632.13	In *Canyon Creek Nursery - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$138.32	In *Elifeguard, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$1,059.95	In *Mainstay Fuel Technol - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Red Wrecker Recovery - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$2,425.00	High Point Networks, Llc - Pcard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$45.50	Garden Ave Greenhouse & G
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$39.00	Garden Ave Greenhouse & G
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$60.50	Garden Ave Greenhouse & G
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$8.00	Garden Ave Greenhouse & G
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$82.50	Garden Ave Greenhouse & G
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$39.94	Brownells Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$74.92	Brownells Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$310.93	Brownells Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$185.92	Brownells Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$125.00	Budget Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$17.50	Rimrock Tire - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$470.13	Rimrock Tire - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$36.95	Credit Technologies, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$36.95	Credit Technologies, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$100.00	Sq *Agave Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$250.00	Sq *Agave Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$25.90	Sq *Camera Cottage, - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$1,000.00	Sq *Education Power - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1,000.00	Sq *Education Power - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$122.00	Sq *Hotsy Wy-Mont G - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$528.00	Sq *Roger Connor - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$120.00	Sq *Roger Connor - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$233.50	Sq *Rolling Right Door Se - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$15.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$50.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$120.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$290.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$30.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$120.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$50.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$15.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$55.00	Sq *Skyline Services, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$200.00	Sq *Tom Pointer - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$128.50	Sq *Transitional Marketin - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$92.00	Sq *Yellowstone Cou - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$78.76	Mfcp Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$1,080.00	Callyo - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$109.00	Billings Ink And Toner - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$12.00	Billings Ink And Toner - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$98.00	Billings Ink And Toner - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.00	Billings Ink And Toner - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$73.15	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Airport	$138.70	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Airport	$138.09	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$19.02	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	General	$18.82	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$70.96	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$23.42	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$20.17	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$24.86	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Water	$24.87	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$93.26	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$87.56	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	General	$196.84	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	General	$1.43	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$88.71	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$176.38	Tacoma Screw Products
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,276.00	Missoulianravallirepublic - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$548.64	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$11.50	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$7.67	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$8.18	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$5.46	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$4.15	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$138.12	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$38.92	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$13.46	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$8.97	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$14.29	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$9.53	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$28.60	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$19.06	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$344.88	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$211.32	Northwest Industrial Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$271.82	0725 Ced - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$331.88	A & I Distriubutors - PCard

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07/07/2017	ACH	U.S. Bank PCards	Transit	$109.75	Aaim Solutions - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$291.44	Aces - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$440.00	Aces - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$15.00	Aces - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$506.58	Adecco - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$277.52	Adecco - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$295.14	Adecco - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$168.00	Agp*Propane Services - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$155.95	Albertsons Sto00040410 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$23.96	Albertsons Sto00040410 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$30.99	Alibris Books - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$28.72	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$11.18	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$93.49	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$24.95	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$29.91	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$37.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$9.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$120.34	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.90	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$22.52	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$28.94	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$375.00	America Walks - Pcard
07/07/2017	ACH	U.S. Bank PCards	Library	$53.10	American Library Assn - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$144.25	American Water Technologi
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$29.00	American Water Technologi
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$90.88	Animal Care Equip Online - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$19.99	Apl* Itunes.Com/Bill - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$546.01	Applied Technical Systems
07/07/2017	ACH	U.S. Bank PCards	Airport	$60.51	Archie Cochrane Motors - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$665.00	Armacost Trane Service Co
07/07/2017	ACH	U.S. Bank PCards	Airport	$351.90	Ats Inland Nw - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$210.00	Ats Inland Nw - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$15.00	Automotive Performance - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$32.00	Balco Uniform Co Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$13.00	Bargreen Ellingson #11 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$19.85	Bargreen Ellingson #11 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$239.76	Bass Pro Online - Us - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$70.50	Beckers Glass Shop - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$29.94	Big Bear Sports Center - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$135.00	Big Horn County Historica - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$23.90	Big Lots Stores - #1923 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$174.40	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$280.45	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$62.74	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$170.80	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$312.74	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$116.69	Big Sky Fire Equipment - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$699.67	Big Sky Irrigation Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$165.41	Big Sky Lodging - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$239.00	Bighorn Boots - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$130.00	Bighorn Boots - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$130.00	Bighorn Boots - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.20	Billings - Goodwill - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$115.50	Billings Construction Sup - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$50.00	Billings Construction Sup - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$70.00	Billings Construction Sup - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$158.34	Billings Construction Sup - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$189.95	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$25.28	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$75.98	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$2.54	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$26.97	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$3.00	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$21.99	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$11.48	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$18.98	Billings Hardware & Se - PCard
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$84.81	Billings Nursery S Fronta - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$875.00	Billings Overhead Door In - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$13.98	Billings Rv Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$56.00	Billingsgazettethriftynck - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$490.00	Bobcat Of Big Sky - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$1,179.01	Brodart Supplies - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$9.65	Carquest 3103 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$195.54	Cavendishsq - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$12.20	Cenex Rocky Mo07083041
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$12.20	Cenex Rocky Mo07083041
07/07/2017	ACH	U.S. Bank PCards	General	$69.99	Charter Comm - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.98	City Brew Coffee #11 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.98	City Brew Coffee #7 - PCard
07/07/2017	ACH	U.S. Bank PCards	Municipal Court Grai	$10.00	City Of Billings Finance - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1,126.35	City Of Billings Solid Wa - PCard

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07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$173.54	City Of Billings Solid Wa - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$100.00	City Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$100.00	Community Transportati - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$178.56	Congress Plaza Hotel - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$17.45	Conoco - Conomart 10 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$123.33	Conoco - Conomart 10 - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$10.00	Conoco - Dons Auto Car Wa
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$29.53	Conoco - Migi Mart - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$29.15	Conoco - Town Pump 4 Grea
07/07/2017	ACH	U.S. Bank PCards	General	$78.45	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$179.98	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$36.97	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$96.02	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$37.76	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$93.93	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$13.98	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$379.99	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$49.75	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$22.99	Costco Whse #0069 - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$831.27	Courtyard Marriott Cc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$130.00	Cpi International - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$1,050.00	Crashdatagr - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$545.35	Crystal Inn Great - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$720.00	Cummins Rocky Mountain
07/07/2017	ACH	U.S. Bank PCards	General	$19.49	Cvs/Pharmacy #08623 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$245.58	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$245.58	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$89.64	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$245.58	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$104.09	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$237.08	Dell Sales & Service - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	-$484.10	Delta Air 0067950678201
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$297.70	Delta Air 0068626730679
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$25.00	Delta Air Baggage Fee - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$628.54	Demco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$63.50	Dickeys Mt-619 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$137.25	Electricalhub.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$711.21	Elevated Powersports - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	-$249.99	Elevated Powersports - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$367.27	Emergency Medical Produc
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$2,353.40	Enterprise Rent-A-Car - PCard

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07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$1,134.25	Esri - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$2,039.00	Evident Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$2,359.65	Evident Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$388.70	Evident Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$558.75	Evident Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Excel Services - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Excel Services - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$6.79	Exxonmobil 45936796 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$28.96	Exxonmobil 45941648 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$49.27	Famousfootwear#2195 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1.55	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$9.60	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$12.36	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	-$47.63	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	-$31.75	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$26.36	Fei Inc Nd - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$121.58	Firstaidsuppliesonl - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$51.85	Firstaidsuppliesonl - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$955.60	Flowmark High Tech Co - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$7.66	F-M Forklift Sales & Svcs - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$505.00	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$211.50	Gamber Johnson Llc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$771.10	Ge Analytical Instruments - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$40.46	Ge Analytical Instruments - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$574.11	Global Assets Tac Group - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$100.00	Government Finance - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$26.67	Grains Of Montana - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$68.00	Grand Escape Room - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$63.40	Grand Lumber Company - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$156.52	Graybar Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$87.04	Graybar Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$61.42	Graybar Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$540.78	H&E Equipment Services
07/07/2017	ACH	U.S. Bank PCards	Water	$266.71	Hach Company - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Hansers Wrecker & Salvage
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$125.00	Hansers Wrecker & Salvage
07/07/2017	ACH	U.S. Bank PCards	Public Safety	-$95.00	Hansers Wrecker & Salvage
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Hansers Wrecker Company
07/07/2017	ACH	U.S. Bank PCards	Water	$390.00	Hd Supply Waterworks 142
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$260.00	Hd Supply Waterworks 142
07/07/2017	ACH	U.S. Bank PCards	Transit	$202.78	Heartland Paper Company

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07/07/2017	ACH	U.S. Bank PCards	General	$52.31	Heartland Paper Company
07/07/2017	ACH	U.S. Bank PCards	General	$152.36	Heartland Paper Company
07/07/2017	ACH	U.S. Bank PCards	General	$26.03	Heartland Paper Company
07/07/2017	ACH	U.S. Bank PCards	General	$23.57	Heartland Paper Company
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$207.54	Heartland Paper Company
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$16.35	Hertz Rent-A-Car - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,001.96	Historical Society/Guar - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$514.05	Holiday Inn Express & Su - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$42.46	Holiday Stnstore 0285 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$98.98	Homedepot.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$21.19	Howard'S General Store - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$120.00	Iaei - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$1,147.10	Ideal Blasting Supply - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$1,582.81	In *Beartooth Environment - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$899.25	In *Creative Culture Insi - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$130.57	In *Frontier Fence Compan
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$300.00	In *Gibson Advertising, M - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$20.00	In *Southeastern Security - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$42.50	In *Thompson Pools - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Programs	$209.00	International Bronze Plaq - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$34.82	I-State Truck Center 251 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$317.13	Jen Tech Llc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$125.00	Jims Auto Repair - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$125.00	Kc Towing & Repair Svc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$100.00	Kc Towing & Repair Svc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$65.82	Kimball Midwest - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$397.02	Kully Supply - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$209.58	La Quinta Inn & Suites - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$23.00	Lisacs Billingstire Sp - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$236.00	Lisacs Billingstire Sp - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$51.37	Ln Curtis - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$2,088.00	Ln Curtis - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$27.64	Loaf N Jug #0767 Q81 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$47.00	Locksmith Parts & Supplie
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$3.59	Lockwood Ace Hardware - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.98	Lockwood Ace Hardware - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$7.98	Lockwood Ace Hardware - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$169.12	Lodge At Whitefish Lake L
07/07/2017	ACH	U.S. Bank PCards	CDBG	$25.19	Log Cabin Bakery - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$103.00	Lp Anderson Point - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$15.00	Lp Anderson Point - PCard

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07/07/2017	ACH	U.S. Bank PCards	General	$15.00	Lp Anderson Point - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$160.17	Meadow Green Sales - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$543.30	Metro Forms Inc
07/07/2017	ACH	U.S. Bank PCards	General	$343.02	Midland Implement Co I - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$16.98	Montana Rescue Mission He
07/07/2017	ACH	U.S. Bank PCards	General	$405.00	Montana Society Of Cpas - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$101.54	Montana Waterworks - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$67.70	Montana Waterworks - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$58.20	Montana Waterworks - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$38.80	Montana Waterworks - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	-$157.15	Motion Industries Mt01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$294.21	Motion Picture Licensi - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$1,289.25	Mountain Supply - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$37.99	Mountain Supply - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$1,500.00	Msu Billings-Main Cmp C - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$250.00	Mt Conf Reg - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$48.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$32.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$250.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$3.00	Multnomah Cty Ct 8071 - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$350.00	N Harris Computer Corpor - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$175.00	N Harris Computer Corpor - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$175.00	N Harris Computer Corpor - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$28.32	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$99.70	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$300.00	National Academy Of Emd
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	-$569.80	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$315.37	Npc*New Pig Corp - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$46.95	Office Depot #2135 - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$33.99	Office Depot #2135 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$27.99	Office Depot #2135 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$45.69	Office Solutions - PCard
07/07/2017	ACH	U.S. Bank PCards	Fleet	$363.00	Oil Price Info Serv - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$11.99	Oreilly Auto #1751 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$14.98	Oreilly Auto #4301 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$260.13	Osi*Unitedstatesflag - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$115.00	Peavey Corp. - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$148.80	Pepsi-Cola Bottling Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,025.20	Pepsi-Cola Bottling Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$30.00	Pepsi-Cola Bottling Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$216.00	Pepsi-Cola Bottling Co - PCard

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07/07/2017	ACH	U.S. Bank PCards	General	$16.50	Pepsi-Cola Bottling Co - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$62.48	Pita Pit - 14-025-Mt E - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$56.99	Pita Pit - 14-025-Mt E - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$706.90	Positive Promotions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$1,353.55	Power Service Of Montana
07/07/2017	ACH	U.S. Bank PCards	Airport	$11.40	Powercall Sirens - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$200.20	Quality Inn And Suites - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$200.20	Quality Inn And Suites - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$189.95	Rdo Equipment Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$361.72	Rdo Equipment Co - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$9.99	Rdo Equipment Co - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$56.67	Rj Mann & Associates Inc
07/07/2017	ACH	U.S. Bank PCards	Airport	$327.25	Roto Rooter Plumbing Bil - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$2,148.98	Rust Automation&Controls
07/07/2017	ACH	U.S. Bank PCards	Airport	$53.97	Sears Roebuck 2242 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$429.98	Sears.Com 9300 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$17.00	Selby'S - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$47.28	Selby'S - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$51.09	Selby'S - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$36.00	Selby'S - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$9.00	Selby'S - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$14.28	Seneca Medical Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$46.42	Seneca Medical Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,186.94	Sherrilltre - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$133.88	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$14.07	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$93.98	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$53.09	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$92.16	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$189.00	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$34.50	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$9.90	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$48.50	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$72.78	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$148.64	Sherwin Williams 703203 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$145.83	Shiloh Veterinary Hospita - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$201.38	Shiloh Veterinary Hospita - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$189.18	Shiloh Veterinary Hospita - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$219.50	Sign Pro Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$38.94	Sign Pro Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$40.12	Sign Pro Billings - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	General	$38.94	Sign Pro Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$68.00	Silver Threads - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$30.00	Silver Threads - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$132.18	Six Robblees No 6 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$499.00	Skillpath National - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$59.95	Skillpath National - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	-$15.62	Snow King - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$289.60	Sp * Elm Usa - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$89.00	Sp * Zoomontana - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$105.00	Sp * Zoomontana - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$215.00	Sp * Zoomontana - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,200.00	Spectrum Reach - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$210.00	Sprocket'S Mach. & Weld - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$28.18	Stacked A Montana Grill - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$89.05	Staggering Ox - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$384.92	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$384.92	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$384.92	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$295.11	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$295.11	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$295.11	Staybridge Suites - Grea - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$126.50	Sunset Bowl - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$47.99	Tacticalgear.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,114.78	Terminal Supply - Tr - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$178.50	The Flag Store Of Connect
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$20.49	The Mail Drop - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$429.00	The Sheridan Press - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$165.00	The Sign Store - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$19.00	Tire Rama 101 Bc - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,000.00	Transportation Security - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$29.49	Travel Insurance Policy - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$13.88	Travel Insurance Policy - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.89	Travel Insurance Policy - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$1,196.21	Truenorth Steel-Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$1,459.24	Truenorth Steel-Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$445.00	Tvetene Turf Inc-Clvr - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$250.00	Uhi*U-Haul-Fish-On-A-Fe #
07/07/2017	ACH	U.S. Bank PCards	Water	$42.95	Ultra Scientific - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$19.54	Ups*1Zf0Y2T40300013816 - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$19.54	Ups*1Zk0E3T50320001211 - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$6.90	Ups*2934Q0Lops4 - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$6.90	Ups*2945F1I0Mah - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$58.67	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$62.35	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$50.31	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$2,312.08	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$124.84	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$14.53	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.48	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Property Ins	$16.31	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$28.99	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$16.75	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$48.94	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$299.60	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$78.83	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$1,184.14	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$589.48	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$130.10	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,014.42	Montana Broom & Brush Co - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$898.56	Montana Broom & Brush Co - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$62.50	Spic And Span - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$107.50	Spic And Span - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$318.25	Spic And Span - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$29.90	Albertsons Sto00000380 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$6.28	Albertsons Sto00000380 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$23.96	Albertsons Sto00000471 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$14.31	Albertsons Sto00000471 - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$24.19	Albertsons Sto00000471 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$498.32	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$46.95	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$35.92	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.98	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$18.15	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$19.43	Albertsons Sto00040253 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$19.98	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$16.97	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.78	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$107.82	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Programs	$6.70	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$119.51	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$90.35	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$61.30	The Home Depot #3101 - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	General	$3.87	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$23.09	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$40.73	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Amend Park	$32.08	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$25.10	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$56.57	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$86.32	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$593.32	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$142.47	The Home Depot #3101 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$34.99	Office Depot #1080 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$6.29	Office Depot #1080 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$34.99	Office Depot #1080 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$15.00	Dxp Enterprises - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$221.10	Center Point Large Print - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$221.10	Center Point Large Print - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$31.54	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$34.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.07	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$16.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$395.00	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$4.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$16.44	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$63.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$12.68	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$15.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$29.78	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Telephone System	$132.05	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$35.00	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$51.96	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$38.97	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$48.44	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$9.76	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$14.09	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$7.49	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$16.28	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$10.33	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$6.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$46.20	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$47.85	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$17.98	Amazon Mktplace Pmts - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Library	$23.43	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$62.95	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$17.37	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$26.76	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$103.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	-$5.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.97	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$16.97	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$12.44	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$67.08	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$24.95	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$38.91	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.75	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$14.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$159.19	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	-$9.49	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$27.68	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$15.00	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$38.47	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$34.02	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$37.05	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$15.49	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$258.68	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.28	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	-$6.70	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$12.59	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$4.08	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$9.95	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$103.66	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$14.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.05	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$84.17	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$29.64	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$30.05	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$14.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$40.94	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$16.50	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$9.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$19.33	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$19.52	Amazon Mktplace Pmts - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Library	$12.10	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	-$14.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.57	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$15.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.19	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$27.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	-$8.45	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$19.69	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$13.93	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$7.72	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$23.98	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$15.24	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$18.05	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$19.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$17.63	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$39.99	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$98.97	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$145.34	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$19.24	Amazon Mktplace Pmts - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$40.90	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$23.80	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$30.49	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$26.96	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$5.29	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$36.60	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$7.97	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$14.96	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$59.95	Amazon.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$107.98	Amazon.Com Amzn.Com/Bill - Pcard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$93.62	Amazon.Com Amzn.Com/Bill - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$145.31	Amazon.Com Amzn.Com/Bill - Pcard
07/07/2017	ACH	U.S. Bank PCards	Library	$21.99	Amazon.Com Amzn.Com/Bill - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$63.62	Amazon.Com Amzn.Com/Bill - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$99.00	Amazonprime Membership - Pcard
07/07/2017	ACH	U.S. Bank PCards	EOC 911	$583.77	Best Western Grantree Inn - Pcard
07/07/2017	ACH	U.S. Bank PCards	EOC 911	$583.77	Best Western Grantree Inn - Pcard
07/07/2017	ACH	U.S. Bank PCards	EOC 911	$583.77	Best Western Grantree Inn - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$99.37	Best Western Grantree Inn - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$31.99	Best Buy 00005926 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$115.98	Bestbuycom801119006491 - Pcard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Water	$297.60	Usps Po 2907740107 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$198.40	Usps Po 2907740107 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$112.00	Usps Po Boxes Online - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$51.40	Tlo Transunion - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$23.79	Batteries Plus #25 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,672.00	Batteries Plus #25 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$35.98	Batteries Plus #25 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$22.99	Batteries Plus #25 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$46.95	Batteries Plus #25 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$149.94	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$65.94	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$89.86	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$5.00	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$29.98	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$164.90	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$32.98	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$39.97	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$73.90	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$406.88	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$23.76	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$486.79	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$40.94	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.50	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$20.10	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$38.98	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$12.12	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$41.30	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$89.80	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$133.20	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.94	Lowes #00319* - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$20.00	Industrial Coating Soluti - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$231.84	Denny Menholt Chevrolet - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$35.91	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$6.74	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$14.47	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$44.82	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$59.40	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$49.80	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$39.88	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$3.92	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$5.82	Wal-Mart #1956 - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Library	$252.40	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$93.95	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$47.88	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$6.73	Wal-Mart #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$14.10	Wal-Mart #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$41.00	Wal-Mart #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$87.64	Wal-Mart #4412 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$5.47	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$5.47	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.25	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$280.70	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$66.04	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$57.96	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$51.80	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$18.88	Wm Supercenter #1956 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$31.00	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$60.93	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$52.47	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$74.00	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$56.03	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$23.98	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$22.27	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$22.60	Wm Supercenter #2923 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$495.00	Nasro - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$495.00	Nasro - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$495.00	Nasro - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$1,424.40	Dmi* Dell Bus Online - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$92.99	Dmi* Dell Bus Online - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$14.99	Adobe *Acropro Subs - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$14.99	Adobe *Acropro Subs - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$119.88	Adobe *Photogphy Plan - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Mountainside Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	-$95.00	Mountainside Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$95.00	Mountainside Towing - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	-$47.61	Westin Long Beach - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$129.96	Shoes For Crews Llc - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$13.50	West End Lock And Secur - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$11.50	West End Lock And Secur - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$66.50	West End Lock And Secur - Pcard
07/07/2017	ACH	U.S. Bank PCards	Parking	$9.50	West End Lock And Secur - Pcard
07/07/2017	ACH	U.S. Bank PCards	Parking	$4.75	West End Lock And Secur - Pcard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$26.25	West End Lock And Secur - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$2,208.00	Gunarama Wholesale I - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$287.57	Uline *Ship Supplies - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$20.07	Target 00013334 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$8.20	Target 00013334 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$6.98	Holiday Stnstore 0108 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$53.75	Holiday Stnstore 0108 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$30.07	Fedex 779369947474 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$17.12	Fedex 779369973313 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$34.78	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$417.99	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$12.59	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$4.14	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$12.03	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$33.00	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$89.73	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$93.96	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$14.32	Fastenal Company01 - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$155.00	Int'L Code Council Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$350.00	Nli*Sharefile - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$288.00	Gary Brink Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$228.50	Lexisnexis Risk Dat - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$37.78	The Ups Store 2594 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$39.15	The Ups Store 2594 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$17.00	Ups (800) 811-1648 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$11.99	Oreilly Auto #1548 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$23.99	Oreilly Auto #1548 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$7.48	Oreilly Auto #1551 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$184.08	Oreilly Auto #1551 - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$867.00	Stanley Steemer/Bllngs - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$560.00	Stanley Steemer/Bllngs - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$702.59	Sherwin Williams 703429 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$167.85	Sherwin Williams 703429 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$221.70	Sherwin Williams 703429 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$21.79	Sherwin Williams 703429 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$351.19	Sherwin Williams 703429 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$62.60	Usa Communications - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$108.16	Usa Communications - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$7.18	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$7.18	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$416.55	Ww Grainger - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Water	$7.10	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$4.73	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$242.31	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$304.96	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$62.99	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$273.40	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$80.72	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	P.W. Admin	$50.37	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$75.55	Ww Grainger - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$276.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$70.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	P.W. Admin	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$70.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$40.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$15.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$15.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$100.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$30.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$100.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$65.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$75.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$25.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$70.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$70.00	Mt Gov Online Trns - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$21.00	Expedia 7270090131865 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$18.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$30.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$8.50	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$4.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$21.00	Dollar Tree - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,057.09	Thomson West*Tcd - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,155.04	Thomson West*Tcd - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$233.00	Billings Parks Company - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$160.37	Indeed - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$287.84	Indeed - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$234.79	La Police Gear - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,676.16	Bettymillsc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$210.00	Pricechopper Wristband - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$153.74	Sams Club #4805 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$17.34	Sams Club #4805 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$90.02	Samsclub #4805 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$76.89	Samsclub #4805 - PCard

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07/07/2017	ACH	U.S. Bank PCards	Public Safety	$22.48	Samsclub #4805 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$91.30	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$5.10	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$3.40	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$6.69	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$4.46	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$31.60	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$86.31	Edge Construction Supp - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.00	Smk*Surveymonkey.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$26.00	Smk*Surveymonkey.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$27.00	Conoco - Town Pump 2 E He - Pcard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$23.75	Conoco - Town Pump Bozema - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$161.49	Ferguson Ent #3027 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$8.90	Ferguson Ent #3027 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$14.74	Ferguson Ent #3027 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$115.09	Ferguson Ent #3027 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$55.20	Ferguson Ent #3027 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$800.00	Cps 6543 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$1,050.00	Cps 6543 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$25.98	Cabela'S Retail 032 - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$162.95	Embassy Suites - Denver - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$243.44	Probuild N #409 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$43.51	Gotprint.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$42.60	Plug N Pay Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$107.27	Garda Cl - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$518.00	Big Horn Resort - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$54.35	American Weldi - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$45.04	American Weldi - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$32.15	American Weldi - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$39.31	Facebk *36Unscerf2 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$46.96	Facebk *3Ug9Ucjkf2 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$5.40	Facebk *4Ug9Ucjkf2 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.69	Facebk *96Unscerf2 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$22.23	Facebk *Bplcpceqv2 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$4.47	Facebk *H3K4Kcstu2 - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$168.12	Facebk *Mdq8Qc2Hn2 - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$29.91	Facebk *Ndq8Qc2Hn2 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$8.20	Facebk *Nplcpceqv2 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$25.00	Facebk *Ske7Ec2Uu2 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	-$600.00	Ctt-Solutions.Com - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	-$1,800.00	Ctt-Solutions.Com - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$97.65	Etrawler * - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$97.65	Etrawler * - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$144.00	Pictograph Cave State Pk - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$339.90	Ssp* Billings Trailnet - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$78.00	Wpsg, Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$25.55	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$37.41	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$94.89	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$82.27	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$37.41	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$32.69	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$21.79	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$860.37	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$214.51	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$136.56	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$5.01	Norco Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$86.00	Jimmy Johns - 1646 - E - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$99.00	Jimmy Johns - 1646 - E - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$245.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$385.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$300.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$175.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$35.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$700.00	Arc*Services/Training - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$7.99	Albertsons Sto00012278 - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$36.29	Albertsons Sto00012278 - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$97.65	Alsco Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$604.61	Alsco Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$354.70	Alsco Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$71.77	Alsco Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$56.96	Alsco Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$146.09	Ecolab Pest - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$129.38	Ecolab Pest - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$96.41	Ecolab Pest Elimination - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$86.77	Ecolab Pest Elimination - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$36.00	00809 - Apcoa Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Programs	$144.00	The Good Earth Works Co - Pcard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$114.68	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$118.42	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$261.86	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$26.39	360 Office Solutions Inc - PCard

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07/07/2017	ACH	U.S. Bank PCards	Wastewater	$17.59	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$8.99	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$5.99	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$73.59	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$190.55	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$40.58	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$40.57	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$41.80	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.88	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.89	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.28	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$918.74	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.52	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.53	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.85	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$35.69	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$37.56	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$25.04	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$37.56	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$25.03	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$26.03	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.99	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$89.14	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$84.00	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$56.00	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$153.55	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$102.36	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$28.78	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$37.25	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$45.82	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$26.51	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$354.92	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.19	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$71.05	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$40.79	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$18.49	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$111.48	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$92.80	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$479.99	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$22.82	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$193.95	360 Office Solutions Inc - PCard

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07/07/2017	ACH	U.S. Bank PCards	Central Services	$69.80	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Central Services	$256.30	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$65.00	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.63	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$84.65	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,044.00	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Central Services	$34.90	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Central Services	$256.30	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Central Services	$139.60	360 Office Solutions Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$25.00	Associatedemployers - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$25.00	Associatedemployers - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$12.87	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$3.96	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$379.99	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$8.99	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$39.97	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.98	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$29.30	Heights Ace Hdwe - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,115.66	Alphagraphics #387 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$2,000.00	Alphagraphics #387 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,411.52	Alphagraphics #387 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$125.47	Alphagraphics #387 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$962.50	Idu*Insight Public Sec - PCard
07/07/2017	ACH	U.S. Bank PCards	Telephone System	$94.00	Idu*Insight Public Sec - PCard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$241.75	Idu*Insight Public Sec - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$45.54	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$5.28	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$24.00	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$755.05	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$95.09	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$47.84	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$83.97	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$55.98	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$508.48	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,129.22	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,000.00	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$67.50	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$153.40	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$159.50	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.05	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$9.99	Ah Turf Specialties Inc - PCard

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07/07/2017	ACH	U.S. Bank PCards	Park District 1	$226.17	Ah Turf Specialties Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$1,137.00	Accent Print Shop, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$161.00	Accent Print Shop, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$46.00	Accent Print Shop, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$28.00	Accent Print Shop, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$658.79	Ace Electric, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$80.00	Ace Electric, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$374.12	Air Controls-Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$870.00	Air Controls-Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$135.00	Air Controls-Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$235.00	Alpine Plumbing Heating I - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$1,650.00	Alpine Plumbing Heating I - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$135.00	Alpine Plumbing Heating I - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$310.00	Artcraft Printer Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$87.44	At&T Smd7 15579 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$65.42	At&T*Bill Payment - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$33.66	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$9.70	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	P.W. Admin	$14.93	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$112.50	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$160.50	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Transit	$28.26	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	P.W. Admin	$6.37	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$17.23	utomated Office Systems - PCard
07/07/2017	ACH	U.S. Bank PCards	CDBG	$306.10	Automated Office Systems - Pcard
07/07/2017	ACH	U.S. Bank PCards	Airport	$139.05	Applied Ind Tech 2422 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$266.16	Applied Ind Tech 2422 - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$1,448.80	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$313.52	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$135.41	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$307.73	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$179.81	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$907.60	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.15	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$5.00	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$5.00	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$5.00	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Fleet	$317.01	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$665.60	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$316.40	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$65.86	Big Sky Linen & Uniform - PCard

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07/07/2017	ACH	U.S. Bank PCards	Library	$100.16	Big Sky Linen & Uniform - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$20.00	Billings Army Navy Surplu - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$40.00	Billings Army Navy Surplu - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$565.77	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1,166.10	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$338.12	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$240.69	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$484.58	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.86	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$58.82	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$58.82	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$21.20	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$392.87	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$179.40	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$42.84	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$42.84	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$527.85	Border States Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$208.38	Bruco - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$359.46	Bruco - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$298.00	Creative Monograms Smb - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$46.00	Creative Monograms Smb - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$189.93	Crescent Electric 054 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$189.93	Crescent Electric 054 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$207.35	Crescent Electric 054 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$139.53	Crescent Electric 054 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$17.40	Cycorp Trailer - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$11.60	Cycorp Trailer - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$234.51	Econo Print - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$83.33	Econo Print - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,118.05	Econo Print - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$237.67	Econo Print - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$13.28	Econo Print - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$425.00	Executive Cleaning Co I - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$131.98	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$733.89	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$568.83	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$445.80	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$112.20	Galls - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$243.20	Graybar Electric Company - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$49.69	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$24.85	Hanson Chemical - PCard

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07/07/2017	ACH	U.S. Bank PCards	Public Safety	$47.28	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$260.14	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$23.42	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$56.00	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$179.66	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$124.91	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$115.80	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$45.36	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$352.36	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$207.58	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$375.18	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$216.76	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$347.40	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$90.14	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$90.38	Hanson Chemical - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$30.55	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$27.86	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$126.53	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$54.30	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$781.37	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$5.12	Hose & Rubber Supply Blg - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$128.59	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$111.12	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$110.72	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$400.97	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$282.15	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$62.00	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$36.31	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$180.57	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$180.62	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$180.57	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$5.28	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$229.16	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$212.00	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$562.77	Kb Commercial Products - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$34.50	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$19.50	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$15.08	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$10.05	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$11.15	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$5.72	Kenco Security And Tec - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Parking	$37.50	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$75.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$75.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$47.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$356.98	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	P.W. Admin	$18.80	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$28.20	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$27.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$69.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$75.00	Kenco Security And Tec - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$59.00	Lesman Iron Works - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$109.00	Lesman Iron Works - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$52.16	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$109.05	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$93.09	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$44.80	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$15.23	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$94.43	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$418.23	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$35.84	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,474.50	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$57.05	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$15.70	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$18.01	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$208.63	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$11.40	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$63.00	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$112.80	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$171.14	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$792.56	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$42.11	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$56.28	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$10.25	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$40.29	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$1,073.52	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$48.14	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$267.95	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$33.08	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$272.50	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$36.23	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$61.50	Midland Implement Co - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Water	$109.11	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$357.78	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$117.32	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$148.13	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$17.48	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$80.52	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$516.96	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$200.42	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$95.76	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$36.87	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$799.36	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$149.88	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$16.30	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$206.68	Midland Implement Co - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$6.00	Midland Printing - PCard
07/07/2017	ACH	U.S. Bank PCards	Engineering	$172.00	Midland Printing - PCard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$72.80	Midland Printing - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$313.50	Moore Lane Veterinary Hos - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$32.40	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$21.00	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$17.17	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$99.42	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$41.13	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$17.01	Napa Store 3547001 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$349.18	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$222.40	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$164.51	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$181.76	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$289.12	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$367.35	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$492.40	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$75.00	Northwest Pipe Fitting - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$90.14	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$152.28	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$214.40	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$186.25	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$127.32	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$141.01	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$71.51	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$117.00	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$67.00	Northwest Scientific Inc - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$56.78	Northwest Scientific Inc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$86.65	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$26.53	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$11.74	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$7.83	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$61.20	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$136.00	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$15.12	Pacific Steel #02 - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$86.00	Permaletter Sign Company - Pcard
07/07/2017	ACH	U.S. Bank PCards	Parking	$124.00	Permaletter Sign Company - Pcard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$81.00	Ratco Trailer And Hitch - PCard
07/07/2017	ACH	U.S. Bank PCards	Transit	$124.05	Reddi Electric - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$10.50	The Rubber Stamp Shop, In - Pcard
07/07/2017	ACH	U.S. Bank PCards	Building Inspection	$23.62	The Rubber Stamp Shop, In - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$10.00	The Rubber Stamp Shop, In - Pcard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$23.80	Sherwin Williams 799848 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$82.46	Shiptons Big R Heights - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$29.99	Shipton'S Big R-East - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$36.35	Shipton'S Big R-East - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.78	Shipton'S Big R-East - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$7.99	Shipton'S Big R-East - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$119.99	Shipton'S Big R-East - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$67.98	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$9.98	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$119.99	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$15.99	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$147.97	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$159.98	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$227.96	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	-$16.04	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$135.96	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$149.99	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$45.93	Shipton'S Big R-West - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,922.00	Sundown Security - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$2,123.50	Sundown Security - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$1,635.25	Sundown Security - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$112.00	Tinys Tavern Inc 2 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$23.48	Tractor-Supply-Co #0303 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$39.99	Tractor-Supply-Co #0303 - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$15.99	Tractor-Supply-Co #0303 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$18.00	Universal Awards - PCard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	General	$60.00	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$435.00	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$78.50	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$60.00	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$266.50	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Park District 1	$120.00	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	$575.00	Wilbur Ellis Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$164.12	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$82.40	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	Water	$123.60	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$110.90	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	-$66.10	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$266.68	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$78.50	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$75.54	Yellowstone County Implem - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$19.00	Yellowstone Valley Elec - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$788.51	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$79.49	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Maintenance	$297.05	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Maintenance	$106.10	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$19.00	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Maintenance	$66.17	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$39.57	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Maintenance	$40.24	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parks Maintenance	$20.12	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$203.08	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1,317.18	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$155.75	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$19.00	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$1,730.46	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$253.72	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$32.48	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$199.05	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$1,333.42	Yellowstone Valley Elect - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$443.60	Firemaster - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$39.00	Firemaster - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$135.00	Firemaster - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$53.00	Ywhc - PCard
07/07/2017	ACH	U.S. Bank PCards	Wastewater	$13.39	Yellowstone County Treas - Pcard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$22.66	Yellowstone County Treas - Pcard
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$23.69	Yellowstone County Treas - Pcard

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/07/2017	ACH	U.S. Bank PCards	Street/Traffic Oper	$183.99	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$22.98	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$8.97	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$79.99	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$140.54	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$63.94	Harbor Freight Tools 207 - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$503.92	Nationalaud - PCard
07/07/2017	ACH	U.S. Bank PCards	Library	$248.06	Nationalaud - PCard
07/07/2017	ACH	U.S. Bank PCards	General	-$99.98	Scheels Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$47.96	Scheels Billings - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$452.82	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$452.95	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$452.82	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$737.53	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$348.97	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$349.07	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$348.96	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$348.97	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$349.07	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Parking	$348.96	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$637.00	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Airport	-$1,599.00	Kone, Inc. - PCard
07/07/2017	ACH	U.S. Bank PCards	Police Programs	$25.00	Delta Air Baggage Fee - PCard
07/07/2017	ACH	U.S. Bank PCards	Water	$1,386.00	Cdw Govt #Jdc4891 - PCard
07/07/2017	ACH	U.S. Bank PCards	Public Safety	$70.00	Iaai - PCard
07/07/2017	ACH	U.S. Bank PCards	Facilities Mngmt	$120.00	Independent Lock And Part - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$8.83	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$13.04	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$4.72	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$2.59	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$17.99	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$7.68	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	Solid Waste	$20.99	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$73.79	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	General	$32.43	Billings Hardware & Ga - PCard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$241.45	United 0162349216221 - Pcard
07/07/2017	ACH	U.S. Bank PCards	General	$241.45	United 0162349216221 - Pcard
07/07/2017	ACH	U.S. Bank PCards	City County Planning	$512.90	United 0162349216742 - Pcard
07/07/2017	ACH	U.S. Bank PCards	Information Resourc	$2,825.00	Idu*Insight Public Sec - PCard
07/11/2017	805773	Unemployment Ins Contributions Bureau	Sidewalk Debt Svc	$21,998.96	Montana Unemployment Insurance
07/11/2017	805778	US Conference Of Mayors	General	$9,181.00	Inv. 33939 Membership

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/11/2017	805784	WatchGuard Video	Public Safety	$3,350.00	Invoice EXCINV00004529A
07/17/2017	805939	Westat, Inc	City County Planning	$26,136.38	Billings-Yellowstone County Household
07/17/2017	805940	Western Municipal Construction Inc	Water	$806,929.90	WO 1701 2017 Water & Sewer
07/17/2017	805940	Western Municipal Construction Inc	Wastewater	$72,842.71	WO1701 Sch 2C Western Municipal
07/17/2017	805941	White Cloud Marketing & Distribution	Airport	$4,884.00	Invoice #S1707. Purchase programming
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$2,840.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$2,840.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$2,840.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$1,420.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$2,866.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$1,420.00	Fertilizer for parks
07/11/2017	805789	Wilbur Ellis Co	Park District 1	$1,420.00	Fertilizer for parks
07/17/2017	805942	Wilbur Ellis Co	Park District 1	$2,840.00	Fertilizer
07/17/2017	805942	Wilbur Ellis Co	Park District 1	$1,420.00	Fertilizer
07/17/2017	805945	Yellowstone County Finance Dpt	Public Safety	$9,800.00	June 2017 Jail Boarders
07/11/2017	805798	Yellowstone County Public Works Dept	Gas Tax	$50,000.00	WO 17-98 Bitterroot Drive
07/11/2017	805800	Yellowstone Electric Co	Airport	$4,275.00	Invoice #31315. Add new bag belt door
07/11/2017	805801	Yellowstone Valley Animal Shelter	Public Safety	$22,855.58	contract 5-22-17\6-21-17

Consent **1. N. 2.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Payment of Claims July 24, 2017

PRESENTED BY: Andy Zoeller

Department: City Hall Administration

Presentation: No

PROBLEM/ISSUE STATEMENT

Claims in the amount of $2,781,203.35 have been audited and are presented for City Council payment approval. A complete listing of the claims dated July 24, 2017, is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

councilmemo_7.24.2017

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	805955	Advanced Engineering and Environmental Services In	Water	$5,505.53	Water & Waste Water Rate Study
07/24/2017	805959	Allstream Business US Inc	General	$46.00	Main Bill New Account # 330046 -Dehler
07/24/2017	805959	Allstream Business US Inc	Information Resources	$79.95	Main Bill New Account # 330046 -IT
07/24/2017	805959	Allstream Business US Inc	Telephone System	$4,701.68	Main Bill New Account # 330046
07/24/2017	805966	Armscor Cartridge Incorporated	Public Safety	$4,902.50	Invoice 7805 - Officer Ammo
07/24/2017	805967	Arrow Striping & Manufacturing Inc	Street/Traffic Oper	$3,600.00	beads for paint
07/24/2017	805967	Arrow Striping & Manufacturing Inc	Street/Traffic Oper	$3,600.00	glass beads for painting
07/24/2017	805968	ATS Inland NW LLC	Airport	$2,145.00	FY18 Energy Management Services -
07/24/2017	805968	ATS Inland NW LLC	Airport	$611.00	FY18 Energy Management Services -
07/24/2017	805974	Bibliotheca LLC	Library	$22,513.05	Invoices S10026663_US & S10028796-
07/24/2017	805974	Bibliotheca LLC	Library	$818.36	Invoices S10026663_US & S10028796-
07/24/2017	805977	Billings Construction Supply, Inc	Street/Traffic Oper	$153.77	repairs to unit 1312 wacker
07/24/2017	805977	Billings Construction Supply, Inc	Street/Traffic Oper	$46.86	sonotube for base for light pole
07/24/2017	805977	Billings Construction Supply, Inc	Water	$5,638.00	traffic control
07/24/2017	805981	Blaine County Sheriff's Department	Police Programs	$6,069.35	Training and supplies.
07/24/2017	805983	Bozeman Police Department	Police Programs	$2,900.56	Supplies and Overtime.
07/24/2017	805983	Bozeman Police Department	Police Programs	$7,048.87	Training.
07/24/2017	805986	Business Tax Section	Solid Waste	$58.67	1% Tax for underground storage tank
07/24/2017	805986	Business Tax Section	Water	$74.00	3011 2nd Avenue North GRT portion
07/24/2017	805986	Business Tax Section	Park District 1	$1,619.75	Tax on South splash pad contract-
07/24/2017	805986	Business Tax Section	Gas Tax	$44.88	WO 15-07 Orchard Lane Reconstruction
07/24/2017	805986	Business Tax Section	Gas Tax	$69.13	WO 16-04 2016 ADA Ramp Replacement
07/24/2017	805986	Business Tax Section	Sidewalk Construction	$138.84	WO 17-02 2017 Misc. Developer
07/24/2017	805986	Business Tax Section	Solid Waste	$338.20	WO 17-10 Landfill Main Access Road
07/24/2017	805986	Business Tax Section	Gas Tax	$432.93	WO 17-02 2017 Misc. Developer
07/24/2017	805995	CMG Construction LLC	Gas Tax	$4,443.12	WO 15-07 Orchard Lane Reconstruction
07/24/2017	805995	CMG Construction LLC	Storm Sewer	$19,404.00	WO 15-07 Orchard Lane Reconstruction
07/24/2017	805995	CMG Construction LLC	Solid Waste	$33,481.80	WO 17-10 Landfill Main Access Road
07/24/2017	805995	CMG Construction LLC	Wastewater	$1,988.91	WO 15-07 Orchard Lane Reconstruction
07/24/2017	805995	CMG Construction LLC	Gas Tax	$2,750.96	WO 15-07 Orchard Lane Reconstruction
07/24/2017	805995	CMG Construction LLC	Tax Increment South	$169,580.19	WO 15-07 Orchard Lane Reconstruction
07/24/2017	806004	Crescent Electric Supply	Street/Traffic Oper	$52.51	3 pc seals for signal supplies
07/24/2017	806004	Crescent Electric Supply	Street/Traffic Oper	$2,900.00	AT-3500 fluke wire track locator
07/24/2017	806004	Crescent Electric Supply	Street/Traffic Oper	$70.16	cable/round head screws/patch for signal
07/24/2017	806004	Crescent Electric Supply	Street/Traffic Oper	$70.21	signal box/lid
07/24/2017	806004	Crescent Electric Supply	Street/Traffic Oper	$265.16	STREET LIGHTS PO NUM 303469
07/24/2017	806007	DC Frost Associates Inc	Wastewater	$3,566.19	lamps
07/24/2017	806009	Dell Computer L P	Information Resources	$3,503.16	1-Precision Workstation T7810
07/24/2017	806010	Department of the Treasury	General	$3,907.86	2016 Pcori Fee paid in 2017
07/24/2017	806011	Dept of Labor & Industry	Building Inspection	$3,758.00	I18-000366 Dept of Labor & Industry

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806013	Dixie Petro-Chem	Water	$3,192.00	WATER PARTS AND SUPPLIES PO
07/24/2017	806013	Dixie Petro-Chem	Water	$3,192.00	WATER PARTS AND SUPPLIES PO
07/24/2017	806019	Dustbusters	Street/Traffic Oper	$13,667.84	dust suppressant for gravel streets
07/24/2017	806021	Ebms	City Health Ins Fund	$1,500.00	August 2017 Fee Breakdown
07/24/2017	806021	Ebms	City Health Ins Fund	$25,434.80	August 2017 Fee Breakdown
07/24/2017	806021	Ebms	City Health Ins Fund	$51,095.37	August 2017 Fee Breakdown
07/24/2017	806021	Ebms	City Health Ins Fund	$808.50	August 2017 Fee Breakdown
07/24/2017	806021	Ebms	City Health Ins Fund	$1,921.50	August 2017 Fee Breakdown
07/24/2017	806021	Ebms	City Health Ins Fund	$4,268.00	August 2017 Fee Breakdown
07/24/2017	806034	Flathead County Sheriff's Office	Police Programs	$4,232.78	Overtime.
07/24/2017	806034	Flathead County Sheriff's Office	Police Programs	$19,971.86	Wages and benefits for Van Gundy, Jr. for
07/24/2017	806034	Flathead County Sheriff's Office	Police Programs	$1,589.91	Parker to Atlanta, GA. for ICAC Conf.
07/24/2017	806041	General Contractors Constr	Park District 1	$160,355.25	Development of the South Side splash
07/24/2017	806043	Great Falls Police Department	Police Programs	$5,816.20	Supplies, OT & Training.
07/24/2017	806046	Harris Systems USA Inc	General	$41,023.33	MN14041917 - Finance - Financials, Occ
07/24/2017	806046	Harris Systems USA Inc	Water	$13,674.45	PW Belknap - CIS
07/24/2017	806046	Harris Systems USA Inc	Wastewater	$13,674.44	PW Belknap - CIS
07/24/2017	806046	Harris Systems USA Inc	General	$6,837.22	Human Resources - Payroll
07/24/2017	806046	Harris Systems USA Inc	Fleet	$13,674.44	Fleet Management
07/24/2017	806046	Harris Systems USA Inc	Building Inspection	$9,987.22	Building - Building Permits & Mobile App
07/24/2017	806046	Harris Systems USA Inc	General	$6,837.22	Planning - Planning & Zoning and Code
07/24/2017	806046	Harris Systems USA Inc	City County Planning	$6,837.22	Planning - Planning & Zoning and Code
07/24/2017	806046	Harris Systems USA Inc	Solid Waste	$945.00	Solid Waste - RouteWare Interface
07/24/2017	806048	HDR, Inc.	Storm Sewer	$23,110.76	MS4 General Permit - Manual
07/24/2017	806048	HDR, Inc.	Wastewater	$133,623.28	WO 14-11 WWTP Nutrient Upgrade
07/24/2017	806048	HDR, Inc.	Tax Increment East	$1,759.51	WO 16-21 Exposition Drive Pedestrian
07/24/2017	806048	HDR, Inc.	Tax Increment South	$74,794.99	WO 17-06 Midland Road Improvements
07/24/2017	806048	HDR, Inc.	Water	$867.90	WO 17-09 Leavens Reservoir Liner
07/24/2017	806050	High Point Networks LLC	Library	$6,000.00	Invoice 94941
07/24/2017	806052	Iaff	Sidewalk Debt Svc	$4,640.90	Payroll Summary
07/24/2017	806056	InfoSend Inc	Water	$7,837.81	June Mailings
07/24/2017	806056	InfoSend Inc	Water	$2,025.11	June Mailings
07/24/2017	806056	InfoSend Inc	Wastewater	$5,225.21	June Mailings
07/24/2017	806056	InfoSend Inc	Wastewater	$1,350.07	June Mailings
07/24/2017	806058	J & J Concrete Inc.	Gas Tax	$6,844.01	WO 16-04 2016 ADA Ramp Replacement
07/24/2017	806058	J & J Concrete Inc.	Sidewalk Construction	$13,744.64	WO 17-02 2017 Misc. Developer
07/24/2017	806058	J & J Concrete Inc.	Gas Tax	$42,859.96	WO 17-02 2017 Misc. Developer
07/24/2017	806060	Jay's Waterline Repair	Water	$7,326.00	3011 2nd Avenue North
07/24/2017	806065	Joy of Living LLC	Tax Increment N 27th	$6,910.00	TIF project
07/24/2017	806073	Knife River (JTL Group Inc.)	Street/Traffic Oper	$183.60	1 1/2" crushed base

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806073	Knife River (JTL Group Inc.)	Street/Traffic Oper	$191.21	1 12/" crushed base
07/24/2017	806073	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,692.14	asphalt
07/24/2017	806073	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,712.27	asphalt
07/24/2017	806073	Knife River (JTL Group Inc.)	Street/Traffic Oper	$1,848.91	asphalt
07/24/2017	806078	Land Design Inc	Parks Programs	$29,000.00	Poly Vista design aspect.
07/24/2017	806082	Mailing Technical Services	Library	$204.77	Mail service
07/24/2017	806082	Mailing Technical Services	Central Services	$5,173.42	Postage Fund (weekly bills)
07/24/2017	806085	Marketing Specialties Inc	Water	$82.50	NONSTOCKING ITEMS-P.U.D.
07/24/2017	806085	Marketing Specialties Inc	Solid Waste	$5,808.10	Work on underground storage tanks at
07/24/2017	806090	Miller Trois LLC	General	$1,874.00	I18-000325 Miller Trois LLC
07/24/2017	806090	Miller Trois LLC	Building Inspection	$6,149.00	I18-000325 Miller Trois LLC
07/24/2017	806090	Miller Trois LLC	City County Planning	$4,077.00	I18-000325 Miller Trois LLC
07/24/2017	806090	Miller Trois LLC	CDBG	$4,829.00	I18-000325 Miller Trois LLC
07/24/2017	806092	Missoula Police Dept	Police Programs	$7,776.15	Overtime and Supplies.
07/24/2017	806092	Missoula Police Dept	Police Programs	$13,939.98	Peterson salary for April - June, 2017.
07/24/2017	806095	Montana CSED	Sidewalk Debt Svc	$3,992.72	Payroll Summary
07/24/2017	806097	Montana Dept Of Justice Cjin	EOC 911	$7,786.35	TRANSACTION FEE 99,265 @
07/24/2017	806097	Montana Dept Of Justice Cjin	EOC 911	$1,744.56	LICENSE COST: CRIMINAL JUSTICE
07/24/2017	806097	Montana Dept Of Justice Cjin	EOC 911	$8,772.60	NETWORK COST
07/24/2017	806100	Montana Municipal Interlocal Authority	Property Ins	$890,872.00	Billings Liability Risk Retention Program
07/24/2017	806102	Montana Municipal Interlocal Authority	Property Ins	$46,481.00	Deductible Recovery Invoice #617002
07/24/2017	806103	Montana State Fireman's Assoc	Sidewalk Debt Svc	$3,918.79	Payroll Summary
07/24/2017	806104	Montana State Library	Library	$35,826.71	MSC FY18
07/24/2017	806105	Motor Power Equipment Co.	Water	$4,430.78	NONSTOCKING ITEMS-P.U.D.
07/24/2017	806107	MPPA Montana Police Protective Association	Sidewalk Debt Svc	$3,091.34	Payroll Summary
07/24/2017	806108	MT Waterworks	Water	$285.85	REPAIR CLAMP
07/24/2017	806108	MT Waterworks	Street/Traffic Oper	$70.36	risers for sierra grande
07/24/2017	806108	MT Waterworks	Water	$326.40	SYSTEMS
07/24/2017	806108	MT Waterworks	Water	$961.60	SYSTEMS PO NUM 303496
07/24/2017	806108	MT Waterworks	Water	$946.60	WATER PARTS AND SUPPLIES PO
07/24/2017	806108	MT Waterworks	Water	$333.52	WATER PARTS AND SUPPLIES PO
07/24/2017	806108	MT Waterworks	Water	$1,264.66	SYSTEMS PO NUM 303480
07/24/2017	806108	MT Waterworks	Water	$487.44	SYSTEMS PO NUM 303483
07/24/2017	806108	MT Waterworks	Water	$2,506.00	SYSTEMS PO NUM 303497
07/24/2017	806110	Napa Auto Parts	Fleet	$260.56	854796 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Transit	$227.03	AUTO &TRUCK MAINT.ITEMS
07/24/2017	806110	Napa Auto Parts	Fleet	$111.80	854796 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Transit	$101.26	AUTO &TRUCK MAINT.ITEMS
07/24/2017	806110	Napa Auto Parts	Fleet	$52.56	855288 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$54.41	855289 PO NUM 303548

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806110	Napa Auto Parts	Fleet	$41.88	855614 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$46.67	856843 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$62.10	856845 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$37.99	857230 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$82.52	857284 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$47.80	857360 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$22.05	857394 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$67.62	857592 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$80.75	857592 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$55.90	857821 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$20.97	858192 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$53.40	858192 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$28.62	858376 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Fleet	$14.50	858376 PO NUM 303548
07/24/2017	806110	Napa Auto Parts	Public Safety	$160.36	843070
07/24/2017	806110	Napa Auto Parts	Wastewater	$201.93	854780
07/24/2017	806110	Napa Auto Parts	General	$41.90	854866
07/24/2017	806110	Napa Auto Parts	Public Safety	$91.42	855205
07/24/2017	806110	Napa Auto Parts	Public Safety	$101.38	855252
07/24/2017	806110	Napa Auto Parts	General	-$41.90	855267
07/24/2017	806110	Napa Auto Parts	Water	$122.16	855291
07/24/2017	806110	Napa Auto Parts	General	$150.07	855350
07/24/2017	806110	Napa Auto Parts	Fleet	$53.49	855502
07/24/2017	806110	Napa Auto Parts	Water	$198.74	855613
07/24/2017	806110	Napa Auto Parts	Public Safety	$160.36	856243
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	$7.46	856286
07/24/2017	806110	Napa Auto Parts	Public Safety	$108.00	856846
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	$5.69	856989
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	$114.98	856989
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	$108.80	857188
07/24/2017	806110	Napa Auto Parts	Public Safety	$13.76	857284
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	-$98.40	857406
07/24/2017	806110	Napa Auto Parts	Public Safety	$47.35	857526
07/24/2017	806110	Napa Auto Parts	General	$6.10	857909
07/24/2017	806110	Napa Auto Parts	Solid Waste	$19.80	858057
07/24/2017	806110	Napa Auto Parts	Solid Waste	$10.27	858057
07/24/2017	806110	Napa Auto Parts	Water	$4.62	858148
07/24/2017	806110	Napa Auto Parts	Solid Waste	$14.88	858376
07/24/2017	806110	Napa Auto Parts	Solid Waste	$77.31	858400
07/24/2017	806110	Napa Auto Parts	Fleet	$12.70	858407

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806110	Napa Auto Parts	Street/Traffic Oper	$15.64	858543
07/24/2017	806110	Napa Auto Parts	Public Safety	$69.85	858574
07/24/2017	806110	Napa Auto Parts	Solid Waste	$11.92	858646
07/24/2017	806111	National League Of Cities	General	$8,743.00	Membership Dues October 2018 -
07/24/2017	806116	NorthWestern Energy	General	$46.00	0712387-0
07/24/2017	806116	NorthWestern Energy	Airport	$47.31	3085107-5. New Employee Parking. July
07/24/2017	806116	NorthWestern Energy	Wastewater	$336.05	822 Shiloh Crossing Lift
07/24/2017	806115	NorthWestern Energy	Street/Traffic Oper	$10,153.63	Signal Bills
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$518.11	SILMD 008 ACCT# 0712544-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$562.76	SILMD 172 ACCT# 0712611-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$15.51	SILMD 238 ACCT# 0712672-5
07/24/2017	806116	NorthWestern Energy	Airport	$1,899.08	0100483-7. Runway Lights. July 2017
07/24/2017	806116	NorthWestern Energy	Public Safety	$10.99	0712532-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$531.40	SILMD 009 ACCT# 0712545-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,235.91	SILMD 173 ACCT# 0712612-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$98.87	SILMD 239 ACCT# 0712673-3
07/24/2017	806116	NorthWestern Energy	Airport	$1,430.80	0100484-5. ARFF Facility. July 2017
07/24/2017	806116	NorthWestern Energy	General	$241.20	0712536-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,460.82	SILMD 010 ACCT# 0712546-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,038.18	SILMD 174 ACCT# 0712613-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$398.14	SILMD 240 ACCT# 0712674-1
07/24/2017	806116	NorthWestern Energy	General	$844.95	0712538-8
07/24/2017	806116	NorthWestern Energy	Airport	$27.45	1647695-4. De Icer. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$4,311.04	SILMD 013 ACCT# 0721276-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$346.06	SILMD 175 ACCT# 0712614-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$648.03	SILMD 241 ACCT# 0712675-8
07/24/2017	806116	NorthWestern Energy	Transit	$210.61	0719225-5
07/24/2017	806116	NorthWestern Energy	Airport	$1,780.68	1993430-6. Car Wash. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,116.66	SILMD 014 ACCT# 0721277-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$45.29	SILMD 176 ACCT# 0712615-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$86.70	SILMD 242 ACCT# 0712676-6
07/24/2017	806116	NorthWestern Energy	Public Safety	$349.67	0720817-6
07/24/2017	806116	NorthWestern Energy	Airport	$286.15	2001846-1. Mud Wash. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,280.20	SILMD 017 ACCT# 0712553-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$271.91	SILMD 178 ACCT# 0712616-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$115.59	SILMD 244 ACCT# 0712677-4
07/24/2017	806116	NorthWestern Energy	General	$45.78	0720818-4
07/24/2017	806116	NorthWestern Energy	Airport	$269.97	2001848-7. Detail Bay 1 Hertz. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$91.25	SILMD 018 ACCT# 0712554-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$543.80	SILMD 179 ACCT# 0712617-0

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$89.96	SILMD 245 ACCT# 0712678-2
07/24/2017	806116	NorthWestern Energy	General	$2,274.02	0720821-8
07/24/2017	806116	NorthWestern Energy	Airport	$286.47	2001855-2. Detail Bay 2 National/Alamo.
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$457.50	SILMD 095 ACCT# 0712556-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$370.77	SILMD 180 ACCT# 0712618-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$346.78	SILMD 246 ACCT# 0712679-0
07/24/2017	806116	NorthWestern Energy	Water	$13,394.81	0722264-9
07/24/2017	806116	NorthWestern Energy	Airport	$207.40	2001862-8. Detail Bay 3 Enterprise. July
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$13,875.81	SILMD 097 ACCT# 0712557-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,762.79	SILMD 181 ACCT# 0712619-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,209.66	SILMD 247 ACCT# 0712680-8
07/24/2017	806116	NorthWestern Energy	General	$1,040.58	0722287-0
07/24/2017	806116	NorthWestern Energy	Airport	$186.51	2001865-1. Detail Bay 4 Avis/Budget. July
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,683.53	SILMD 099 ACCT# 0712558-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$617.96	SILMD 182 ACCT# 0712620-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,564.19	SILMD 248 ACCT# 0712681-6
07/24/2017	806116	NorthWestern Energy	Water	$10,384.93	0723040-2
07/24/2017	806116	NorthWestern Energy	Airport	$150.05	2001867-7. Detail Bay 5 Thrifty/Dollar.
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,755.29	SILMD 100 ACCT# 0712559-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,235.92	SILMD 183 ACCT# 0712621-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,860.94	SILMD 249 ACCT# 0718734-7
07/24/2017	806116	NorthWestern Energy	General	$1,018.40	0723045-1
07/24/2017	806116	NorthWestern Energy	Airport	$31.36	1138926-9. Aero Interiors. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,820.60	SILMD 107 ACCT# 0712560-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$395.50	SILMD 184 ACCT# 0712622-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$199.07	SILMD 250 ACCT# 0719001-0
07/24/2017	806116	NorthWestern Energy	Water	$5.85	0723059-2
07/24/2017	806116	NorthWestern Energy	Airport	$746.10	1669567-8. TSA. July 2017
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$4,565.96	SILMD 109 ACCT# 0712561-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$148.31	SILMD 185 ACCT# 0712623-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$4,106.99	SILMD 251 ACCT# 0718801-4
07/24/2017	806116	NorthWestern Energy	General	$262.71	0793134-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$188.00	SILMD 113 ACCT# 0712562-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$630.40	SILMD 186 ACCT# 0712624-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$577.97	SILMD 252 ACCT# 0719162-0
07/24/2017	806116	NorthWestern Energy	General	$68.82	0813489-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$982.54	SILMD 114 ACCT# 0712563-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$247.20	SILMD 187 ACCT# 0712625-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,022.09	SILMD 253 ACCT# 0719644-7
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$6.09	0855404-0

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07/24/2017	806115	NorthWestern Energy	Light Maintenance	$231.19	SILMD 115 ACCT# 0712564-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$296.62	SILMD 188 ACCT# 0712626-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$149.81	SILMD 254 ACCT# 0719763-5
07/24/2017	806116	NorthWestern Energy	Public Safety	$658.56	0871546-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$606.86	SILMD 116 ACCT# 0712565-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$247.20	SILMD 189 ACCT# 0712627-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$145.46	SILMD 255 ACCT# 0720813-5
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$7.42	0881455-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$3,350.51	SILMD 117 ACCT# 0712566-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,285.35	SILMD 190 ACCT# 0712628-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$887.07	SILMD 257 ACCT# 0720360-7
07/24/2017	806116	NorthWestern Energy	General	$330.58	0925496-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$242.42	SILMD 118 ACCT# 0712567-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$441.64	SILMD 191 ACCT# 0712629-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,726.96	SILMD 258 ACCT# 0720606-3
07/24/2017	806116	NorthWestern Energy	Facilities Mngmt	$617.61	0975808-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$159.73	SILMD 119 ACCT# 0712568-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$321.34	SILMD 192 ACCT# 0712630-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$16.18	SILMD 259 ACCT# 1301786-8
07/24/2017	806116	NorthWestern Energy	General	$16.49	0978917-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,600.86	SILMD 121 ACCT# 0712570-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$790.98	SILMD 193 ACCT# 0712631-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,269.49	SILMD 259 ACCT# 0720810-1
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$33.40	1045813-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$197.75	SILMD 122 ACCT# 0712571-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$265.43	SILMD 194 ACCT# 0712632-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$520.17	SILMD 261 ACCT# 0720705-3
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$16.47	1045820-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$346.78	SILMD 123 ACCT# 0712572-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$221.21	SILMD 195 ACCT# 0712633-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$3,280.86	SILMD 262 ACCT# 0720937-2
07/24/2017	806116	NorthWestern Energy	Water	$1,097.99	1116452-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,011.43	SILMD 124 ACCT# 0712573-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$71.07	SILMD 196 ACCT# 0712634-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$930.92	SILMD 263 ACCT# 0720716-0
07/24/2017	806116	NorthWestern Energy	Water	$191.63	1142253-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$404.58	SILMD 125 ACCT# 0712574-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$71.07	SILMD 197 ACCT# 0712635-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$163.41	SILMD 264 ACCT# 0721427-3
07/24/2017	806116	NorthWestern Energy	Facilities Mngmt	$1,091.34	1160802-3

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07/24/2017	806115	NorthWestern Energy	Light Maintenance	$202.29	SILMD 126 ACCT# 0712575-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$123.59	SILMD 198 ACCT# 0712636-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$365.88	SILMD 265 ACCT# 0721556-9
07/24/2017	806116	NorthWestern Energy	Facilities Mngmt	$1,708.69	1160804-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$741.56	SILMD 127 ACCT# 0712576-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$73.10	SILMD 200 ACCT# 0712637-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$26.53	SILMD 266 ACCT# 0721684-9
07/24/2017	806116	NorthWestern Energy	Water	$29.67	1160807-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$519.08	SILMD 128 ACCT# 0712577-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$519.08	SILMD 201 ACCT# 0712638-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$435.73	SILMD 270 ACCT# 0906944-4
07/24/2017	806116	NorthWestern Energy	Public Safety	$1,729.84	1183483-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$346.78	SILMD 129 ACCT# 0712578-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$586.58	SILMD 202 INV# 0712639-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,043.75	SILMD 271 ACCT# 0995095-7
07/24/2017	806116	NorthWestern Energy	General	$601.18	1191404-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$131.31	SILMD 130 ACCT# 0712579-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$18.95	SILMD 203 ACCT# 0712640-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,936.31	SILMD 272 ACCT# 0905005-5
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$5.85	1242222-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$895.86	SILMD 131 ACCT# 0712580-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$363.83	SILMD 204 ACCT# 0712641-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$210.69	SILMD 273 ACCT# 0926386-4
07/24/2017	806116	NorthWestern Energy	Facilities Mngmt	$3,336.46	1269391-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$243.86	SILMD 133 ACCT# 0712581-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$36.23	SILMD 205 ACCT# 0712642-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$478.55	SILMD 276 ACCT# 0961926-3
07/24/2017	806116	NorthWestern Energy	Water	$59.72	1346673-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$562.77	SILMD 134 ACCT# 0712582-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$346.06	SILMD 206 ACCT# 0712643-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$862.37	SILMD 277 ACCT# 1058710-3
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$6.94	1514388-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$543.80	SILMD 135 ACCT# 0712583-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$395.50	SILMD 207 ACCT# 0712644-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$210.14	SILMD 278 ACCT# 1087619-1
07/24/2017	806116	NorthWestern Energy	Building Inspection	$40.54	1569631-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$491.29	SILMD 136 ACCT# 0712584-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$241.36	SILMD 208 ACCT# 0712645-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$64.23	SILMD 279 ACCT# 1124127-0
07/24/2017	806116	NorthWestern Energy	General	$5.85	1588262-4

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07/24/2017	806115	NorthWestern Energy	Light Maintenance	$389.77	SILMD 137 ACCT# 0712585-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$568.53	SILMD 209 ACCT# 0712646-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$664.83	SILMD 280 ACCT# 1045653-1
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$0.22	1740357-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$780.26	SILMD 138 ACCT# 0712586-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$85.29	SILMD 210 ACCT# 0712647-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$375.86	SILMD 283 ACCT# 1172743-5
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$0.66	1748896-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$260.10	SILMD 139 ACCT# 0712587-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$47.40	SILMD 211 ACCT# 0712648-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$353.86	SILMD 285 ACCT# 1206985-2
07/24/2017	806116	NorthWestern Energy	General	$26.98	1836666-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$604.43	SILMD 143 ACCT# 0712588-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$47.40	SILMD 212 ACCT# 0712649-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$248.31	SILMD 286 ACCT# 1296582-8
07/24/2017	806116	NorthWestern Energy	General	$56.26	1849408-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$28.79	SILMD 144 ACCT# 0712589-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$28.43	SILMD 213 ACCT# 0712650-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$77.75	SILMD 287 ACCT# 1246537-3
07/24/2017	806116	NorthWestern Energy	Water	$11.71	1867265-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$494.37	SILMD 145 ACCT# 0712590-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$495.54	SILMD 214 ACCT# 0712651-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,865.75	SILMD 288 ACCT# 1303978-9
07/24/2017	806116	NorthWestern Energy	General	$37.56	1904944-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$375.68	SILMD 146 ACCT# 0712591-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$148.31	SILMD 216 ACCT# 0712652-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$221.76	SILMD 289 ACCT# 1685375-6
07/24/2017	806116	NorthWestern Energy	General	$17.95	1941243-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$487.08	SILMD 147 ACCT# 0712592-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$358.50	SILMD 217 ACCT# 0712653-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$100.92	SILMD 290 ACCT# 1433921-2
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$0.88	1948667-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,503.51	SILMD 149 ACCT# 0712593-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$252.63	SILMD 220 ACCT# 0712654-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$635.76	SILMD 292 ACCT# 1481532-8
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$5.10	2055817-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$790.98	SILMD 150 ACCT# 0712594-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$9.07	SILMD 221 ACCT# 0712655-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$247.20	SILMD 293 ACCT# 1481534-4
07/24/2017	806116	NorthWestern Energy	Street/Traffic Oper	$5.45	3088038-9

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07/24/2017	806115	NorthWestern Energy	Light Maintenance	$664.67	SILMD 151 ACCT# 0712595-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$74.89	SILMD 222 ACCT# 0712656-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$494.37	SILMD 294 ACCT# 1481535-1
07/24/2017	806116	NorthWestern Energy	General	$8.31	3178260-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$4,495.66	SILMD 152 ACCT# 0712596-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$113.73	SILMD 223 ACCT# 0712657-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$115.59	SILMD 295 ACCT# 1481536-9
07/24/2017	806116	NorthWestern Energy	Solid Waste	$1,353.17	3252194-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$568.53	SILMD 153 ACCT# 0712597-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,902.77	SILMD 224 ACCT# 0712658-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,310.08	SILMD 296 ACCT# 1481537-7
07/24/2017	806116	NorthWestern Energy	General	$0.00	0839280-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,285.35	SILMD 154 ACCT# 0712598-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$355.20	SILMD 225 ACCT# 0712659-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$222.48	SILMD 297 ACCT# 1481539-3
07/24/2017	806116	NorthWestern Energy	Parks Maintenance	$0.00	1425364-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$520.17	SILMD 155 ACCT# 0712599-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$304.72	SILMD 226 ACCT# 0712660-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$197.75	SILMD 298 ACCT# 1481540-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$964.01	SILMD 157 ACCT# 0712600-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$616.52	SILMD 227 ACCT# 0712661-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$420.82	SILMD 300 ACCT# 1662840-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$838.06	SILMD 158 ACCT# 0712601-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$838.06	SILMD 228 ACCT# 0712662-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$5,181.07	SILMD 301 ACCT# 1687005-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,142.05	SILMD 159 ACCT# 0712602-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$433.47	SILMD 229 ACCT# 0712663-4
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$175.93	SILMD 302 ACCT# 1607534-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$751.35	SILMD 160 ACCT# 0712603-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,011.45	SILMD 230 ACCT# 0712664-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$645.92	SILMD 305 ACCT# 1695873-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,112.33	SILMD 161 ACCT# 0712604-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$606.86	SILMD 231 ACCT# 0712665-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$184.16	SILMD 306 ACCT# 1740353-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$63.41	SILMD 162 ACCT# 0712605-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$2,629.74	SILMD 232 ACCT# 0712666-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,826.31	SILMD 307 ACCT# 2049005-8
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$685.69	SILMD 163 ACCT# 0712606-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$828.26	SILMD 233 ACCT# 0712667-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$275.97	SILMD 308 ACCT# 2072459-7

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07/24/2017	806115	NorthWestern Energy	Light Maintenance	$395.50	SILMD 164 ACCT# 0712607-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$466.07	SILMD 234 ACCT# 0712668-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$234.03	SILMD 309 ACCT# 2001311-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$924.74	SILMD 165 ACCT# 0712608-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$521.39	SILMD 235 ACCT# 0712669-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$232.96	SILMD 310 ACCT# 2060519-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$247.20	SILMD 167 ACCT# 0712609-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$165.89	SILMD 236 ACCT# 0712670-9
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$188.51	SILMD 311 ACCT# 3014475-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$593.25	SILMD 171 ACCT# 0712610-5
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$420.22	SILMD 237 ACCT# 0712671-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$175.36	SILMD 312 ACCT# 3146127-0
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$259.02	SILMD 315 Acct# 3305804-1
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$1,146.77	SILMD 316 Acct# 3291842-7
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$56.76	SILMD 317 Acct# 3253826-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$905.03	SILMD 318 Acct# 3372018-6
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$54.89	SILMD 320 Acct# 0712569-3
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$277.14	SILMD 321 Acct# 3338917-2
07/24/2017	806115	NorthWestern Energy	Light Maintenance	$54.06	SILMD 322 Acct# 3402033-9
07/24/2017	806117	Northwestern Energy-Billing Dv	EOC 911	$83,313.58	90216583 - 911 Center lines
07/24/2017	806122	PayneWest Insurance Inc	EOC 911	$7,143.00	136829 - 911 Center Construction
07/24/2017	806122	PayneWest Insurance Inc	Water	$3,329.00	WO 17-01 Sch 1 2017 Wtr & Sewer Proj -
07/24/2017	806122	PayneWest Insurance Inc	Water	$1,595.00	WO 17-01 Sch 3 2017 Wtr & Sewer Proj -
07/24/2017	806122	PayneWest Insurance Inc	Wastewater	$1,648.00	WO 17-01 Sch 3 2017 Wtr & Sewer Proj -
07/24/2017	806124	Pine Cove Consulting LLC	Public Safety	$6,999.00	LIFESIZE CLOUD 25 1-YEAR LICENSE
07/24/2017	806124	Pine Cove Consulting LLC	Public Safety	$999.00	LIFESIZE CLOUD AMPLIFY 10 STORED
07/24/2017	806124	Pine Cove Consulting LLC	Public Safety	$620.00	LIFESIZE ICON 600 10X OPTICAL PTZ
07/24/2017	806124	Pine Cove Consulting LLC	Public Safety	$2,100.00	LIFESIZE ICON 400 LAMS
07/24/2017	806126	ProDIGIQ Inc	Airport	$7,680.00	FY2018 MUFIDS Maintenance
07/24/2017	806128	Prorover	General	$12,870.00	Remove the large 100 year old
07/24/2017	806129	Pros Consulting Inc	Parks Programs	$14,309.56	Comprehensive plan for PRPL.
07/24/2017	806130	Public Utilities	Parking	$43.52	102086
07/24/2017	806130	Public Utilities	Parks Maintenance	$1,891.41	192352
07/24/2017	806130	Public Utilities	Parks Maintenance	$740.43	242652
07/24/2017	806130	Public Utilities	Parking	$335.67	102980
07/24/2017	806130	Public Utilities	Parks Maintenance	$8,090.96	236250
07/24/2017	806130	Public Utilities	Parking	$20.64	102981
07/24/2017	806130	Public Utilities	Park District 1	$376.26	249656
07/24/2017	806131	Recorded Books LLC	Library	$5,000.00	Invoice 75546924
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$5,878.36	June 17 IOP

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07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$2,852.18	June 17 Day Treatment
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$2,584.46	June 2017 AC
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$6,615.54	June 2017 IOP
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$1,743.75	June 2017 Coordinator
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$2,516.12	June 2017 AC
07/24/2017	806133	Rimrock Foundation	Municipal Court Grants	$3,151.45	June 2017 Co-Occurring
07/24/2017	806136	Sanderson Stewart	Water	$20,581.51	WO 16-07 I-90 Water System Loop
07/24/2017	806136	Sanderson Stewart	Arterial Streets	$40,090.50	WO 16-09 Grand Ave (48th Street West
07/24/2017	806142	Southgate Hotels LLC	Tax Increment South	$92,711.75	FY2017 Development Agreement
07/24/2017	806148	Territorial Landworks Inc	Water	$22,424.94	WO 17-14 Grand Ave Water & Sewer
07/24/2017	806148	Territorial Landworks Inc	Wastewater	$22,424.94	WO 17-14 Grand Ave Water & Sewer
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$2,049.98	793965
07/24/2017	806149	Titan Machinery Inc	Fleet	$205.92	9504090 PO NUM 303581
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$604.58	9521579
07/24/2017	806149	Titan Machinery Inc	Fleet	$113.84	9550334 PO NUM 303581
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$45.63	9537418
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$56.76	9537418
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$762.93	9537428
07/24/2017	806149	Titan Machinery Inc	Street/Traffic Oper	$174.05	9537428
07/24/2017	806149	Titan Machinery Inc	Solid Waste	$67.09	9544546
07/24/2017	806152	Town & Country Supply Association	Public Safety	$591.01	300191:FIRE 5 - DIESEL DELIVERED
07/24/2017	806152	Town & Country Supply Association	Fleet	$19,385.58	300239 PO NUM 303547
07/24/2017	806152	Town & Country Supply Association	Fleet	$21,022.39	300250 PO NUM 303587
07/24/2017	806152	Town & Country Supply Association	Transit	$3,808.10	300820 PO NUM 303586
07/24/2017	806152	Town & Country Supply Association	Public Safety	$337.56	300868:FIRE 6 - DIESEL DELIVERED
07/24/2017	806152	Town & Country Supply Association	Airport	$16,667.20	Invoice #300348. QTA Car Rental Fuel
07/24/2017	806152	Town & Country Supply Association	Public Safety	$505.14	300192:FIRE 1 - DIESEL DELIVERED
07/24/2017	806152	Town & Country Supply Association	Public Safety	$506.34	300869:FIRE 1 DIESEL DELIVERED
07/24/2017	806152	Town & Country Supply Association	Public Safety	$444.66	300192:FIRE 1 - UNLEADED
07/24/2017	806152	Town & Country Supply Association	Public Safety	$506.34	300870:FIRE 3 DIESEL DELIVERED
07/24/2017	806153	Tractor & Equipment Co.	Street/Traffic Oper	$4,949.00	rental of soil compactor
07/24/2017	806153	Tractor & Equipment Co.	Street/Traffic Oper	$4,949.00	rental of soil compactor for sierra grande
07/24/2017	806154	Travel Cafe	Fire Grants	$1,676.40	0193419-AIRFARE: HOPPEL, HAUF,
07/24/2017	806154	Travel Cafe	Fire Grants	$172.00	SERVICE FEE: INVOICE #193419
07/24/2017	806154	Travel Cafe	Fire Grants	$1,257.30	0193420 AIRFARE: TREWHELLA,
07/24/2017	806154	Travel Cafe	Fire Grants	$129.00	SERVICE FEE: INVOICE #193420
07/24/2017	806158	Tyler Technologies Inc	Public Safety	$3,274.20	3-New World Mobile software for new
07/24/2017	806158	Tyler Technologies Inc	Public Safety	$1,091.40	1-New World Mobile Software for Animal
07/24/2017	806158	Tyler Technologies Inc	Public Safety	$1,091.40	1-New World Mobile Software for
07/24/2017	806163	US Cremation Equipment	Police Programs	$3,995.00	Replace Floor and throat wall on Crawford

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806167	Verizon Wireless	Airport	$451.26	Airport
07/24/2017	806168	Verizon Wireless	Public Safety	$235.43	Animal Control
07/24/2017	806168	Verizon Wireless	Public Safety	$200.05	Animal Control MDT
07/24/2017	806167	Verizon Wireless	Police Programs	$171.42	CCSIU
07/24/2017	806168	Verizon Wireless	Police Programs	$315.96	CCSIU Cell/PTT
07/24/2017	806167	Verizon Wireless	General	$177.54	City Attorney
07/24/2017	806168	Verizon Wireless	Police Programs	$134.89	CCSIU MDT
07/24/2017	806167	Verizon Wireless	Public Safety	$112.44	Comm Center 911
07/24/2017	806168	Verizon Wireless	Police Programs	$80.02	CCSIU RAVEN
07/24/2017	806167	Verizon Wireless	Facilities Mngmt	$71.85	Facilites BOC Plus 70% of 406-672-3027
07/24/2017	806167	Verizon Wireless	Facilities Mngmt	$59.58	Facilities City Hall Plus 30% of 406-672-
07/24/2017	806168	Verizon Wireless	Library	$53.94	Library Outreach Air Cards
07/24/2017	806167	Verizon Wireless	Public Safety	$1,512.28	Fire Department
07/24/2017	806168	Verizon Wireless	Public Safety	$3,630.48	MDT Toughbooks
07/24/2017	806167	Verizon Wireless	Information Resources	$13.23	ITD
07/24/2017	806168	Verizon Wireless	Transit	$402.51	MET Transit Tablets
07/24/2017	806167	Verizon Wireless	Library	$13.25	LBRY OTRCH Library Outreach
07/24/2017	806168	Verizon Wireless	Parking	$26.97	PARKING 406-690-5822
07/24/2017	806167	Verizon Wireless	Library	$342.80	Library
07/24/2017	806168	Verizon Wireless	Police Programs	-$33.33	POLICE Forensics Tim West 406-794-
07/24/2017	806167	Verizon Wireless	General	$44.21	Mayor
07/24/2017	806168	Verizon Wireless	Public Safety	$40.01	Police ICAC 406-690-7347
07/24/2017	806167	Verizon Wireless	Fleet	$54.69	Motor Pool
07/24/2017	806168	Verizon Wireless	Public Safety	$165.52	POLICE IPAD ST JOHN 406-690-5955
07/24/2017	806167	Verizon Wireless	General	$188.99	Muni Court Drug Court
07/24/2017	806168	Verizon Wireless	Public Safety	$116.01	Police MiFi 406-633-0820
07/24/2017	806167	Verizon Wireless	General	$84.67	Municipal Court Judge
07/24/2017	806168	Verizon Wireless	Public Safety	$40.01	Police US Marshall Toughbooks
07/24/2017	806167	Verizon Wireless	Public Safety	$3,557.05	Police
07/24/2017	806168	Verizon Wireless	General	$40.01	PRPL-PARKS PMD Air Card
07/24/2017	806167	Verizon Wireless	Police Programs	-$78.59	Police Forensic 406-794-6880 406-698-
07/24/2017	806168	Verizon Wireless	General	$106.68	PRPL-RECREATION 406-696-1528
07/24/2017	806167	Verizon Wireless	Public Safety	$928.68	Police Resource Officers
07/24/2017	806168	Verizon Wireless	Wastewater	$10.79	PWBELKNAP-AIR 60/40
07/24/2017	806167	Verizon Wireless	Police Programs	$28.16	Police-DOM VIOL 406-698-1391
07/24/2017	806168	Verizon Wireless	Water	$16.18	PWBELKNAP-AIR 60/40
07/24/2017	806167	Verizon Wireless	Parking	$107.40	PRKING ENFORCEMENT (Parking)
07/24/2017	806168	Verizon Wireless	Water	$323.74	PWBLKNP METER SHOP
07/24/2017	806167	Verizon Wireless	General	$173.48	PRPL - Director Admin
07/24/2017	806168	Verizon Wireless	Water	$16.18	PWBLKNP WATER TREATMENT

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806167	Verizon Wireless	General	$283.49	PRPL - Recreation Division
07/24/2017	806168	Verizon Wireless	Water	$10.79	PWBLKNP WATER TREATMENT
07/24/2017	806167	Verizon Wireless	General	$106.23	PRPL-Cemetery
07/24/2017	806168	Verizon Wireless	Water	$188.79	PWBLNP COMM-METER
07/24/2017	806167	Verizon Wireless	General	$38.67	PRPL-PARK SHOPS
07/24/2017	806168	Verizon Wireless	Water	$129.46	PW-DIS-COLL CITYWORKS 60/40
07/24/2017	806167	Verizon Wireless	General	$900.65	PRPL-PARKS
07/24/2017	806168	Verizon Wireless	Wastewater	$86.30	PW-DIS-COLL CITYWORKS 60/40
07/24/2017	806167	Verizon Wireless	P.W. Admin	$57.79	Public Works Admin
07/24/2017	806168	Verizon Wireless	Water	$287.92	PW-Distribution Collection Tablets 60/40
07/24/2017	806167	Verizon Wireless	Building Inspection	$749.30	PW-Building (PLANNING)
07/24/2017	806168	Verizon Wireless	Wastewater	$191.95	PW-Distribution Collection Tablets 60/40
07/24/2017	806168	Verizon Wireless	Engineering	$134.85	PW-Engineering
07/24/2017	806167	Verizon Wireless	Engineering	$181.87	PW-Engineering
07/24/2017	806167	Verizon Wireless	Solid Waste	$109.18	PW-Solid Waste
07/24/2017	806168	Verizon Wireless	Street/Traffic Oper	$53.94	PW-Streets 406-697-0361 iPad
07/24/2017	806168	Verizon Wireless	Street/Traffic Oper	$161.82	PW-STREETS CITY WORKS
07/24/2017	806167	Verizon Wireless	Street/Traffic Oper	$343.76	PW-STRT TRFC Streets
07/24/2017	806167	Verizon Wireless	Solid Waste	$245.71	PW-SW-ON CALL Solid Waste On Call
07/24/2017	806168	Verizon Wireless	Solid Waste	$429.30	Solid Waste Tablets
07/24/2017	806167	Verizon Wireless	Water	$438.72	PWBELKNAP-DIST COLL
07/24/2017	806167	Verizon Wireless	Wastewater	$292.48	PWBELKNAP-DIST COLL
07/24/2017	806167	Verizon Wireless	Water	$1,008.93	PWBELKNAP-WT Water Treatment
07/24/2017	806167	Verizon Wireless	Water	$443.59	PWBLKNP MTRSHOP
07/24/2017	806167	Verizon Wireless	Water	$70.02	PWBLKNP OFFICE
07/24/2017	806167	Verizon Wireless	Wastewater	$46.68	PWBLKNP OFFICE
07/24/2017	806167	Verizon Wireless	Water	$58.43	PWBLKNP STORES
07/24/2017	806167	Verizon Wireless	Wastewater	$19.47	PWBLKNP STORES
07/24/2017	806167	Verizon Wireless	Wastewater	$811.20	PWBLNP-WWTRMNT1 Wastewater
07/24/2017	806167	Verizon Wireless	Telephone System	$23.63	TeleComm Manager
07/24/2017	806167	Verizon Wireless	Transit	$39.69	Trans-On Call MET
07/24/2017	806167	Verizon Wireless	Transit	$13.23	Transit MET
07/24/2017	806167	Verizon Wireless	General	$306.80	Code Enforcement
07/24/2017	806167	Verizon Wireless	Wastewater	$108.78	PWBLNP-ENVIRONMENTAL 406-698-
07/24/2017	806167	Verizon Wireless	General	$178.05	PRPL-PARKS-SEASONAL
07/24/2017	806167	Verizon Wireless	Wastewater	$643.60	PWBLKNP ELECTRICIANS
07/24/2017	806167	Verizon Wireless	General	$225.56	PRPL REC SEASONAL
07/24/2017	806175	White Cloud Marketing & Distribution	Public Safety	$6,970.80	T03-00045 DMAC SPEAKER MICS
07/24/2017	806175	White Cloud Marketing & Distribution	Public Safety	$2,140.08	T03-00045-KFAC SPEAKER MIC -
07/24/2017	806175	White Cloud Marketing & Distribution	Public Safety	$20.00	ESTIMATED SHIPPING

Check Date	Check #	Name	Fund Name	Amount	Item Desc
07/24/2017	806178	Yellowstone County	General	$3,964.75	City Court FY 18 Video Conferencing
07/24/2017	806182	Yellowstone Valley Animal Shelter	Public Safety	$22,855.58	contract 6-22-17\7-21-17

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Public Hearing - Senior Housing Project in Billings Heights

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

Presentation: Yes

PROBLEM/ISSUE STATEMENT

Homeword, Inc., from Missoula and GMD Development LLC, a Seattle company, are proposing to build a 136 unit, low income senior housing project in the Heights. Low income housing tax credits will be part of the financing. The Montana Board of Housing (MBOH) distributes the limited supply of credits and requires a public hearing with the local governing body as part of the application. Staff requests that the City Council conduct a public hearing about the need for this type of housing, but no additional action is required.

ALTERNATIVES ANALYZED

The City Council will conduct a public hearing and there are no viable alternatives.

FINANCIAL IMPACT

There is no direct financial impact from this hearing. If the MBOH grants the income tax credits, the Montana Dept. of Revenue may grant a property tax exemption, but the project will pay all City fees and assessments. The property is presently in the county, so if the property is annexed and developed as proposed, the City may forego property taxes but it will not "lose" any revenue.

BACKGROUND

Homeword, Inc. is a non-profit company with twenty–two years of history developing housing that people can afford in Montana, including two Housing Tax Credit properties in Billings – the Acme and Southern Lights. GMD Development LLC is a Seattle-based for-profit affordable housing developer with properties in Alaska, Montana, Washington and Idaho. The two organizations have formed a partnership to develop and operate affordable, multifamily housing. Homeword and GMD will be Co-Developers and Co-General Partners in the eventual Montana limited liability company.

The 136 senior rental apartments are planned for property located at 1316 Lake Elmo Drive, currently vacant County property surrounded by property within the City of Billings already developed with single-family and multi-family housing. The project will include annexation into the City of Billings. Part of the financing will be from low income housing tax credits, allocated annually by the Montana Board of Housing (MBOH) and part will be low income housing tax exempt bonds. If the project receives the tax credits, it may be exempt from State property taxes as long as its operation meets the state law requirements, but will still have to pay local assessments and fees. The MBOH requires that the policy body in the community where the housing will be located conduct a public hearing and solicit comments on whether the proposed low income housing will meet a community housing need. MBOH requires that proof of

a meeting with the City Council be included in the tax credit application due September 1st, 2017. The City Council will conduct the public hearing but it is not required to make any decisions regarding the testimony or the project. HomeWORD and GMD would welcome a letter of support for the project.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing on the need for low income senior housing in this Heights location and consider offering a letter of support to the housing developers.

APPROVED BY CITY ADMINISTRATOR

Attachments

Preliminary site plan

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1 / A1.1 SITE PLAN
1" = 60'-0"

N NORTH

Y:\Projects\GBS\DRAWINGS\REVIT\GBS-SITE CONCEPTS.rvt

© 2017 INTRINSIK

intrinsik
ARCHITECTURE
INCORPORATED
111 North Tracy ● Bozeman, Montana ● 59715 ● Ph: 406.582.8988 ● Fax: 406.582.8911

PRELIMINARY NOT FOR CONSTRUCTION

revisions

No.	Description	Date

address
LAKE ELMO DRIVE
BILLINGS, MT

project code
GBS
HEIGHTS SENIOR APARTMENTS

sheet
A1.1
SITE PLAN

SD
2017-07-25

Regular **3.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Public Hearing and First Reading of Ordinance Amending BMCC 22-231 for Sidewalk Repairs

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

Presentation: No

PROBLEM/ISSUE STATEMENT

Billings Municipal City Code section 22-231 currently states "Whenever the public convenience or safety requires any sidewalk, in case of injury or defect, to be repaired by the owner or his or her agent, the city shall, if the same is not immediately repaired by the owner or his or her agent after three (3) days' notice, served upon such owner or agent, or if he or she is a nonresident, on the occupant, or if the lot is unoccupied, posted upon the lot close to the walk to be repaired, proceed to repair the same." Three days notice is not consistent with Montana state law and is also an unreasonable period to make a repair in most cases. City staff is recommending that the notice be changed to thirty (30) days to be consistent with state law and more reasonable.

ALTERNATIVES ANALYZED

City Council may:

- Approve the amendment change, or;
- Disapprove the amendment change. If the modification to the timeframe is not approved, the city code will be inconsistent with state law and will be an unreasonable requirement.

FINANCIAL IMPACT

The city will have no financial impact by approving this amendment.

RECOMMENDATION

Staff recommends that the City Council hold a public hearing and approve first reading of this ordinance amending BMCC Section 22-231.

APPROVED BY CITY ADMINISTRATOR

Attachments

Amendment

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 22-231 OF SAID CODE; PROVIDING THAT CITY PROVIDE OWNER OR HIS OR HER AGENT THIRTY (30) DAYS' NOTICE TO MAKE MINOR REPAIRS TO SIDEWALKS.

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

Section 1. AMENDMENT. That Section 22-231 of the Billings, Montana, City Code be amended so that such section shall read as follows:

Whenever the public convenience or safety requires any sidewalk, in case of injury or defect, to be repaired by the owner or his or her agent, the city shall, if the same is not immediately repaired by the owner or his or her agent after ~~three (3)~~ thirty (30) days' notice, served upon such owner or agent, or if he or she is a nonresident, on the occupant, or if the lot is unoccupied, posted upon the lot close to the walk to be repaired, proceed to repair the same.

Section 2. 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 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

PASSED by the City Council on first reading this 14th day of August, 2017.

PASSED, ADOPTED and APPROVED on second reading this 28th day of August, 2017.

CITY OF BILLINGS

By _____
Thomas W. Hanel Mayor

ATTEST:

By _____
Denise Bohlman, City Clerk

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Public Hearing and Resolution for Annexation #17-03

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: Yes

PROBLEM/ISSUE STATEMENT

Sanderson Stewart submitted a petition to annex land on behalf of Jamey Eisenbarth, owner, using the provisions of Section 7-2-4600, MCA. The subject property is a 10.87 acre parcel described as Tract 2, Certificate of Survey 3426. The property is located at the southeast corner of the intersection of Blue Creek Road and Santiago Boulevard south of the Yellowstone River. The property is vacant and the owner is requesting annexation in order to develop the property in the City for commercial purposes. The owner has submitted a preliminary subdivision plat application for an expedited subdivision plat in the City to create two lots. The annexation schedule has been coordinated with the expedited plat to ensure the property is within the City before the platting process is completed.

The property is located within the City Annexation Petition Area on the City's Limits of Annexation Map and appears to meet some of the City's criteria in its Annexation Policy. The City is able to serve the property and further analysis and discussion is provided in the Consistency with Adopted Plans and Policies section of this memo. The City Council considers this annexation at two separate Council meetings. At the first meeting on July 24, the Council accepted the annexation petition for this property and set a public hearing date for August 14. At this meeting, the Council will conduct the hearing and decide if it will annex the property.

ALTERNATIVES ANALYZED

The City Council may approve or deny a petition submitted by owners of 50% or more of the real property in the area to be annexed (7-2-4601 (3)(b), MCA). The only alternative that is consistent with City Council policy and state law is to conduct a public hearing and review the request before taking action.

FINANCIAL IMPACT

The City is able to provide municipal water and sewer to the subject property via existing mains along Blue Creek Road adjacent and in easements along the frontage of the property. Staff is recommending the two standard conditions of approval for this annexation: That a Development Agreement be executed with the City to identify infrastructure improvements and timing of those improvements to serve the property, and dedication of road right-of-way will be required before development; and/or that a Subdivision Improvement Agreement through a subdivision platting

process be signed and recorded between the property owner and the City to identify infrastructure improvements and timing of those improvements to serve the property, and dedication of road right-of-way be defined. Since this property is under preliminary plat review for a commercial subdivision, it is expected to be developed for commercial uses for small businesses and personal storage. The City will receive property tax revenue and payment for fees and assessments for City services after the property is developed.

BACKGROUND

The subject property totals about 18 acres. It is located at the southwest corner of the intersection of Santiago Boulevard and Blue Creek Road. There is property inside the City Limits along the eastern and northern boundary of the property. The property is vacant at this time. The property appears to meet some of the City's criteria in its Annexation Policy.

PROCEDURAL HISTORY

- On June 8, 2017, the annexation petition was submitted to the Planning Division by the owner's agent. Coordination of the timing of the review of the annexation petition somewhat delayed the schedule for consideration of the annexation petition.
- On July 24, the City Council accepted the petition to annex the property and set a public hearing date for August 14.
- On August 14, the City Council will conduct the public hearing for the annexation and may take action on the request.
- On August 28, if the City Council approves the annexation resolution, a public hearing and first reading of an ordinance to include the property in City Council Ward III will be conducted.
- On September 11, the City Council will conduct the second and final reading for the ordinance expanding the Ward III boundary.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on the property on July 27 and published in the Yellowstone County News on July 28. The Planning Division has not received any inquiries about this petition at the time this memo was prepared.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Although Montana Code does not require the City to prepare a provision of public services plan for Annexation by Petition (Section 7-2-4600, MCA), it is the City’s custom to have staff prepare an analysis of predicted impacts to services and facilities, and information on how services will be provided to the property after annexation. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide municipal water and sewer services to the property.
3. Any proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts. The proposed conditions of annexation that the property owner enter into a Development Agreement or Subdivision Improvement Agreement with the

City will ensure that the waiver is signed.
5. If annexed, any proposed land use will comply with the zoning. The property is currently zoned Neighborhood Commercial and Community Commercial. Any development of the property would comply with the zoning regulations.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not have comments on this annexation request.

City Facilities:
Specific comments from City Departments are provided below:

• Water: This property is intended to be served by an existing water main located in Blue Creek Road along the west side of the property. The subject property will be responsible for extending a service main and connecting to the main at the time of development.

• Sewer: The property will be served by an existing sanitary sewer main located in an easement along the west side of the property adjacent to Blue Creek Road. The subject property will be responsible for extending the sewer main and connecting to the main at the time of development.

• Storm water: All of the storm water runoff from this property will need to meet the City of Billings requirements for storm water management. Any future development will follow the City of Billings storm water regulations.

• Transportation: The subject property will be served by Blue Creek Road and Santiago Boulevard, both public roads that abut the subject property to the north and west. The specific development plans for the property also will be a factor in the future transportation infrastructure for the property and will be reviewed by the City of Billings and the Montana Department of Transportation.

• Fire Stations: The subject property is currently served by the Blue Creek Volunteer Fire Department. Upon annexation, the City of Billings Fire Department will provide service to the property. The Billings Fire Chief stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #4, located at 476 6th Street West, about 3 road miles north of the subject property.

• Parks: The subject property is planning for commercial uses, so park land dedication or a cash-in-lieu contribution is not expected to be required with the development.

• Bicycle and pedestrian facilities: The property lies within the jurisdiction of the 2017 Billings Area Bikeway and Trail Master Plan Update. The Plan identifies a long-range plan for a shared use path on Blue Creek Road out to Briarwood past the subject property. The developer of the subject property may be required to contribute to improvements to Blue Creek Road in the future through the subdivision process or an SID. No improvements are planned at this time.

• School facilities: The subject property would be served by Blue Creek School District for Elementary and Middle School, and Billings School District #2 for high school. However, the property is expected to develop for commercial uses and so there is not expected to be demand on schools in the area.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property.

• Transit: MET transit system operators have no objections to the annexation request. However, MET Transit does not currently have plans to extend service to the Blue Creek area to serve this and other properties.

• Police: The Police Department staff stated that while the Department can serve the area as it near an established patrol area that includes the Cedar Park and Briarwood subdivisions, continued annexation and development will eventually adversely impact the Department's ability to deliver services.

• Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request. The City is moving forward to annex its sewer lift station property, described as Tract 1, Certificate of Survey 3426, following this annexation, as the lift station property will be surrounded and should be included in the City.

• Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.

• Public Works-Solid Waste: The Solid Waste Division has no concerns with annexing the property, but pointed out that State Law allows the property owner to choose which garbage hauler may service the property after it is in the City.

• Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes. This property may be within the area of acceptable response time.

• Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation and did not provide any comments with the request.

• Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff supports the annexation because the property is in the City Annexation Petition Area, has access to City services, is in an area that in the long term should develop to in the City to City standards.

Annexation of this property would adhere to the following guidelines of the **2016 City of Billings Growth Policy**:

- **Essential Investments: Infill development and development near existing City infrastructure may be the most cost effective**

The property is currently outside the City Limits but is within the limits of annexation. City water and sewer infrastructure was constructed along Blue Creek Road in this area for the provision of services for urban development in this area. The commercial zoning of the property is an efficient use of this property along a principal arterial street and supports a variety of commercial

uses.

- **Essential Investments: Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future are desirable**

Developing this property that is in close proximity to the Yellowstone River using City services helps protect the river corridor, helps cover the cost of the utility infrastructure installed in this area for City development, and may increase property values in the area.

RECOMMENDATION

Staff recommends that the City Council conduct the public hearing and approve the Resolution annexing the subject property.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition
Annexation Exhibit
Applicant Exhibit
Annexation Resolution

PETITION
FOR ANNEXATION
TO THE CITY OF BILLINGS

NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the annexation of property to the City, pursuant to MCA Title 7, Chapter 2, Part 46. Procedures for annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of more than 50% of the Resident Freeholder Electors to be considered for annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.

2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

   The map must show:

   a. The present and proposed boundaries of the municipality;

   b. The present streets, major trunk water mains and sewer mains;

   c. The zoning of the property requesting annexation and the property immediately adjacent to it.

3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor at 2825 3rd Avenue North, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, Parks and Recreation Department, and the Finance Department. If the departments find no problems with the Petition, the City Clerk will schedule the Petition for City Council action.

4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.

5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
[redacted]	[redacted]		
6/7/2019	Jamey Eisenbarth		2322 Virginia Lane Billings 59102

(continued on separate page)

P 7-17-00099

(Should be completed prior to obtaining signatures of resident freeholder electors)

DESCRIPTION OF THE TERRITORY TO BE ANNEXED TO THE CITY OF BILLINGS

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
S20, T01, R26 E, C.O.S. 3426, PARCEL 2	D01954A	SE CORNER BLUE CREEK ROAD & SANTIAGO BLVD.	EXIST: VACANT PROP: SELF-STORAGE	BLUE CREEK STORAGE, LLC	222 VIRGINIA LANE BILLINGS, MT 59102	406-860-3004

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 6/8/17

Received By: [signature]

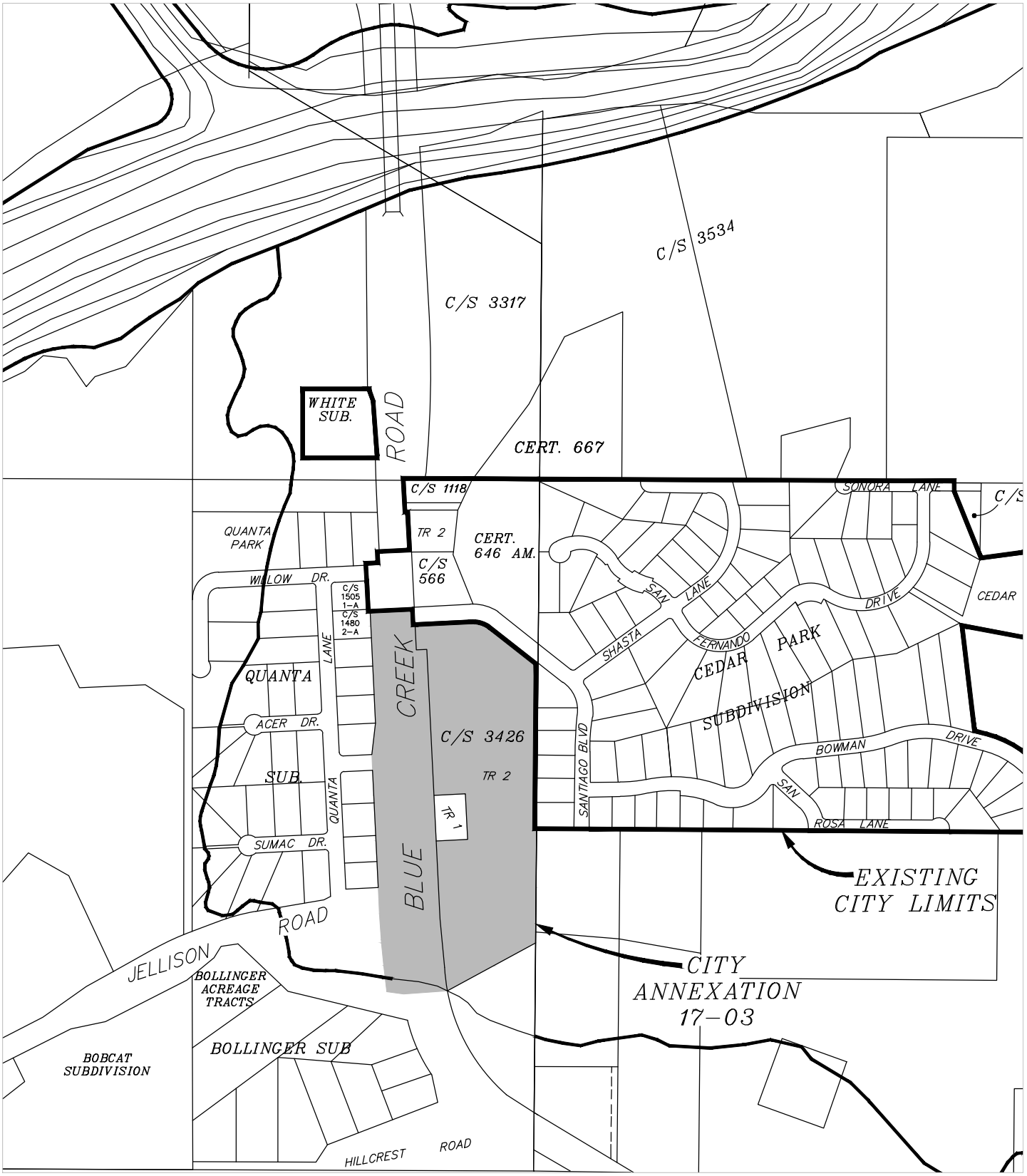
Petition Number: AN#17-03

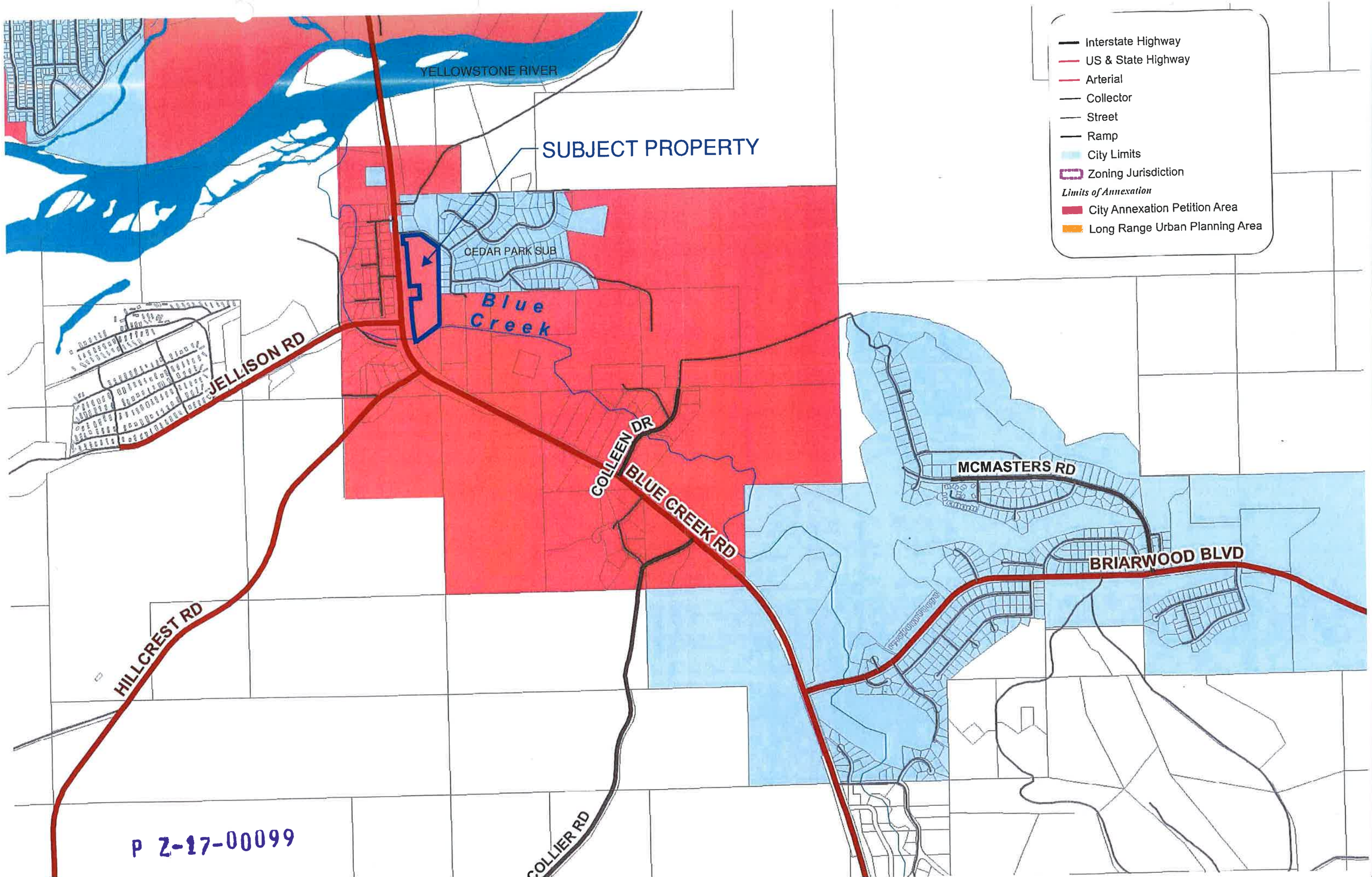
Fee Paid: V 1001 $1,080.00

PZ-17-00099

Revised 10/03

EXHIBIT "A"


C/S 3534
C/S 3317
WHITE SUB.
ROAD
CERT. 667
C/S 1118
TR 2
CERT. 646 AM.
C/S 566
QUANTA PARK
WILLOW DR.
C/S 1505 1-A
C/S 1480 2-A
LANE
QUANTA
ACER DR.
SUB.
QUANTA
SUMAC DR.
BLUE CREEK
C/S 3426
TR 2
TR 1
SONORA LANE
SAN FERNANDO LANE
SHASTA
DRIVE
CEDAR PARK SUBDIVISION
SANTIAGO BLVD
BOWMAN DRIVE
SAN ROSA LANE
CEDAR
EXISTING CITY LIMITS
CITY ANNEXATION 17-03
JELLISON ROAD
BOLLINGER ACREAGE TRACTS
BOLLINGER SUB
BOBCAT SUBDIVISION
HILLCREST ROAD


YELLOWSTONE RIVER
SUBJECT PROPERTY
CEDAR PARK SUB
Blue Creek
JELLISON RD
HILLCREST RD
COLLEEN DR
BLUE CREEK RD
COLLIER RD
MCMASTERS RD
BRIARWOOD BLVD
Interstate Highway
US & State Highway
Arterial
Collector
Street
Ramp
City Limits
Zoning Jurisdiction
Limits of Annexation
City Annexation Petition Area
Long Range Urban Planning Area

P Z-17-00099

RESOLUTION NO. 17 -

A RESOLUTION APPROVING PETITION FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law; and

WHEREAS, annexation of said territory would be in the best interest of the City.

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

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

   A tract of land situated in the SE1/4 of Section 20, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:
   Tract 2, Certificate of Survey No. 3426, Recorded March 11 2010, under Document Number 3543127, of record and on file in the office the Yellowstone County, Clerk and Recorder's;
   Including all adjacent Right-Of-Way of Blue Creek Road. Containing 18.052 gross acres and 10.871 net acres more or less. (# 17-03) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:

- Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and

include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or

- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and right-of-way dedication, and provide guarantees for such infrastructure improvements.

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 14th day of August, 2017.

CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, Mayor

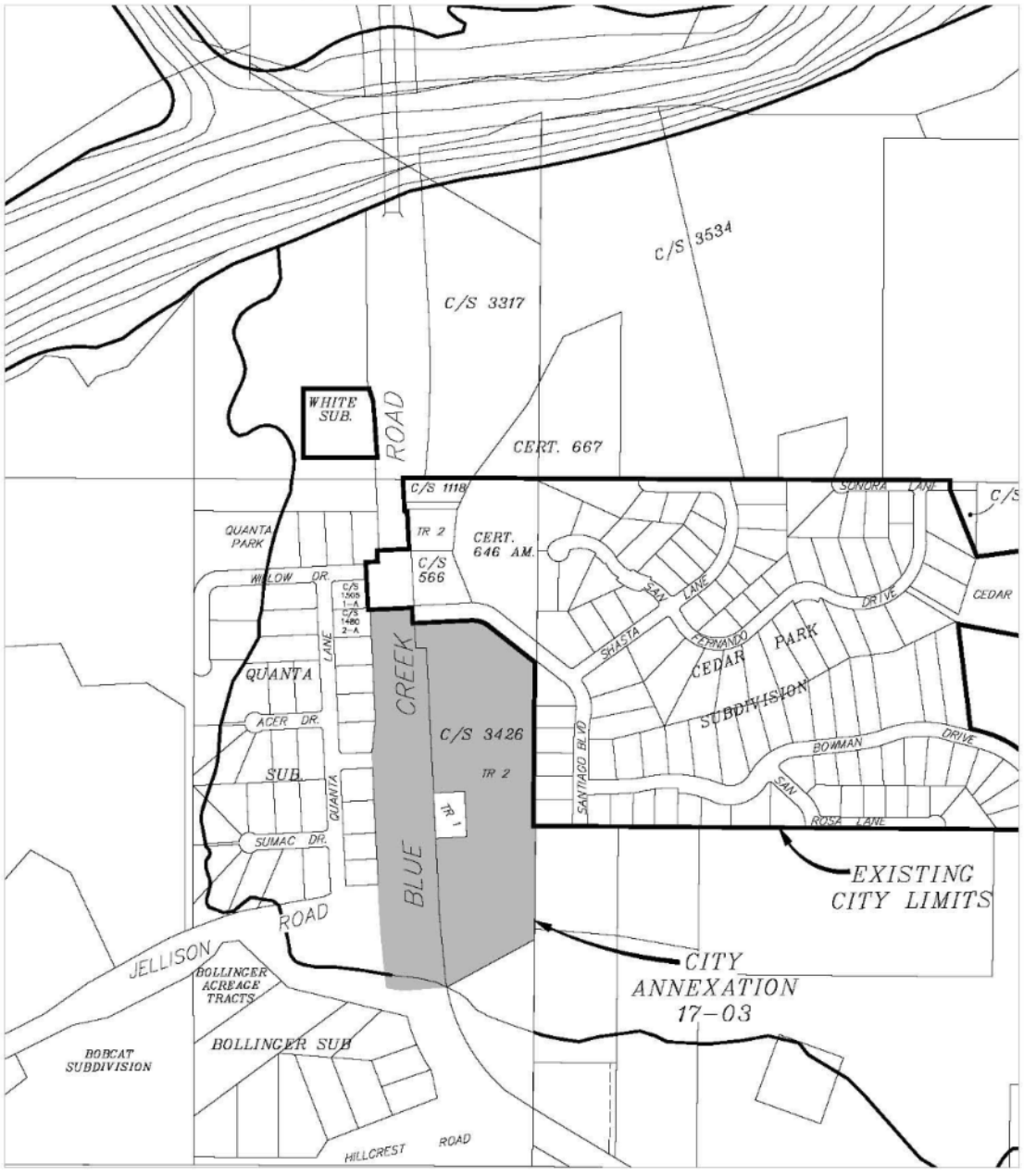
ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(AN# 17-03)

EXHIBIT "A"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SONORA LANE
C/S
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C/S 1480 2-A
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QUANTA
ACER DR.
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QUANTA
SUMAC DR.
CREEK
BLUE
C/S 3426
TR 2
TR 1
SAN
LANE
SHASTA
FERNANDO
DRIVE
CEDAR
PARK
SUBDIVISION
SANTIAGO BLVD
BOWMAN
DRIVE
SAN
ROSA LANE
CEDAR
EXISTING CITY LIMITS
CITY ANNEXATION 17-03
ROAD
JELLISON
BOLLINGER ACREAGE TRACTS
BOLLINGER SUB
BOBCAT SUBDIVISION
HILLCREST
ROAD

Regular **5.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Separation of Unified Zoning Regulations - Public Hearing & 1st Reading

PRESENTED BY: Nicole Cromwell

Department: Planning & Community Services

Presentation: Yes

PROBLEM/ISSUE STATEMENT

The Yellowstone County Board of Planning initiated this separation of the City and County Unified Zoning Regulations on June 13, 2017. This separation of the Unified Zoning Regulations will facilitate the future update, revisions and alignment of the regulations to goals and policies set by the City Council and the Board of County Commissioners. There are no additions, deletions, or modifications to the existing Unified Zoning Regulations except to the extent to remove combined references and modify sections that apply either only in the City or only in the County. The City and County Zoning Commissions held a special joint public hearing on July 17, 2016. The City Zoning Commission is forwarding a recommendation to approve the separation of the zoning regulations on a 3-0 vote.

ALTERNATIVES ANALYZED

City Council may:

- Approve the text amendment as recommended by the Zoning Commission;
- Deny the text amendment; or
- Withdraw the text amendment; or
- Delay action on the text amendment for up to 30 days.

FINANCIAL IMPACT

There are no substantive changes to the zoning regulations adopted for implementation within the City Limits. There will be a financial cost to have the City's municipal codification service provider - Municode - update the the City's adopted code. The cost for this update will be paid in coordination with the City Clerk's Office and the Planning Division budget. Staff has contacted Municode for an estimate, but had not received detailed information on the cost at the time this memo was drafted.

BACKGROUND

The City and County agreed to unify the zoning code in 1993. The Yellowstone County Board of Planning initiated the project to unify the codes and over the course of several months, Planning staff worked with a small committee to create a unified code. It was completed at the end of 1997. Some significant amendments were included in this unification effort including revisions to landscaping requirements, requirements for special review approval of multi-family developments, elimination of some zoning districts and creation of new districts.

The City and County have initiated through the Yellowstone County Board of Planning a multi-year project to update and modernize the zoning codes to address the goals and guidelines adopted through Growth Policies, Neighborhood Plans and other land use policies. In

order to facilitate this update, the City and County have also agreed to separate the zoning regulations. The separation - as opposed to the unification effort in 1993-1997, will not make any substantive changes to the regulations. Stylistic and grammatical changes are proposed to make the new documents readable and sensible when separated.

At the completion of the zoning code update project, the City and County will consider re-unification of all, or portions, of the zoning regulations. The codes will still be administered through the City-County Planning Division and apply to all land within the City and the surrounding zoning jurisdiction in the County.

The current zoning regulations adopted for the City date from May of 1972 – 45 years ago. The County adopted its zoning in November 1973. Over the past several decades, the codes have been amended, added to, and merged to create a unified zoning regulation. The document now spans more than 450 pages and represents at least 1/3 of volume of the entire City Code. Over the decades, the policies and goals of the City and County have changed considerably but the essential tools the Council, the County Commission, and community use to implement new goals and policies have remained essentially un-changed. It is time to address revising the zoning code to reflect where Billings and Yellowstone County are now and where the community is going. Staff believes this entire code update process will take between 1.5 years and 2.5 years to be completed.

There are many challenges that residents, developers, boards and commissions, and staff encounter applying the current zoning code to Billings and the surrounding urbanizing area in 2017. These range from lot size, lot coverage, and setback requirements that have resulted in many variances for existing development in some of the most stable neighborhoods in Billings, to almost no way to address aesthetical and architectural elements of residential and commercial construction to support infill and new development that fits into existing neighborhoods. There is also a lack of consistency with signage regulations across County and City areas that may both be commercially developed. The code also has inconsistent landscaping requirements across commercial districts that leads to uneven landscaping in commercial areas, along major transportation corridors, and claims of unequal treatment of development in these various areas. The code has numerous residential districts that are very similar in unit and lot size allowances that could be consolidated, and also be made able to address areas like Lockwood that have water and sewer services available.

The 2016 Lockwood Growth Policy has goals, and guidelines on how the Lockwood area of the County wants and needs to grow over the next 20 years. Further, the County will be updating its 2008 Growth Policy for the remaining areas of the County starting this year and the City of Billings 2016 Growth Policy has goals and guidelines on how the City wants and needs to grow in the next few decades. The main tools communities use to implement growth and development goals and objectives are zoning, subdivision rules, and other land use development regulations. A revised zoning code would be a significant step for the County and City in these efforts. Changes to the code over the last 20 years have fractured this “unified” code so now it is difficult to determine what code does or does not apply inside or outside the City limits.

The County and City also have some areas where they have diverged in their approach to land use regulations and it may be time to separate portions of these codes again. This is not intended to create a disparity in the quality of new development but to recognize the real differences in development challenges between the City and County. It is also not to say that there may be areas of code overlap that the City and County may establish as the revised

codes are developed. The City Council has already expressed an interest in working more closely with the County in this effort, and others, going forward to ensure the overall urban area of Yellowstone County enjoys coordinated development and land use planning in the future.

STAKEHOLDERS

The City and County Zoning Commissions held a special joint public hearing on July 17, 2017, to receive the staff report, public testimony and to make recommendations to the City Council and County Commissioners on the proposed code separation. The public hearing was held and the commissions received the staff report. There was no public testimony. The City and County Zoning Commission both voted to recommend approval of the code separation. The Board of County Commissioners will conduct its public hearing on Tuesday, August 15, and the City Council public hearing is scheduled for August 14. If both governing bodies approve the code separation, the separation will go into effect on September 27.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The code separation does not include any substantive amendments to the zoning regulations adopted for the City or the County. The code separation will facilitate the 2-year zoning code update project so amendments or changes to the adopted codes can be clear, concise and ensure alignment of these revision with adopted plans and policies of the City and County.

The attachment makes minor wording changes to the unified code and grammatical and stylistic changes to ensure the ordinance only refers to property within the City Limits. For example, many locations throughout the code refer to "resolution/ordinance" because the County adopts all changes by resolution and the City must adopt all changes by ordinance. There are over 300 places within the code where the word "resolution" must be deleted. The ordinance itself is over 300 pages long to ensure the exact changes are delineated for the company that provides codification services to the City. The ordinance also has sections where no changes to the code are needed. For example, the sign code at BMCC Section 27-700 has no reference or application to property outside the City Limits, so no changes are necessary to this section of the code, but the ordinance must identify this section as re-adopted in its entirety without changes. Similarly, there are no changes to the North or South Shiloh Corridor sections at 27-1400 or to the East Billings Urban Renewal District section at 27-1800.

RECOMMENDATION

With a 3-0 vote, the Zoning Commission recommends that the City Council conduct a public hearing and approve the zoning code separation.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 17- _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY DELETING CHAPTER 27-100 THROUGH 1700 IN ITS ENTIRETY AND REVISING ALL SECTIONS EXCEPT 27-1800 TO DELETE LANGUAGE AND 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/County Planning Board 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 regulations shall apply to all land within the City of Billings.

Section 3. AMENDMENT.

ARTICLE 27-100. - TITLE, PURPOSE AND SCOPE

Sec. 27-101. - Title.

This ~~Resolution/~~Ordinance [chapter] and maps shall be known and cited as The City of Billings ~~and Yellowstone County Zoning Regulations~~ for the areas incorporated into the City of Billings, Montana. ~~and the unincorporated Yellowstone County, Montana 4½ Mile Jurisdictional Area.~~

Sec. 27-102. - Purpose.

The zoning regulations, classifications, and the districts as herein set forth are in accordance with MCA ~~76-2-101, MCA 76-2-201, et seq. (County Zoning) and~~ MCA 76-2-301, et seq. (Municipal Zoning).

These regulations have been established in accordance with the 1990 Yellowstone County Comprehensive Plan and have been deemed necessary and developed with consideration, among other things, to the character of each zoning district and its peculiar suitability for particular uses, to conserve the value of buildings, to stabilize property values, to preserve recreation and agriculture lands from conflict with urban development, to promote the interest of health, safety and general welfare, to secure safety from fire and to provide adequate open space for light and air, and to facilitate the economic provision of adequate transportation, water, sewers, schools, parks and other public requirements. To achieve the above stated goals, these regulations shall govern the height and size of buildings and structures, the percentage of lots that may be occupied, the size of yards and open space, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes within the Billings city limits ~~and the unincorporated Yellowstone County 4- Mile Jurisdictional Area~~.

The city council of the City of Billings ~~and board of county commissioners of Yellowstone County~~ further declares these zoning regulations are adopted for the following specific purposes:

(a) To promote and guide development consistent with the goals and objectives of the 1990 Yellowstone County Comprehensive Plan;

(b) To prevent waste and inefficiency in land use;

(c) To encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety in type and design of dwellings and by conservation of open space; and

(d) To provide adequate land and space for the development of commercial and industrial uses and to encourage such developments in locations calculated to benefit the community at large and in a manner consistent with the goals and objectives of the 1990 Yellowstone County Comprehensive Plan.

Sec. 27-103. - Scope.

(a) This chapter applies to all lands within the City of Billings ~~and the unincorporated portions of the Yellowstone County 4-½ Mile Jurisdictional Area~~.

(b) In their interpretation and application, the provisions of this ~~Resolution/~~Ordinance may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity and welfare.

(c) This ~~Resolution/~~Ordinance is not intended to abrogate or annul any building permit, certificate of occupancy, variance or other lawful permit issued before the effective date of this Resolution/Ordinance.

ARTICLE 27-200. - DEFINITIONS

Sec. 27-201. - Definitions.

For the purpose of this chapter, certain terms or words used herein are defined as follows:

The word *person* includes a firm, association, organization, partnership, trust, company or corporation, as well as, an individual; the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; the word *shall* is mandatory, the word *may* is permissive; the words *used* or *occupied* include the words *intended, designated, or arranged to be used or occupied;* and the word *lot* includes the words *plot, tract or parcel.* Where other definitions are necessary and are not defined herein, the dictionary may define such terms.

Accessory: A use, building or structure, part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage.

(1) *Attached accessory structure:* Any structure or building which has any roof or wall in common with the principal structure. For purposes of zoning, an attached accessory structure is considered part of the principal structure.

(2) *Detached accessory structure:* Any structure or building which does not have any roof or wall in common with any principal structure or building. For purposes of zoning, a detached accessory structure must maintain a minimum distance of six (6) feet from any other building or structure.

Adult foster family care home: See *Community residential facilities.*

~~*Agriculture:* The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, grazing land, animal and poultry husbandry, horticulture, floriculture, viticulture, including all uses customarily incidental thereto but not including any agriculture industry or business such as commercial feed lots, animal hospitals, food processing plants, fur farms or similar uses.~~

Airport or *aircraft landing field:* Any runway, landing area or facility whether publicly or privately owned and operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

Alterations: A change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth or the moving from one (1) location to another. In buildings for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one third of a single floor area shall be considered an alteration.

Antenna: See *BMCC* Section 27-610.

Apartment house: See *Dwelling, multiple-family*.

Automobile or vehicle salvage or wrecking yard: The dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled, or partially dismantled, obsolete, or wrecked vehicles or their parts or any establishment or place of business which is maintained or used for the storage, keeping, buying or selling of wrecked, scrapped or dismantled motor vehicles or motor parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been removed for reuse or sale, shall constitute a salvage or wrecking yard.

Automobile sales area: See *Vehicle sales area.*

Bars, taverns and cocktail lounges: An establishment where alcoholic beverages are sold and consumed on the premises.

Bed and Breakfast inn: A house, or a portion thereof, that contains short-term guest rooms where lodging, with or without meals, is provided for compensation. The operator of the inn shall live on the same property upon which the inn is located.

Board: The board of adjustment of the City of Billings ~~or the board of adjustment of Yellowstone County~~.

Boarding or lodging house: "Boarding house" means the same as lodging house, but where meals (with or without lodging) are provided for compensation and by prearrangement for a definite period for three (3) or more persons. Boarding houses shall not be construed to mean rest homes or convalescent homes. This definition shall also exclude "Bed and Breakfast Inns".

Boat sales area: See *Vehicle sales area.*

Building: Any structure having a roof, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this chapter requires that a use shall be within an entirely enclosed building then the term "building" means one so designed and constructed from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

Building height: The vertical distance from the highest point of a structure to the "grade", excluding permissible height exceptions in BMCC sections 27-308 and 27-309.

Building, principal: The primary building or use on a lot that accommodates the principal use to which the premises are devoted.

Camp, public and private: Any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents, travel trailers and other camping outfits.

Carport: A structure to house or to protect motor vehicles owned or operated by the occupants of the main building which is open on three (3) or fewer sides.

Car wash: A building or area that provides facilities for washing and cleaning motor vehicles, excluding semi-tractors and/or semi-trailers, which may use production line methods with a conveyor, blower or other mechanical devices. This term also includes facilities which require hand labor in the cleaning of the vehicle.

Child care facilities:

(1) *Family day care home:* A private residence in which supplemental parental care is provided for up to six (6) children, including the operator's children, from separate families on a regular basis. Such day care home shall be licensed by the Montana Department of Social and Rehabilitation Services under M.C.A., Title 53, Chapter 4, Part 5, as required by state law.

(2) *Group day care home:* A private residence in which supplemental parental care is provided for seven (7) to twelve (12) children, including the operator's children, on a regular basis and which is licensed by the Montana Department of Social and Rehabilitation Services under M.C.A., Title 53, Chapter 4, Part 5, as required by state law.

(3) *Day care center:* A place in which supplemental parental care and/or adult supervision is provided to thirteen (13) or more children, including the operator's children, on a regular basis, and which may include nursery schools, private kindergartens or after school care and supervision. Such day care center shall be licensed as required by the state~~,~~ or city ~~or county~~ and conducted in accordance with applicable state and local requirements.

Church or other place of worship: A building which is used primarily for religious worship and related religious activities, including but not limited to churches, convents, monasteries, shrines and temples.

Clinic, medical: A building designed and used for the medical, dental and surgical diagnosis and treatment of patients under the care of doctors and nurses, but where no surgery other than minor emergency care is performed and where no overnight care is provided.

Clinic, surgical: A clinic where surgery is performed on an outpatient basis only.

Club, fraternal: A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal membership requirements. This definition includes such organizations as the Knights of Columbus, Masons, Elks and other similar organizations.

Club, service: Any nonprofit organization, the services of which are devoted entirely to the betterment or improvement of community in which it is located, including organizations such as the Lions, Kiwanis, Rotary, Optimists and other similar organizations.

Community group home: See Community residential facilities.

Community residential facilities:

(1) *Adult foster family care home:* A private home licensed by the Montana Department of Public Health and Human Services owned by one (1) or more persons eighteen (18) years of age or older which offers light personal care or custodial care to disabled adults who are not related to the owner by blood or marriage or which offers light personal care or custodial care to aged persons. The number of aged persons or disabled adults in an adult foster family care home may total no more than four (4).

(2) *Community group home:* A family oriented residence or home licensed by the appropriate state agency designed to provide residential services and facilities for developmentally, severely disabled or mentally disabled persons, but does not provide skilled or intermediate nursing care.

(3) *Halfway house:* A place operated in accordance with the regulations of the Montana Department of Public Health and Human Services for the rehabilitation of alcohol or drug dependent persons.

(4) *Youth foster home:* A youth care facility licensed by the Montana Department of Public Health and Human Services in which substitute care is provided to one (1) to six (6) foster children or youths, other than the foster parents' own children, stepchildren or wards.

(5) *Youth group home:* A youth care facility licensed by the Montana Department of Public Health and Human Services in which substitute care is provided to seven (7) to twelve (12) children or youth.

(6) *Assisted living facility:* An assisted living facility licensed by the Montana Department of Public Health and Human Services in a congregate residential setting that provides or coordinates personal care, 24-hour supervision and assistance, both scheduled and unscheduled, and activities and health-related services for persons eighteen (18) years old or older.

Condominium: Property that is owned as single units with common elements located on property submitted to the provisions of MCA Title 70 Chapter 23. This term does not include a townhome or townhouse.

Convenience store: A retail store that is designed and stocked to sell primarily food, beverages and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It is designed to attract, and depends upon, a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by the "7-11" and "Kwik-Way" chains. These stores may also include pumps and/or storage tanks from which fuels are dispensed at retail. No servicing, maintenance or repair work shall be conducted on the business premises. This definition shall exclude truck stops.

Day care center: See *Child care facilities.*

Drive-in service: A use whose character is dependent on a driveway approach, a drive-through and/or parking space for motor vehicles so as to either serve customers while in the vehicle or permit consumption of food or beverages in a vehicle obtained on the premises. Drive-in or drive-up window restaurants, drive-in banking, pickup windows for beverages or food, and other drive-in or drive-through services are included in this category. This definition shall exclude car washes and insurance adjusters.

Duplex: See *Dwelling, two-family.*

Dwelling: A building designed exclusively for residential purposes, including single-family, two-family, and multiple-family dwellings, but not including hotels or motel units, bed and breakfast guest rooms, boarding or lodging houses, or travel trailers and/or vehicles.

Dwelling, types of:

(1) *Dwelling, single-family:* A building constructed and designed for occupancy by one (1) family and containing one (1) dwelling unit.

(2) *Dwelling, two-family (duplex):* A building constructed and designed for occupancy by two (2) families living independently of each other, and containing two (2) dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway.

(3) *Dwelling, multiple-family:* A building constructed and designed for occupancy by three (3) or more families living independently of each other, and containing three (3) or more dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway, excluding common hallways.

Dwelling unit: One (1) or more rooms designed for or occupied by one (1) family for living or sleeping purposes and may contain kitchen and/or bathroom facilities for use solely by one (1) family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A studio/efficiency apartment constitutes a dwelling unit within the meaning of this chapter.

Enclosed structure: A building that protects the contents thereof from the elements, including sight obscuring walls on all sides and a roof.

Family: Any number of individuals, related by blood, marriage, adoption or other legal means, including any number of minor children in foster care, and/or any number of unrelated persons (including any domestic servants or caregivers) living together in a dwelling unit. The total number of persons living together in the dwelling unit cannot exceed the recommended guidelines, as amended time to time by HUD, of two (2) persons per bedroom (24 CFR Part 4, Section 982.401). A "family" is distinguished from a group occupying a boarding house, lodging house, bed and breakfast inn, fraternity/sorority house, hotel or clubhouse.

Family day care home: See *Child care facilities.*

Fence: A barrier composed of posts connected by boards, rails, panels or wire for the purpose of enclosing space to separate parcels of land. This term also includes a masonry wall.

Fireworks: Those substances and/or articles which are more specifically defined in M.C.A. 50-37-101 through 50-37-103.

Fireworks stand: A structure from which fireworks are sold, displayed or offered for sale. A fireworks stand is specifically limited to an approved temporary structure, as regulated in BMCC section 27-614.

Fireworks storage building: A structure used for the storage of fireworks.

Floodplain or *floodway:* In all cases of interpretation, designated floodplain or floodway definitions as established by the Montana Department of Natural Resources and Conservation shall apply.

Fraternity/sorority house: A dwelling or dwelling unit occupied by and maintained exclusively for fraternity or sorority members, their guests or visitors and affiliated with and acknowledged as a fraternity/sorority house by an academic or professional college or university or other recognized institution of higher learning.

Gambling establishment: See *BMCC* Section 27-612.

Garage, residential: An accessory building or an accessory portion of the main building, enclosed on more than three (3) sides and designed or primarily used only for the shelter or storage of vehicles owned and operated by the occupants of the buildings.

Grade (adjacent ground elevation): The lowest point of elevation of the finished surface of the ground, or the lowest point of elevation of the finished surface of the ground between the exterior wall of the building and the property line, if it is less than five (5) feet distance from the wall. In cases where walls are parallel to and within five (5) feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley, or public way.

Gross floor area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Group day care home: See *Child care facilities.*

Halfway house: See *Community residential facilities.*

Hazardous waste facilities: See *BMCC* Sections 27-605, et seq.

Height: The vertical distance from the highest point of a structure to the "grade", excluding permissible height exceptions in BMCC section 27-310.

Heliport: Any facility whose primary purpose is for the landing or taking off of helicopters. This would include any accessory uses or structures related to the principal use as a heliport, such as maintenance and overhaul, fueling, service, storage, tie-down areas and hangars.

Home occupation: See *BMCC* Section 27-606.

Hospital, animal: A building or premises including veterinary hospitals for the medical or surgical treatment of animals or pets, including dogs and cats, also including the boarding of hospitalized animals subject to medical or surgical treatment.

Hospital, general: An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by state law to provide facilities and services in surgery, obstetrics and general medical practice, as distinguished from treatment of mental and nervous disorders and alcoholism, but not excluding surgical and post-surgical treatment of mental cases. Nursing homes and convalescent homes are excluded from this definition.

Hospital, mental: An institution licensed by state agencies under the provisions of law to offer facilities, care and treatment for cases of mental and nervous disorders.

Hotel: A building, or portion thereof, designed or used for temporary lodging, being less than thirty (30) days, where lodging with or without meals is provided for compensation. A central dining room, banquet meeting hall, kitchen, plus accessory shops and services catering to the general public can be provided.

Inoperable vehicle: Any vehicle incapable of immediate operation under its own power safely and in concurrence with governing and applicable traffic ordinances and statutes or any vehicle not having current license plates lawfully affixed thereto.

Junk: Any worn out cast off or discarded article or material which is ready for destruction or has been collected or stored as salvage, for conversion to some other use or for reduction into components. Junk includes but is not limited to old or scrap brass, rope, rags, batteries, paper, tires, rubber debris or waste, iron, steel and other old or scrap ferrous or non-ferrous material.

Junkyard: An open area where wastes, or used or secondhand materials are bought, sold, exchanged, stored, processed or handled, which are not intended to be recycled. Materials shall include, but are not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles.

Kennel, commercial: Any lot, building, structure or premises where more than two (2) dogs or cats over the age of six (6) months, other than those owned by the kennel owner are kept or maintained for boarding, training, breeding or selling, exclusive of medical care or for quarantine purposes in excess of twenty-four (24) hours. Female dogs bred for the sole purpose of the sale of puppies for profit, and female dogs numbering more than three (3) constitute a Commercial Kennel.

Kennel, noncommercial: A kennel at, in, or adjoining a private residence where more than two (2) dogs or cats are kept for the hobby of the householder in using them in shows or obedience trials, personal pleasure or for the guarding or protecting of the householder's property. The occasional raising of a litter of puppies or kittens at the kennel and the occasional sale of puppies or kittens by the keeper of a noncommercial kennel should in no way change the character of the residential property.

Landscaping: The combination of living and nonliving elements, as further described in BMCC sections 27-1101, et seq.

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.

Livestock and fowl: Livestock shall include all animals of the equine, bovine and swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals. Fowl shall include chickens, geese, ducks, turkeys and other poultry.

Lot: A tract of land, no matter how legally described whether by metes and bounds, Certificate of Survey and/or by lots and block designation as in a recorded plat.

Lot area: The total area circumscribed by the boundaries of a lot, except that when the legal instrument creating a lot extends into a public street right-of-way and/or easement, then the lot boundary for purposes of computing the lot area shall be the street right-of-way.

Lot coverage: The total area of a lot covered by buildings or roofed areas, excluding allowed projecting eaves, balconies and similar features. Lot coverage includes, but is not necessarily limited to the following: principle structures, accessory structures, carports, and covered decks and patios. Uncovered decks less than thirty (30) inches in height shall not be counted towards lot coverage.

Lot frontage: That portion of the lot nearest the public street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to public streets shall be considered frontage, and yards shall be provided as indicated in BMCC sections 27-308 and 27-309, District Regulations.

Lot line: A line of record bounding a lot which divides one lot from another lot or from a public or private street, alley or other public space.

(1) *Front lot line:* The lot line or lines abutting a public or private street.

(2) *Rear lot line:* The lot line not intersecting a front lot line that is most distant from and most clearly parallel to the front lot line.

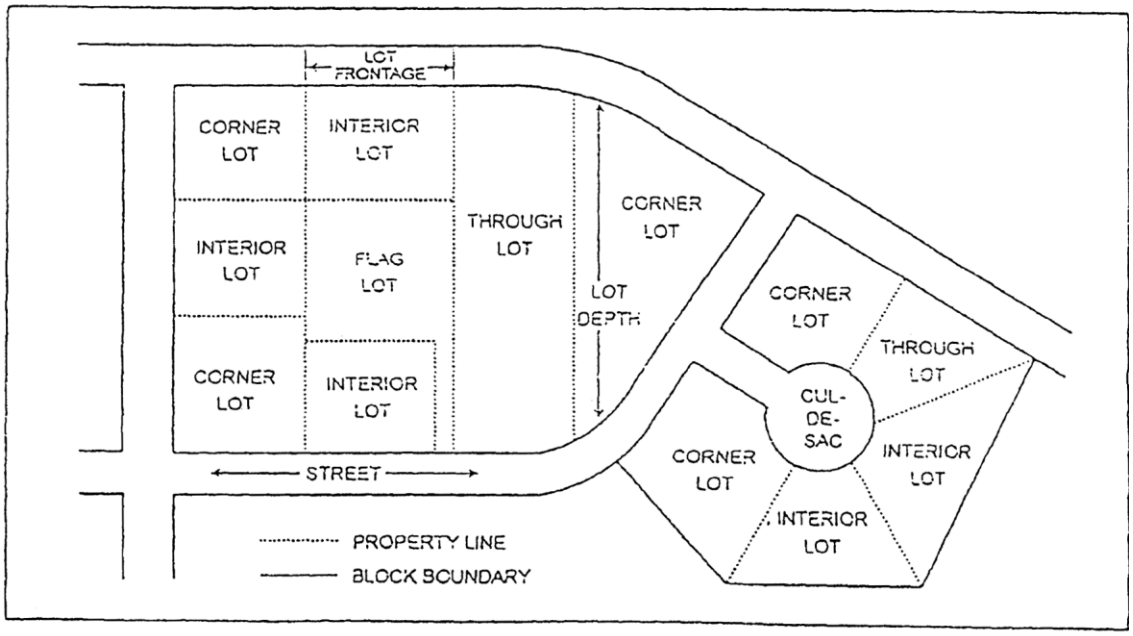
(3) *Side lot line:* Any lot line that is not a front or a rear lot line.

Lot types:

(1) *Corner lot:* A lot located at the intersection of two (2) or more streets.

(2) *Interior lot:* A lot other than a corner lot with only one (1) frontage on a street other than an alley.

(3) *Through lot* or *double frontage lot:* A lot other than a corner lot with frontage on more than one (1) street other than an alley.



Lot types

Manufactured home: A factory assembled structure or structures, equipped with the service connections necessary to be used as a dwelling unit, and constructed to be readily movable as a unit or units either on its own running gear or other system. Since 1976 manufactured home construction has been regulated by the federal Manufactured Housing Construction and Safety Standards Act as administered by the Department of Housing and Urban Development (HUD), and are not constructed in accordance with the standards set forth in the Uniform Building Code, applicable to site-built homes. See BMCC section 27-608.

Manufactured home park or court: Land designed or used that contains temporary or permanent parking for two (2) or more manufactured homes spaces which are available to the general public for use as residences. This term does not include a parcel composed of individually platted lots, each lot of which is filed with the Yellowstone County clerk and recorder, which contain only one manufactured home per lot.

Medical corridor: The area defined by the Billings Medical Corridor Study as the medical development impact area. This area is of special concern to the city as a potential location for medical or medically related uses, as well as, supporting uses and residential development. See *BMCC* Sections 27-901, et seq.

Merchandise: All items of movable personal property offered for sale to the public for which no title is required to be registered with or issued by the state.

Mobile home or *trailer:* See *Manufactured home.*

Motel: A group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, or to a common corridor and where a garage is attached to or a parking space is conveniently located at each unit, all for the temporary use, being less

than thirty (30) days, by automobile tourist or transient and such word shall include tourist courts, motor courts, automobile courts and motor lodges.

Motor vehicle: A two (2) or more wheeled or track vehicle designed to transport one (1) or more persons or properties from one (1) location to another including without limitation: trucks, buses, cars, motorcycles, scooters, farm and industrial equipment.

Multi-unit developments:

- Condominium, townhome, townhouse or commercial development projects that include common, private facilities shared by buildings or lots.

- Residential developments that have more than two (2) dwelling units and include common, private facilities shared by buildings or lots.

Nonconforming lot: See *BMCC* Section 27-402.

Nonconforming structure: See *BMCC* Section 27-404.

Nonconforming use: See *BMCC* Sections 27-403 and 27-405.

Nursing homes, convalescent homes, orphanages and charitable institutions: A home operated similarly to a boarding house but not restricted to any number of guests or guest rooms, and the operator of which is licensed by the state, or city ~~or county~~ to give special care and supervision to his/her patients. In such homes, nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, but within which homes are kept no persons suffering from a contagious or communicable disease, and within which are performed no surgery, maternity or other primary treatments such as are customarily provided in sanitariums or hospitals, and within which no persons are kept to be served who normally would be admitted to a mental hospital. Adult Foster Family Care Homes are not included in this definition.

Occupied: Includes the words intended, designated or arranged to be occupied.

Open storage: The storage for a period of five (5) consecutive days or more of junk, salvage, trash, inoperable vehicles and/or merchandise outside of an enclosed structure.

Parking, public: An open area other than a street used for the temporary parking of more than four (4) automobiles and available for public use whether free, for compensation or as an accommodation for clients or customers.

Pawn shop: See *Secondhand store and/or antique shops.*

Planned development: See *BMCC* Sections 27-1301, et seq.

Planning board: The Yellowstone County Board of Planning as authorized under the provisions of M.C.A., Title 76, Chapter 1, Part 1, Section 76-1-101.

Planning director: The individual appointed by the City, after consideration of the recommendations from the County Commissioners and Board of Planning. The Director's duties and responsibilities shall be those defined in the Interlocal Agreement on Planning.

Principal use: The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory. The uses listed in BMCC sections 27-305 and 27-306, District Regulations, are principal uses.

~~*Project animal:* An animal raised exclusively for educational purposes and/or for participation in programs such as F.F.A., 4-H, or other similar types of programs.~~

Projection: The distance any part of a structure extends beyond the building setback line. See *BMCC* Section 27-310 for a list of permitted projections.

Recreation, commercial: An area operated for profit and devoted to facilities and equipment for recreational purposes; swimming pools, tennis courts, playgrounds, golf courses, community clubhouses

and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee or service charge.

Recreation, noncommercial: An area devoted to facilities and equipment for recreational purposes; swimming pools, tennis courts, playgrounds, community clubhouses and other similar uses maintained and operated by a nonprofit club, homeowners' association or other corporate structure and whose membership is limited to the residents within the area.

Recreational vehicle: See *Travel trailer.*

Recreational vehicle park: See *Travel trailer park.*

Recycling center: A facility that is not a junkyard and in which recoverable resources, such as newspaper, glassware and metal cans are collected, stored, flattened, crushed or bundled. This term does not include automobile or vehicle salvage or wrecking yards.

Retirement home: A place of residence for several families or individuals in apartment-like quarters, rented or condominiums, which may feature services to retired persons such as limited nursing facilities, minimum maintenance living accommodations and recreation programs and facilities.

Right-of-way: A strip of land dedicated or acquired for use as a public way, or that is acquired through an easement.

Salvage: Something saved as valuable or useful from trash, rubbish, worn out equipment, or junk.

Satellite dish antenna: See *BMCC* Section 27-610.

School, college or *university:* A public or private institution for higher learning (beyond grade 12) providing instruction as approved by the Montana Department of Education or a national collegiate or university accreditation agency.

School, elementary, junior, and senior high, including public, private and parochial: An institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education.

School, trade or vocational-technical: A building where instruction is given to pupils in arts, crafts, or trades and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

Scrap or waste processing yard: See *Junkyard.*

Secondhand store and/or antique store: Any retail establishment in which the principal portion of the articles, commodities, or merchandise handled, offered for sale, or sold on the premises are used or not new. Pawn shops are included in this definition.

Service station, automobile: A place where fuel and/or lubricants are dispensed at retail and where light maintenance activities such as engine tuneups, lubrication, tire repair, battery servicing and air conditioning service may be conducted. Service stations do not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, body work and/or drive-train repair and rebuilding are conducted.

Setback: That distance measured from the lot or property line to a supporting point(s) or wall(s) of a structure or building.

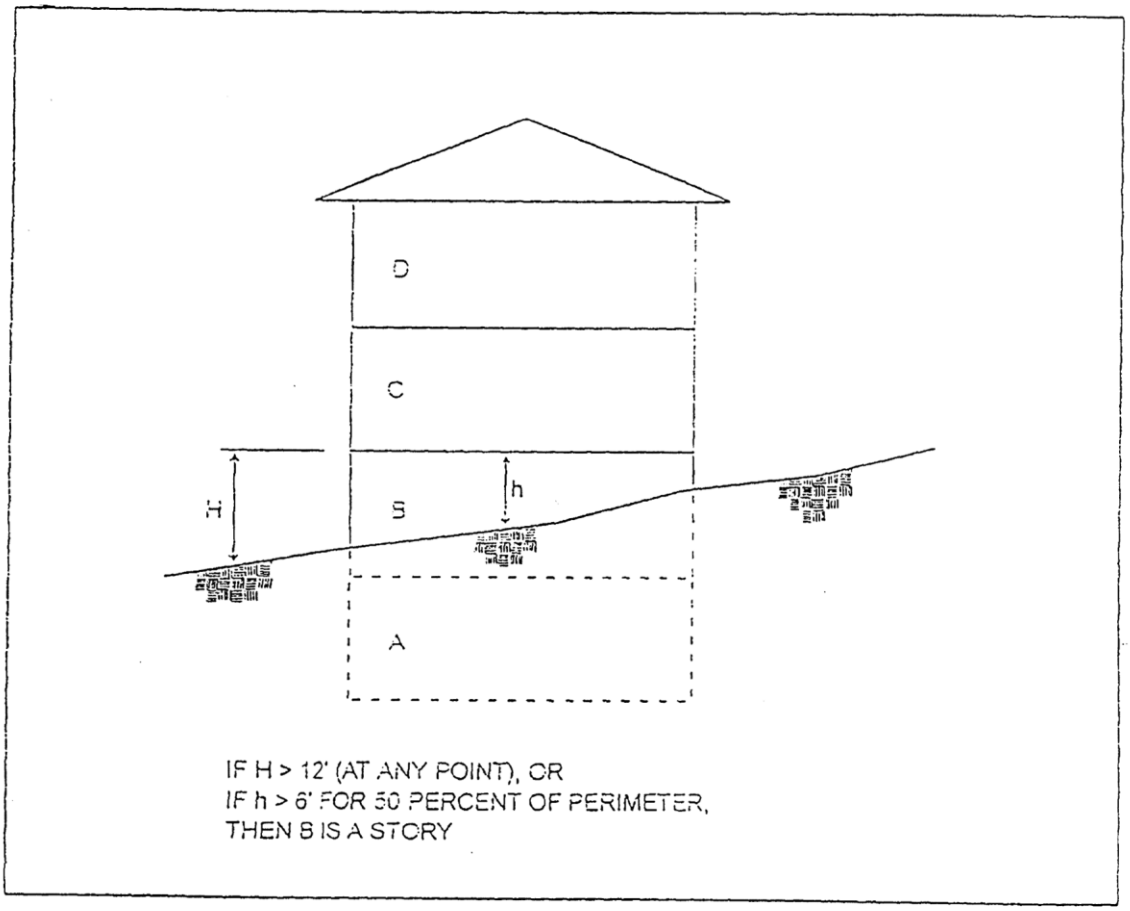
Sexually oriented business: An "adult" arcade, "adult" bookstore, "adult" cabaret, "adult" video store, "adult" motel or "adult" motion picture theater, as those terms are defined in BMCC section 27-611.

Stable, private: A detached accessory building in which horses or other beasts of burden owned by the occupant of the premises are kept, and in which no such animals are kept for hire, remuneration or sale, and are kept for the owner's private use only.

Stable, commercial: A stable other than a private stable.

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between

the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty percent (50%) of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered a story.



Story

Streets:

(1) *Street:* A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated which has been dedicated to or acquired for public use and which extends the full width between right-of-way lines, which includes areas acquired or prescribed through an easement.

(2) *Alley:* A minor way which is used primarily for vehicular service access or for utility lines to the back or the side of properties otherwise abutting on a street.

(3) *Arterial street:* A street which is intended to provide for high operating speeds, high levels of service and to serve longer trips through access management and the interconnection of major development areas such as the central business district, large commercial and industrial developments and major residential areas.

(4) *Collector street:* A street that functions as a link between local streets and arterial streets and provides both access and movement functions within residential, commercial and industrial areas.

(5) *Cul-de-sac:* A street that terminates in a vehicular turnaround.

(6) *Local street:* A street whose primary function is access and whose movement function is incidental and involves traveling to and from a collector. In addition, local streets are characterized by short trip lengths, low traffic volumes, slow speeds and deliberately discouraging through traffic.

Structure: A building or anything constructed in the ground or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground, but not including fences less than six (6) feet in height or paved areas.

Structure, principal: A structure accommodating the principal use to which the property is devoted.

Temporary structure: A structure established for a fixed period of time as established by this chapter.

Temporary use: A use established for a fixed period of time as established by this chapter.

Theater, drive-in: An establishment to provide entertainment through projection of motion pictures on an outdoor screen for audiences whose seating accommodations are provided by their own motor vehicles parked in car spaces provided on the same site with the outdoor screen.

Townhome or *townhouse:* Property that is owned subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and facilities.

Trailer sales area: See *Vehicle sales area.*

Trash: Something worth little or nothing.

Travel trailer: A portable structure, not more than eight (8) feet wide, built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation use. Recreational Vehicles are included within this definition.

Travel trailer park: Any area or tract of land designed or used that contains two (2) or more spaces which are available for rent to the general public for parking or placement of temporary recreational or vacation housing units. This term does not include a parcel composed of individually platted lots.

Truck stop: Any occupancy which provides a service for highway travel directly or indirectly related to the servicing, repairing, and/or refueling of semi-trucks (also commonly known as tractors), semi-trailers, and their components. A truck stop is a point at which semi-trucks may stop for refueling or where truck drivers can park their trucks, trailers and components and seek lodging and/or food services, as well as, other services related to highway trucking needs.

Truck wash: A building or area that provides facilities specifically designed for washing and cleaning semi-tractors and/or semi-trailers and recreational vehicles, which may use production line methods with a conveyor, blower or other mechanical devices. This term also includes facilities which require hand labor in the cleaning of the vehicle.

Usable open space: That space on the same lot and contiguous to the principal building or buildings and which is either landscaped or developed and maintained for recreational purposes and excludes that portion of the lot which is utilized for off-street parking or loading space or for front yard setback requirements. Usable open spaces can be provided within a building or the roof top where facilities are provided for residents of the development.

Used: Includes the words intended, designated or arranged to be used.

Utility, public: A private business organization performing some public service and subject to special governmental regulations or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.

Variance: See *BMCC* Sections 27-1501, et seq.

Vehicle sales area: An open area other than a street, used for the display, sale or rental of new or used automobiles, boats, trailers, motorcycles, snowmobiles or semi-tractors and/or trailers; and where no

repair work is done except minor incidental repair excluding body and fender work or spray painting on the vehicle(s) to be displayed, sold or rented on the premises.

Walking distance: That distance measured along the shortest path accessible to foot traffic.

Watercourse: Any natural stream, river, creek or drainage in which water flows either continuously or intermittently and has a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow. This term shall not include any facility created exclusively for the conveyance of irrigation water.

Wholesale: An establishment primarily engaged in the sale of goods and merchandise for resale instead of for direct consumption.

Yard: An open space about a building, other than a court, unoccupied and unobstructed from the ground to the sky, except as otherwise specifically provided in this Chapter.

(1) *Front yard:* A yard extending along the full length of the front lot line or lines and which is situated between a principal building and the front lot line or lines.

(2) *Rear yard:* A yard extending along the full length of a rear lot line and situated between the principal building and the rear lot line.

(3) *Side yard:* A yard not designated as a front or a rear yard.

Youth foster home: See *Community residential facilities.*

Youth group home: See *Community residential facilities.*

Zoning coordinator: The person designated by the Planning Director to oversee the administration of this Chapter, unless otherwise noted.

Sec. 27-301. - Zoning Districts.

It is the intent of this section to establish zones wherein compatible uses of land may be located to create, protect and maintain a desirable living environment, to stabilize and protect residential harmony and to conduct profitable businesses. It is also the intent of this Chapter to make it possible to efficiently and economically design and install public facilities in terms of size and capacity to adequately meet the needs resulting from a defined intensity of land use.

To carry out the provisions of this chapter, the city ~~and county 4½ mile jurisdictional area~~ is hereby divided into the following zoning districts in which the erection, construction, alteration, reconstruction, repair or use of buildings, structures and land shall be regulated and restricted. The regulations in each district shall be uniform throughout each district but may differ from those in other districts.

~~A-1~~	~~Agricultural-Open Space (County Only)~~
~~A-S~~	~~Agricultural-Suburban (County Only)~~
~~R-150~~	~~Residential 15,000 (County Only)~~
R-96	Residential 9,600
R-80	Residential 8,000
R-70R	Residential 7,000 Restricted
R-70	Residential 7,000

R-60R	Residential 6,000 Restricted
R-60	Residential 6,000
R-50	Residential 5,000
RMF	Residential Multi-Family
RMF-R	Residential Multi-Family - Restricted
RMH	Residential Manufactured Home
RP	Residential Professional
NC	Neighborhood Commercial
CC	Community Commercial
HC	Highway Commercial
CBD	Central Business District
CI	Controlled Industrial
HI	Heavy Industrial
P	Public
ELC	Entryway Light Commercial
EGC	Entryway General Commercial
EMU	Entryway Mixed Use
ELI	Entryway Light Industrial
	South 27th Street Corridor Zoning District
	Medical Corridor Permit Zoning District

~~*A-1 Agricultural-Open Space (county only):* A district to protect and preserve agricultural lands for the performance of a wide range of agricultural functions. The intent is to limit the scattered intrusion of uses not compatible with an agricultural environment; to encourage agricultural pursuits and protect environmental concerns.~~

~~*A-S Agricultural-Suburban (county only):* A district to protect and preserve agricultural lands for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses and to encourage concentration of such uses in areas so that potential conflict between uses will be minimized.~~

~~*R-150 Residential 15,000 (county only):* A zone intended to provide for low density, single-family residential developments in areas which may or may not be serviced by a public water and/or sewer system.~~

R-96 Residential 9,600: A zone intended to promote primarily a single-family residential environment on lots that are served by public water and sewer service.

R-80 Residential 8,000: A residential zone intended to primarily provide a single-family residential environment with provisions for duplexes that are served by public water and sewer service.

R-70R Residential 7,000 Restricted: a residential zone intended to primarily provide a single family residential environment on smaller lots at a medium density that are served by a public water and sewer service.

R-70 Residential 7,000: Primarily a single-family residence district, with provisions for duplexes on lots that are served by public water and sewer services.

R-60R Residential 6,000 Restricted: A residential zone intended to primarily provide a single family residential environment on smaller lots at a medium density that are served by a public water and sewer service.

R-60 Residential 6,000: A zone intended to provide for medium density residential dwellings on lots served by public water and sewer services, with provisions for multi-family dwellings with a maximum of ten (10) dwelling units per structure.

R-50 Residential 5,000: A primarily single-family district provides for higher density development on lots served by public water and sewer services, with provisions for duplexes.

RMF Residential Multi-family: A residential classification intended to provide adequate sites for multi-family developments including high-rise apartment complexes. Dwelling unit density is increased in this classification to encourage development in areas where it will complement existing developments. Land within the classification should be located with access to major arterial transportation routes plus financial, cultural and retail stores and be served by public water and sewer services.

RMF-R Residential Multi-family-Restricted: A residential classification intended to provide adequate sites for multi-family developments. The classification is intended to provide higher density apartment development, which may establish a buffer between single-family residence areas and other zoning classifications. Lots are to be served by public water and sewer services.

RMH Residential Manufactured Home: A zone intended to provide stable environments for individual manufactured homes, manufactured home parks and compatible accessory uses.

RP Residential Professional: A zone intended to accommodate limited commercial and professional offices as would be compatible with adjoining residential districts and consistent with the objectives of the comprehensive plan.

NC Neighborhood Commercial: A zone for commercial centers and limited retail activities conducted in a unified development designed to serve the surrounding neighborhood with shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the neighboring population. Only uses serving the above purpose without undue detriment to surrounding residences should be permitted.

CC Community Commercial: The community commercial zone is intended primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a

neighborhood or convenience retail development. Facilities within the classification will generally serve the community, and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or in islands (thirty (30) acres) centrally located in the trade area rather than a strip development along arterials.

HC Highway Commercial: The highway commercial zone is intended to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist or the general traveling public. Areas designated as Highway Commercial should be located in the vicinity of, and accessible from interstate interchanges, intersections on limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such facilities.

CBD Central Business District: The central business district classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's arterial and transportation system, where the C.B.D. can conveniently serve the population of the entire urban area with a varied and specialized selection of goods and services. In order to protect the public interest and welfare and facilitate an attractive, efficient and prosperous C.B.D., the emphasis is on larger scale building and specialty shops.

CI Controlled Industrial: The controlled industrial zone is intended to accommodate a variety of business, warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial centers of the city and county.

HI Heavy Industrial: A zone intended to accommodate manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as Heavy Industrial should have access to two (2) or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.

P Public: The public zone is intended to reserve land exclusively for public or semi-public uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.

ELC Entryway Light Commercial: See *BMCC* section 27-1004.

EGC Entryway General Commercial: See *BMCC* section 27-1004.

EMU Entryway Mixed Use: See *BMCC* section 27-1004.

South 27th Street corridor zoning district: See *BMCC* Sections 27-801, et seq.

Medical Corridor Permit Zoning District: See *BMCC* Sections 27-901, et seq.

Sec. 27-302. - Official zoning map.

(a) The city ~~and county are~~ is hereby divided into zoning districts as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.

(b) The official zoning map shall be identified by the signature of the mayor attested by the city clerk ~~and also by the county commissioners attested by the county clerk and recorder~~ and shall bear the words "the official zoning map of the City of Billings ~~and Yellowstone County, Montana 4½ mile jurisdictional area~~". Regardless of the existence of purported copies of the official zoning map which from time to time may be made or published, a copy of the official map shall be located in the offices of both the Yellowstone County board of planning and the Yellowstone County clerk and recorder.

(c) Changes made in district boundaries shall be promptly entered on the official zoning map after amendment by ~~either~~ the governing body. Amendments to the official zoning map shall not become effective until entered on the map.

(d) No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the provisions set forth in this chapter. In the event the official zoning map is damaged or destroyed, the city council ~~and county commissioners~~ may, by ~~resolution/~~ordinance, adopt a new official zoning map. No such map shall have the effect of amending the official zoning map or any subsequent amendment thereof.

Sec. 27-303. - Rules for interpretation of district boundaries.

(a) Boundaries indicated as appearing to follow the centerline of streets, highways or alleys shall be construed to follow such centerlines;

(b) Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;

(c) Boundaries indicated as appearing to follow City Limits shall be construed as following City Limits;

~~(d) Boundaries indicated as appearing to follow 4½ Mile Jurisdictional Limits shall be construed as following 4½ Mile Jurisdictional Limits;~~

(~~e~~d) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

(~~f~~ e) Boundaries indicated as following shore lines shall be construed to follow such shore lines. In the event of change in the shore line, they shall be construed as moving with the actual shore line. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines. In the event of change in the location of streams, rivers, canals, lakes or other bodies of water, the boundaries shall be construed as moving with the actual body of water and following the centerlines; and

(~~g~~ f) Boundaries indicated as parallel to or extensions of features indicated in above Subsections A. through F. above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map or by specific distances enumerated in a Resolution/Ordinance amending the Official Zoning Map.

Sec. 27-304. - Application and general rules.

Within the various zoning districts as hereinbefore defined and as indicated on the official zoning map and subject to the requirements of BMCC sections 27-301 through 27-1511, no building or structure shall be erected, reconstructed or structurally altered, nor shall any land, building or structure be used for any purpose except as they are allowed in the district in which such building, land or use is located. The regulations set forth by this chapter within each zone shall be minimum regulations and shall apply uniformly to each class or type of structure or land except as hereinafter provided:

(a) No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered after the effective date of this chapter unless in conformity with all of the regulations herein specified for the zone in which it is located except nonconforming uses and structures as provided in BMCC sections 27-401, et seq.;

(b) No building or other structure shall hereafter be erected or altered:

(1) To exceed the height limitation;

(2) To accommodate or house a greater number of families;

(3) To occupy a greater percentage of lot area; or

(4) To have a narrower or smaller rear yard, front yard, side yard or other open space than herein required, or in any manner contrary to the provisions of this chapter.

(c) Temporary suspension of various zoning and other regulations. Upon approval by resolution, the city council may temporarily suspend the requirements and restrictions imposed by sections 7-603, 15-602, 27-304, 27-305, 27-601 and 27-606 of the City Code in order to accommodate the

temporary increase in visitor population created by large special events held within the City of Billings when the city's public lodging capability is actually or predicted to be at or near maximum capacity. The city council may suspend ordinances related to the following general areas of regulation in any combination deemed appropriate under the circumstances created by a special event. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event.

(1) Parking;

(2) Camping;

(3) Business licensing and/or health department inspections.

Sec. 27-305. - District regulations: Residential uses.

Titles and Description of Industries SR - Special Review A - Allowed	~~Agricultural - Open Space~~	~~Agricultural - Suburban~~	~~Residential - 15,000~~	Residential - 9,600	Residential - 8,000	Residential - 7,000 Restricted	Residential - 7,000	Residential - 6,000 Restricted	Residential - 6,000	Residential - 5,000	Residential Multi-Family	Residential Multi-Family - Restricted	Residential Manufactured Home
Accessory Uses and Structures Associated with a Permitted Principal Structure	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Agricultural Uses~~	~~A~~	~~A~~											
Amateur Radio Antenna Support Structures:													
100 Feet or Less in Height (See Section 27-619 for Additional Requirements	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Greater Than 100 Feet in Height	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
~~Auction Houses (Excluding Livestock)~~	~~SR~~												
~~Auction Yards (Including Livestock)~~	~~SR~~												
~~Blacksmiths~~	~~A~~												

Boarding, Lodging, and Bed and Breakfast Houses	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Broadcasting (Radio and Television) Stations and Studios and antenna support structures (see section 27-621 for additional requirements)													
Alternative antenna support structures located on school, government-owned utility and other government sites.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Roof-mounted antennae located on school, government-owned utility and other government sites.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Antenna support structures 50 feet or less in height (see additional requirements in section 27-621).~~	~~A~~												

~~Antenna support structures greater than 50 feet in height.~~	~~SR~~												
~~Broadcast antenna or tower farm~~	~~SR~~												
~~Campgrounds, Public or private~~	~~SR~~	~~SR~~											
Cemeteries	~~A~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Child Care Facilities:													
Family day care home	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Group day care home	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Day care center	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Churches and Other Places of Worship, including Sunday School Buildings	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Community Residential Facilities Serving Eight (8) or Fewer Persons, Providing Care on a 24-hour-a-day Basis	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Community Residential Facilities Serving Nine (9) or More Persons	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR

Community Residential Facilities not Providing Care on a 24-hour-a-day Basis	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Commercial Antenna Support Structures:													
Alternative antenna support structures located on school, government-owned utility and other government sites.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Roof-mounted antennae located on school, government-owned utility and other government sites.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Antenna support structures 50 feet or less in height (see additional requirements in section 27-620~~	~~A~~												

~~Antenna support structures greater than 50 feet in height~~	~~SR~~												
~~Tower Farms~~	~~SR~~												
Convalescent Nursing Homes, Retirement Homes, Orphanages, and Charitable Institutions	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Convents	~~SR~~	~~SR~~	~~SR~~	SR	SR		SR		SR	SR	A	A	SR
Dwellings:													
Single-family	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Two-family					A		A		A	A	A	A	
Multiple-family									SR		A	A	
Manufactured Homes													
Class A	~~A~~	~~A~~	~~A~~										A
Class B	~~A~~	~~SR~~	~~SR~~										A
Class C	~~SR~~	~~SR~~	~~SR~~										A
Modular Homes	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Farm Tenant Houses~~	~~A~~												

Emergency Services, including Fire Stations and Ambulance Services	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Extractive Industries:													
~~Excavation of sand and gravel (county)~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~	~~SR~~
~~Excavation of sand and gravel (city)~~													
Fraternity/Sorority House									SR		A	A	
~~Fur Farms~~	~~SR~~												
~~Grain Elevators:~~													
~~Commercial~~	~~SR~~												
~~Private~~	~~A~~												
Greenhouses:													
~~Commercial~~	~~A~~	~~SR~~	~~SR~~										
Domestic	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Gun and Archery Range:~~													
~~Indoor and/or Outdoor~~	~~SR~~												

Home Occupations	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Kennels:													
~~Commercial~~	~~A~~	~~SR~~											
Noncommercial	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Landfills: Reclamation, Sanitary Dump Sites and Sanitary Incinerators~~	~~SR~~												
Libraries, Museums and Art Galleries	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
~~Livestock: Commercial Feeding Yards and Auction Houses~~	~~SR~~												
~~Livestock*~~	~~A*~~	~~A*~~	~~A*~~	~~A*~~			~~A*~~						~~A*~~
~~Fowl including Chicken Hens*~~	~~A*~~	~~A*~~	~~A*~~	~~A*~~			~~A*~~						~~A*~~
Chicken Hens *(Gallus gallus domesticus)*	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~* (County Only) See BMCC Section 27-607 for Minimum Area Requirements in the County Zoning 4-~~													

~~½ Mile Jurisdictional Area~~													
~~Lumber, Plywood and Shingle Mills~~	~~SR~~												
Manufactured Home Parks	~~SR~~	~~SR~~	~~SR~~										A
Parking, Public	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Pipelines and Distribution Lines (oil and gas) and Accessory Structures	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
Publicly-owned or Government Operated Buildings and Uses	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Recreation:													
Commercial	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Noncommercial	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Rodeos and Indoor and/or Outdoor Roping Arenas~~	~~SR~~												
Schools (public or private):													

Preschool, elementary, junior or senior high	~~SR~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
~~Colleges and universities~~	~~SR~~	~~SR~~											
~~Trade or vocational-technical~~	~~SR~~	~~SR~~											
~~Stables:~~													
~~Commercial~~	~~A~~	~~SR~~											
~~Private*~~	~~A*~~	~~A*~~	~~A*~~	~~A*~~			~~A*~~						~~A*~~
~~* See BMCC Section 27-607 for minimum Area Requirements~~													
Transmission and Distribution Lines (electric) and Accessory Structures	~~A~~	~~A~~	~~A~~	A	A	A	A	A	A	A	A	A	A
~~Travel Trailer Parks~~	~~SR~~	~~SR~~											
Utilities (Public Service Installations):													
Station only	~~A~~	~~SR~~	~~SR~~	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Storage yard	~~SR~~												
~~Veterinary Clinics:~~													

~~Boarding~~	~~A~~	~~SR~~											
~~Outpatient only~~	~~A~~	~~SR~~											

Sec. 27-306. - District regulations—Commercial and industrial uses.

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
DIVISION A - AGRICULTURE, FORESTRY AND FISHING									
01 Agricultural Production - Crops:									
Offices only	A	A	A	A	A	A	A		A
Production only	A	A	A	A	A	A	A	A	
Sales		A	A	A	A	A	A		
02 Agricultural Production - Livestock and Animal Specialties:									
Offices only	A	A	A	A	A	A	A		A
021 Livestock, except dairy and poultry							SR		
07 Agricultural Services (except below):				A		A	A		
Offices only	A	A	A	A	A	A	A		A
0741 Veterinary services for livestock:									
Boarding						A	A		

Outpatient only				SR		A	A		
0742 Veterinary services for animal specialties:									
Boarding			SR	A		A	A		SR
Outpatient only		SR	A	A		A	A		A
075 Animal services, except veterinary (except below):				A		A	A		
Dog grooming*		A*	A	A		A	A		
Public animal shelters								A	
*In NC zones no outdoor exercise areas or kennels allowed									
08 Forestry:									
Offices only	A	A	A	A	A	A	A		A
Retail sales			A	A	A	A	A		A
Equipment storage and wholesale sales				A		A	A		
09 Fishing, Hunting and Trapping (except below):				A		A	A		
Offices only	A	A	A	A	A	A	A		A
092 Fish hatcheries and preserves						SR	SR		
DIVISION B - MINING									
Offices only	A	A	A	A	A	A	A		A

1081, 1231, 1241, 1381, 1382, 1389 Mining and oil and gas field services with equipment storage				A		A	A		
1442 Construction sand and gravel mining	SR	SR	SR	SR	SR	SR	SR	SR	SR
DIVISION C - CONSTRUCTION									
15 Building Construction - General Contractors and Operative Builders:									
Offices only	A	A	A	A	A	A	A		A
152, 153, 154 Residential, operative, and nonresidential buildings with open storage of equipment and supplies			A	A		A	A		A
Restricted to open storage as allowed by Sec. 27-601									
16 Heavy Construction Other Than Building Construction - Contractors:									
Offices only	A	A	A	A	A	A	A		A
Open storage of equipment and supplies				A		A	A		A
Restricted to open storage as allowed by Sec. 27-601									
17 Construction - Special Trade Contractors:									
Offices only	A	A	A	A	A	A	A	A	A
Shop with enclosed storage of equipment or supplies			A	A	A	A	A		A
Open storage of equipment and supplies				A		A	A		
See division F and G for wholesale and retail sales of equipment and supplies. Restricted to open storage as allowed by Sec. 27-601									

DIVISION D - MANUFACTURING									
20 Food and Kindred Products:									
Offices only	A	A	A	A	A	A	A		A
2011 Packing plants							SR		
2013 Meat products						SR	A		
2015 Poultry slaughtering and processing plants						SR	SR		
202 Dairy products					SR	A	A		
203 Canned, frozen, and preserved fruits, vegetables, and food specialties						SR	A		
204 Grain mill products						SR	SR		
205 Bakery products			SR	A		A	A		SR
2061, 2062, 2063 Sugar manufacturing and refining							SR		
2064, 2066, 2067, 2068 Candy; chocolate; chewing gum; salted and roasted nuts and seeds manufacturing						SR	A		
207 Fats and oils							SR		
2082, 2083, 2084, 2085 Alcoholic beverages manufacturing and bottling (except below):						SR	A		
1,500 to 5,000 31-gallon barrels per year			SR	SR	SR	A	A		SR
Less than 1,500 31-gallon barrels per year			A	A	A	A	A		A

2086, 2087 Soft drinks and flavorings extracts manufacturing and bottling				SR		A	A		
2091 Canned and cured fish and seafoods							SR		
2092 Prepared fresh or frozen fish and seafoods						SR	A		
2095, 2096, 2098 Roasted coffee; potato or corn chips; macaroni manufacture						A	A		
2097 Manufactured ice				A		A	A		
2099 Food preparations, not elsewhere classified						SR	A		
21 Tobacco Products:						SR	A		
Offices only	A	A	A	A	A	A	A		A
22 Textile Mill Products:				SR		A	A		
Offices only	A	A	A	A	A	A	A		A
23 Apparel and Other Finished Products Made From Fabrics and Similar Materials:				SR		A	A		
Offices only	A	A	A	A	A	A	A		A
24 Lumber and Wood Products, Except Furniture:									
Offices only	A	A	A	A	A	A	A		A
2411 Logging							SR		
2421 Sawmills and planing mills						SR	A		
2426, 2429 Hardwood and special product sawmills				SR		A	A		

2431, 2435, 2436, 2439, Millwork, plywood veneer, wood members manufacture				SR		A	A		
2434 Cabinet manufacture			SR	SR		A	A		
244 Wood container manufacture			SR	SR		A	A		
245 Wood buildings and mobile home manufacture				SR		A	A		
249 Miscellaneous wood products manufacture						A	A		
25 Furniture and Fixtures:				SR		A	A		
Offices only	A	A	A	A	A	A	A		A
26 Paper and Allied Products:						SR	A		
Offices only	A	A	A	A	A	A	A		A
27 Printing, Publishing, and Allied Industries:			SR	A	A	A	A		SR
Offices only	A	A	A	A	A	A	A		A
28 Chemicals and Allied Products							A		
Offices only	A	A	A	A	A	A	A		A
2833—Medicinal and botanical products				A		A	A		
2834—Pharmaceutical Preparations				A		A	A		
29 Petroleum Refining and Related Industries:									
Offices only	A	A	A	A	A	A	A		A

291 Petroleum refining							SR		
All others							A		
30 Rubber and Miscellaneous Plastics Products:						SR	SR		
Offices only	A	A	A	A	A	A	A		A
31 Leather and Leather Products:				SR		A	A		
Offices only	A	A	A	A	A	A	A		A
32 Stone, clay, Glass, and Concrete Products (except below):						A	A		
Offices only	A	A	A	A	A	A	A		A
3231, 3269, 3281 Products made from purchased glaze, pottery products, cut stone products				SR		A	A		
324, 325, 327 Hydraulic cement; structural clay products; concrete, gypsum, and plaster products						SR	A		
33 Primary Metal Industries (except below):						SR	A		
Offices only	A	A	A	A	A	A	A		A
332, 336 Foundries							A		
3312, 333, 334 Blast furnaces, primary and secondary smelters							SR		
34 Fabricated Metal Products, Except Machinery and Transportation Equipment (except below):						SR	A		
Offices only	A	A	A	A	A	A	A		A

348 Ordnance and accessories, except vehicles and guided missiles							SR		
35 Industrial and Commercial Machinery and Computer Equipment:						SR	A		
Offices only	A	A	A	A	A	A	A		A
36 Electronic and Other Electrical Equipment and Components, Except Computer Equipment:						SR	A		
Offices only	A	A	A	A	A	A	A		A
37 Transportation Equipment:							A		
Offices only	A	A	A	A	A	A	A		A
38 Measuring, Analyzing, and Controlling Instruments; Photographic, Medical, and Optical Goods; Watches and Clocks						A	A		A
Offices only	A	A	A	A	A	A	A		A
39 Miscellaneous Manufacturing Industries:						A	A		
Offices only	A	A	A	A	A	A	A		A
391, 393, 394 Jewelry, silverware, plated ware; musical instruments; dolls, toys, games, sporting, and athletic goods				A		A	A		A
395, 396, 399 Pens, pencils, and artists materials; costume jewelry and novelties; miscellaneous manufacturing industries				A		A	A		A
DIVISION E - TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS, AND SANITARY SEWER									
40 Railroad Transportation:									

Offices only	A	A	A	A	A	A	A		A
Switching yards							A		
Passenger and freight terminals					A	A	A		
41 Local and Suburban Transit and Interurban Highway Passenger Transportation:				A	A	A	A	A	
Offices only	A	A	A	A	A	A	A	A	A
4173 Bus terminal operation only, without maintenance facilities				A	A	A	A	A	A
42 Motor Freight Transportation and Warehousing:									
Offices only	A	A	A	A	A	A	A		A
421, 423 Trucking terminal and maintenance facilities (except below):				A		A	A		
4215 Courier services, except by air (without truck terminal facilities)				A	A	A	A		
422 Public warehousing (except below):						A	A		
4225 General warehousing and storage			A	A		A	A		SR
4226 Special warehouse and storage							A		
43 U.S. Postal Service:									
Without truck terminal facilities	A	A	A	A	A	A	A	A	A
With truck terminal facilities				A		A	A	A	
44 Water Transportation:									

Offices only	A	A	A	A	A	A	A		A
45 Transportation By Air:								A	
Offices only	A	A	A	A	A	A	A	A	A
4513 Air courier services (without truck terminal facilities)				A	A	A	A	A	
46 Pipelines, Except Natural Gas:	SR	SR	SR	SR	SR	SR	SR	SR	SR
Offices only	A	A	A	A	A	A	A		A
47 Transportation Services:									
Offices only	A	A	A	A	A	A	A		A
Warehouses, terminals				A		A	A		
48 Communications:									
Offices only	A	A	A	A	A	A	A	A	A
Amateur Radio Antenna Support Structures									
100 feet or less in height (See Section 27-619 for additional requirements)	A	A	A	A	A	A	A	A	A
Greater than 100 feet in height	SR	SR	SR	SR	SR	SR	A	SR	SR
Broadcasting (Radio and Television) Services:									
Stations and studios	SR	SR	A	A	A	A	A	A	A
Antenna Support Structures that meet the height restrictions for buildings in BMCC Section 37-309	SR	SR	A	A	A	A	A	A	A

Antenna Support Structures exceeding the maximum height for buildings in BMCC, Section 27-309, or exceeding 50 feet in height, whichever is less	SR	SR	SR	SR	SR	SR	A	SR	SR
Broadcast antenna or tower farms	SR	SR	SR	SR		SR	A	SR	
Commercial Antenna Support Structures:									
Alternative antenna support structures	A	A	A	A	A	A	A	A	A
Antenna support structures located on school, government-owned utility or other government sites.	A	A	A	A	A	A	A	A	A
Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.	A	A	A	A	A	A	A	A	A
Roof-mounted antenna	SR	SR	A	A	A	A	A	A	A
Antenna support structures 50 feet or less in height (see additional requirements in Section 27-620)	SR	SR	A	A	A	A	A	A	A
Antenna support structures greater than 50 feet in height	SR	SR	SR	SR	SR	SR	A	SR	SR
Tower farms			SR	SR		SR	A	SR	
Dishes over 12″ in diameter	SR	SR	A	A	A	A	A	SR	SR
49 Electric, Gas, and Sanitary Services:									
Offices only	A	A	A	A	A	A	A		A
Municipal water supply (4941) or sewerage (4952) treatment facilities							A	A	
4953 Refuse systems*							SR		

Sanitary landfills								SR	
Transmission and distribution, electric and gas	A	A	A	A	A	A	A	A	A
Production, manufacture and generation, electric or gas						SR	SR		
All others this group						SR	SR		
* See BMCC Sec. 27-605 Hazardous Waste Facilities									
DIVISION F - WHOLESALE TRADE									
50 Wholesale Trade - Durable Goods:									
Offices only	A	A	A	A	A	A	A		A
Warehouses with enclosed storage				A		A	A		A
Open storage			SR	A		A	A		
5093 Scrap and waste materials (auto wrecking)						SR	SR		
Restricted to open storage as allowed by Sec. 27-601									
51 Wholesale Trade - Nondurable Goods:									
Offices only	A	A	A	A	A	A	A		A
511, 512, 513 Paper, drugs and apparel				A		A	A		
514, 518 Groceries; beer, wine and distilled beverages				SR		A	A		
515 Farm product raw materials (except below):						A	A		

5154 Livestock auctions							SR		
516 Chemicals and allied products						SR	A		
517 Petroleum and petroleum products							A		
5191, 5198 Farm supplies; paints, varnishes, and supplies						A	A		
5192, 5193, 5194, 5199 Books, periodicals, and newspapers; flowers, nursery stock and florists' supplies; tobacco and tobacco products; nondurables not elsewhere classified				SR		A	A		
DIVISION G - RETAIL TRADE									
* Under 10,000 square feet gross floor area (GFA). A special review is required if over 10,000 square feet GFA. No warehousing of storage in excess of twenty-five (25) percent of total GFA. Restricted to open storage as allowed by Sec. 27-601.									
52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers:									
521 Lumber and other building materials stores			SR	A		A	A		A
523, 525 Paint, glass and wallpaper; hardware stores		A*	A	A	A	A	A		A
526 Nurseries, lawn and garden supply stores			A	A	A	A	A		A
527 Mobile home dealers (manufactured homes)				A		A	A		
53 General Merchandise Stores		A*	A	A	A	A	A		A
54 Food Stores		A*	A	A	A	A	A		A
Convenience store with gas pump islands		A*	A	A	A	A	A		A

55 Automotive Dealers and Gasoline Service Stations (except below):			A	A	A	A	A		A
553 Auto supply		A*	A	A	A	A	A		A
554 Gasoline service stations									
Convenience store		A*	A	A	A	A	A		A
Service station		SR	A	A	A	A	A		A
Accessory car wash with above two uses		SR	A	A	A	A	A		A
Truck stop				A		A	A		A
556 Recreational vehicle dealers			A	A		A	A		A
56 Apparel and Accessory Stores		A*	A	A	A	A	A		A
57 Home Furniture, Furnishings, and Equipment Stores		A*	A	A	A	A	A		A
58 Eating and Drinking Places (see BMCC Section 27-612)									
Without the sale of alcoholic beverages		A	A	A	A	A	A		A
With the sale of beer and wine only for on-premise consumption, without gaming			A	A	A	A	A		A
With the sale of beer and wine only for on-premise consumption with gaming			SR	SR	SR	SR	SR		SR
With the sale of all alcoholic beverages for on-premise consumption, with gaming			SR	SR	SR	SR	SR		SR
*Establishments with drive-in service shall comply with BMCC Section 27-612									
59 Miscellaneous Retail (Strictly Carryout), (except below):		A*	A	A	A	A	A		A

598 Fuel dealers			A	A	A	A	A		A
* Fireworks stands shall comply with BMCC Section 27-614.									
** Sexually oriented business, as classified and defined in BMCC Section 27-611.									
DIVISION H - FINANCE, INSURANCE, AND REAL ESTATE (See BMCC Section 27-612).									
60 Depository Institutions	A	A	A	A	A	A	A		A
61 Nondepository Credit Institutions	A	A	A	A	A	A	A		A
62 Security and Commodity Brokers, Dealers, Exchangers, and Services	A	A	A	A	A	A	A		A
63 Insurance Carriers	A	A	A	A	A	A	A		A
64 Insurance Agents, Brokers, and Service	A	A	A	A	A	A	A		A
65 Real Estate (except below):	A	A	A	A	A	A	A		A
6515 Operators of residential mobile home sites									
6553 Cemetery subdividers and developers								A	
66 Combinations of Real Estate, Insurance, Loans, or Law Offices	A	A	A	A	A	A	A		A
67 Holding and Other Investment Offices	A	A	A	A	A	A	A		A
DIVISION I - SERVICES									
70 Hotels, Rooming Houses, Camps and Other Lodging Places:									

701 Hotels and motels			A	A	A	A	A		A
702, 704 Rooming, boarding houses; organization hotels and lodging houses, on a membership basis		A	A	A	A	A	A		A
703 Camps and recreational vehicle parks			A	A		A	A	A	
72 Personal Services:									
7211, 7213, 7217, 7218 Power laundries, family and commercial; linen supply; carpet and upholstery cleaning; industrial launderers				SR	SR	A	A		
7212, 7216, 7219 Garment pressing and agents for laundries and drycleaning plants, except rug cleaning; laundry and garment services, not elsewhere classified; (10,000 SF GFA MAX)	SR	A	A	A	A	A	A		A
Over 10,000 SF GFA MAX		SR	A	A	A	A	A		A
7215 Coin-operated laundries and drycleaning		A*	A	A	A	A	A		A
722 Photographic studios	A	A	A	A	A	A	A		A
723, 724, Beauty, and barber shops	A	A	A	A	A	A	A		A
725 Shoe repair shops and shoeshine parlors		A	A	A	A	A	A		A
726 Funeral service and crematories	A	A	A	A	A	A	A	A	A
729 Miscellaneous personal services, except 7291			A	A	A	A	A		A
7291 Tax return preparation services	A	A	A	A	A	A	A		A
73 Business Services:									A

Offices only	A	A	A	A	A	A	A		A
With retail sales		A*	A	A	A	A	A		A
With use of vehicles over 8,000 GVW			A	A		A	A		A
With research, testing, and development laboratories (See also manufacturing industries)			SR	A		A	A		SR
75 Automotive Repair, Services, and parking (except below):			A	A	A	A	A		A
7513, 7519 Truck rental and leasing; utility trailer and recreational vehicle rental			A	A		A	A		SR
752 Automobile parking	A	A	A	A	A	A	A		A
7542 Car washes		SR	A	A	A	A	A		A
76 Miscellaneous Repair Services (except below):			A	A	A	A	A		A
763 Watch, clock, and jewelry repair	A	A	A	A	A	A	A		A
78 Motion Pictures (except below):			A	A	A	A	A		A
7833 Drive-in motion picture theaters				SR		SR			
79 Amusement and Recreation Services*:									
791 Dance studios, schools, and halls	A	A	A	A	A	A	A		A
792 Theatrical producers, bands, orchestras, and entertainers		A	A	A	A	A	A		A
793, 799 Bowling centers; miscellaneous amusement and recreation services, and gambling operations* (except below):			A	A	A	A	A		A

Public swimming pools								A	
Riding stables						SR	SR		
Martial arts instruction	A	A	A	A	A	A	A		A
7992 Public golf courses								A	
794 Commercial sports			SR	A	SR	A	A	A	SR
*See BMCC Section 27-612.									
80 Health Services (except below):	A	A	A	A	A	A	A	A	A
Establishments where retail sales constitutes more than an accessory use		A	A	A	A	A	A		A
81 Legal Services	A	A	A	A	A	A	A		A
82 Educational Services (except below):		A	A	A	A	A	A	A	A
821 Elementary and secondary schools	A	A	A	A	A	A	A	A	A
822 Colleges, universities, professional schools, and junior colleges	SR	SR	SR	SR	SR	SR	SR	A	SR
83 Social Services (except below):	A	A	A	A	A	A	A	A	A
833 Job training and vocational rehabilitation services	SR	SR	A	A	A	A	A	A	A
84 Museums, Art Galleries, and Botanical and Zoological Gardens:									
841 Museums and art galleries		A	A	A	A	A	A	A	A
842 Arboreta and botanical or zoological gardens								A	SR

86 Membership Organizations (except below):	A	A	A	A	A	A	A		A
864 Civic, social and fraternal associations*			A	A	A	A	A		A
*See also BMCC Section 27-612.									
87 Engineering, Accounting, Research, Management, and Related Services (except below):			A	A	A	A	A		A
871, 872 Engineering, architectural and surveying services; accounting, auditing and bookkeeping services	A	A	A	A	A	A			A
8731 Commercial physical and biological research			SR	A	A	A	A		A
8733 Noncommercial research organizations			SR	A	A	A	A		A
8734 Testing laboratories			SR	A	A	A	A		A
8744 Facilities support management services other than below				A	A	A	A		A
- Privately operated correctional facilities						SR		SR	
88 Private Households	A	A	A	A	A	SR			A
89 Services, Not Elsewhere Classified	A	A	A	A	A	A	A	A	A
DIVISION J - PUBLIC ADMINISTRATION									
91 Executive, Legislative, and General Government, Except Finance	A	A	A	A	A	A	A	A	A
92 Justice, Public Order, and Safety (except below):	A	A	A	A	A	A	A	A	A
9223 Correctional institutions								SR	

93 Public Finance, Taxation, and Monetary Policy	A	A	A	A	A	A	A	A	A
94 Administration of Human Resource Programs	A	A	A	A	A	A	A	A	A
95 Administration of Environmental Quality and Housing Programs	A	A	A	A	A	A	A	A	A
96 Administrative of Economic Programs	A	A	A	A	A	A	A	A	A
97 National Security and International Affairs	A	A	A	A	A	A	A	A	A
DIVISION K - NONCLASSIFIABLE ESTABLISHMENTS									
99 Nonclassifiable Establishments: The Zoning District and Requirements of These Establishments Will Be Determined By The Planning Director.									
Dwellings									
Single-family*	A	A	A	A	A	SR			
Two-family		A	A	A	A				
Multiple-family		A	A	A	A				A
Modular home*	A	A	A	A	A	SR			A
*Chicken Hens Allowed See Section 27-607									

Sec. 27-307. - Adoption of Standard Industrial Classification Manual, 1987.

There is adopted by the city council ~~and board of county commissioners~~ for the purpose of classifying the industries set forth in BMCC section 27-306, the whole 1987 Edition of the Standard Industrial Classification Manual, published by the Executive Officer of the President, Office of Management and Budget, of which manual one copy is now filed in the offices of the city clerk ~~and the county clerk and recorder~~, and the same is adopted and incorporated as fully as if set out at length in his chapter, and from the date on which this ~~Resolution/~~Ordinance is adopted said manual shall take effect.

Sec. 27-308. - Area, yard and height requirements—Residential.

	ZONING CLASSIFICATION DISTRICTS												
ZONING REQUIREMENTS	~~Agricultural - Open Space~~	~~Agricultural - Suburban~~	~~Residential - 15,000~~	Residential - 9, 600	Residential - 8,000	Residential - 7,000 Restricted	Residential - 7,000	Residential - 6,000 Restricted	Residential - 6,000(c)	Residential - 5,000	Residential Multi-Family	Residential Multi-Family - Restricted	Residential Manufactured Home
Minimum Lot Area Per Dwelling Unit: (a) (b)													
One Unit	~~10A~~	~~1A~~	~~15,000~~	9,600	8,000	7,000	7,000	6,000	6,000	5,000	6,000		6,000
Two Units (attached or detached)					10,000		9,600		7,000	8,000	7,000		
Three Units (attached)									8,500		8,500		
Four Units (attached)									10,000		10,000		
Five Units (attached)									11,500		11,500		
Six Units (attached)									13,000		13,000		
Seven Units (attached)									14,500		14,500		
Eight Units (attached)									16,000		16,000		

Nine Units (attached) Ten Units (attached)									17,500 19,000		400 each add. (attached) unit	1,500 each add. (attached) unit	
Minimum Yard Requirements: (d) (e)													
Front (f) (g)	~~35~~	~~25~~	~~25~~	20	20	20	20	15	15	15	15		20
Side (h) (k)	~~15~~	~~10~~	~~10~~	5	5	5	5	5	5	5	5		8
Side Adjacent to Street (l)	~~35~~	~~25~~	~~25~~	10	10	10	10	10	10	10	10		10
Rear	~~35~~	~~25~~	~~25~~	20	20	20	20	20	20	20	15		20
Maximum Height ~~(m)~~ (n)	~~34~~	~~34~~	~~34~~	34	34	34	34	34	34	34	N/A	40	34
Maximum Lot Coverage in Percent	~~15~~	~~25~~	~~30~~	30	30	30	30	40	40	40	55		30

(a) ~~In the A-1 & A-S districts, minimum lot area figures are in Acres.~~ All ~~other~~ minimum lot area figures denote square footage.

(b) The above requirements are applicable to all structures located on a single lot. For building groups see BMCC subsection 27-310(b).

(c) In the Residential-6,000 zone, three-plexes up through ten-plexes up require special review approval, see BMCC section 27-1503 ~~or 27-1509~~.

(d) For arterial setback ~~and watercourse setback~~ requirements, see BMCC sections 27-602 ~~and 27-616, respectively~~.

(e) For yard setbacks on corner lots, refer to definitions of lot frontage and yard (side) in BMCC section 27-201.

(f) Block frontages which have buildings constructed prior to the effective date of this ~~resolution/~~ordinance shall have a minimum 20-foot front setback for all districts.

(g) Garages and carports that have their approach from a street shall be setback a minimum of twenty (20) feet.

(h) Required side yards shall be increased to eight (8) feet in distance from the nearest second story portion of the building, plus one (1) foot for each story in excess of two (2).

(i) Reserved.

(j) Reserved.

(k) In the Residential Manufactured Home district, a site built structure complying with the CABO One and Two Family Dwelling Code, may be setback a minimum of five (5) feet from the side property line, unless the structure contains two (2) or more stories.

(l) Front yard setbacks as required in the district shall be provided on side streets when a side street frontage exceeds one hundred fifty (150) feet.

~~(m) In the A-1 district, maximum height restrictions apply to buildings designed and constructed for human occupancy.~~

(n) Where there is a change in the adjacent grade of three (3) feet or more the maximum height will be increased one (1) foot for each two (2) feet of grade change.

NOTE:

- All height and setback requirements denote feet.
- For height exceptions, see BMCC subsection 27-310(f).
- For permitted projections, see BMCC subsection 27-310(g).
- For setbacks for detached accessory structures, see BMCC subsection 27-310(i).
- N/A = Not Applicable

Sec. 27-309. - Area, yard and height requirements—Commercial and industrial.

	ZONING CLASSIFICATION DISTRICTS								
ZONING REQUIREMENTS	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	27th Street Corridor
Minimum Lot Area Requirement in Square Feet: (a)	10,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Yard Requirements: (a) (b)									
Front	20	20	20	20	N/A	20	20	20	(d)
Side (c)	10	0	0	0	N/A	0	0	0	(d)
Side Adjacent to Street	10	10	10	10	N/A	10	10	10	(d)
Rear (c)	0	0	0	0	N/A	0	0	0	(d)
Maximum Height	34	34	45	45	N/A	70	N/A	N/A	(d)
Maximum Lot Coverage in Percent (a)	50	50	50	75	N/A	75	75	50	50

(a) For minimum lot size, yard and lot coverage requirements for residential dwellings in Commercial or Industrial zones, see BMCC section 27-310.

(b) For arterial setback ~~and watercourse setback requirements~~, see BMCC section~~s~~ 27-602 ~~and 27-616, respectively~~.

(c) Additional development standards apply where commercial or industrial zones are within fifty (50) feet of residentially zoned property or residential uses. See subsection 27-61~~5~~2(e).

(d) Minimum yard requirements and maximum height for property located in the South 27th Street Corridor zoning District are located in BMCC sections 27-810 and 27-811, respectively.

Note:

- All height and setback requirements denote feet; all minimum lot area figures denote square footage.
- For height exceptions, see BMCC section 27-310(F).
- For permitted projections, see BMCC section 27-310(G).
- N/A = Not Applicable.

Sec. 27-310. - Supplemental area, yard and height restrictions.

The following requirements provide exceptions or qualify and supplement the specific district regulations set forth in this part. Planned developments shall be governed by BMCC section 27-1301, et seq.

(a) *Access for buildings.* All buildings and structures shall have vehicular access to a minimum width public street or an approved private street. Where the provision of the zoning code on this matter is more restrictive than the building code, then the zoning code restrictions shall be applied. A street shall provide the primary means of pedestrian access for any dwelling unit. Alleys, where they exist, shall provide only a secondary means of access.

(b) *Building groups.* In any residential or agricultural district, more than one (1) principal structure housing a permitted use may be located on a single lot or combination of lots provided that:

(1) Area requirements are met for each structure as though it were on an individual lot;

(2) A minimum of ten (10) feet is maintained between principal structures;

(3) Side yard setbacks are provided between adjacent properties as required in the district;

(4) Principal structures are setback from alleys a minimum of twenty (20) feet; and

(5) Front yard setbacks as required in the district are provided on side streets when a side street frontage exceeds one hundred and fifty (150) feet.

(6) The requirements of section 27-622 are met where applicable for condominium and multi-unit developments.

(c) *Division of lots.* No recorded lot or combination of lots shall be divided into smaller lots unless such division results in the creation of lots which conform to all of the applicable regulations of the zoning district in which the property is located.

(d) *Lot sizes.* Yards or lots created after the effective date of this ~~resolution/~~ordinance shall conform to all of the applicable requirements of the zoning district in which the property is located. In such case as no public water and/or sewer services are available, lot sizes shall also meet the minimum requirements of the Montana Department of Environmental Quality.

(e) *Dwellings in commercial/industrial zones.*

(1) In the residential professional, neighborhood commercial, community commercial, highway commercial, South 27th Street corridor and controlled industrial zones: Lot area, yard, and lot coverage requirements for dwelling units shall be the same as those in the RMF-R district.

(2) In the central business district zone: Lot area, yard, height, and lot coverage requirements for dwelling units shall not be applicable.

(f) *Height exceptions.* The following requirements supplement those specific district regulations set forth in BMCC Sections 27-308 and 27-309:

(1) The height limitations shall not apply to spires, belfries, cupolas, antennas, water towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers or similar and necessary appurtenances not used for human occupancy.

(2) Churches, schools, hospitals, nursing or retirement homes, or public buildings may exceed the height limitations of the district if the minimum depth of the front, side and rear yard setbacks are increased two (2) feet for every one (1) foot by which the structure exceeds the height limitation of the district. This allowed height shall not exceed two (2) times the allowed height in the zoning district in which it is located, without approval through the Variance procedure, as described in BMCC Section~~s~~ 27-1506 ~~(City) and 27-1511 (County)~~.

(3) The maximum building height may be increased by up to ten (10) percent in all zoning districts when the majority of the roof pitch is 7:12 or steeper.

(g) *Permitted projections.*

(1) Residential districts: The following projections shall be permitted in required setbacks in residential districts:

a. Fireplaces and bay windows not to exceed two (2) feet;

b. Roof overhangs, eaves, gutters, cornices or other architectural features not to exceed two (2) feet;

c. Open exterior stairways or decks not to exceed two (2) feet in side yards, four (4) feet in front yards, nor eight (8) feet in the rear yards;

d. Covered unenclosed porches over front stoops or walkways not to exceed four (4) feet;

e. The above projections are not permitted if they protrude into or hang over public right-of-way.

(2) Commercial and industrial districts: The following projections shall be permitted in required setbacks in commercial and industrial districts:

a. Roof overhangs, eaves, gutters, cornices or other architectural features not to exceed two (2) feet;

b. Canopies not to exceed four (4) feet. For the purposes of this subsection, "canopies" are defined as covers that are solely attached to and supported by the structure on which it is attached to and which can be removed without destroying any part of that supporting structure.

(3) Ramps that provide accessibility.

(4) Exception. The above projections are not permitted if they protrude into or hang over public right-of-way.

(h) Required yards. No part of a yard, other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ~~resolution/~~ordinance shall be included as part of a yard, open space for any other building.

(i) Yards and setbacks for accessory buildings in residential zones ~~within the Billings city limits~~. The following setbacks shall be provided for accessory buildings in residential zones:

(1) Detached garages, carports, patios, tool or storage sheds, playhouses, greenhouses or other accessory buildings shall meet the setbacks required in below Table 1.

TABLE 1. Setbacks from Property Lines for Detached Garages, Carports, Tool or Storage Sheds, Greenhouses or Other Detached Accessory Structures

	Front (b)	Side Adjacent to Street (b)	Side	Rear with Alley (c)	Rear Without Alley
Buildings Less Than 18 Feet In Height (a) (d) (e)					
Approach from a street	20	20	3	0	3
Approach at right angle from an alley	20	10	3	6	N/A

All others	20	10	3	0	3
Buildings Greater Than 18 Feet In Height Up To And Including The Maximum Allowed Height (a) (d) (e)					
Approach from a street	20	20	8	6	8
Approach at right angle from an alley	20	10	8	6	N/A
All others	20	10	8	6	8

(a) All setbacks are denoted in feet from the property line.

(b) In districts with front or side adjacent to street setbacks greater than those required in above Table 1, the structure shall meet the most restrictive setback requirement.

(c) No above building or structure nor any part thereof shall protrude into or hang over the public right-of-way.

(d) Structures located adjacent to arterial streets must meet the arterial setbacks as outlined in BMCC section 27-602.

(e) The side wall of detached accessory buildings in the R-9,600, R-8,000, R-7,000, R-7,000R, R-6,000, R-6,000R, R-5,000 and Residential Manufactured Home zoning districts ~~within the Billings city limits~~ shall be no greater in height than the side walls, excluding a gable wall, of an existing or proposed principal structure on the property.

N/A = Not Applicable

(2) Garages, carports and other accessory buildings attached to a dwelling shall be considered to be part of the dwelling and setbacks shall be the same as those required for such dwelling. In addition, garages and carports attached to the dwelling that have their approach from a street shall be setback from that street property line a minimum of twenty (20) feet or meet the front setback in the zoning district in which it is located, whichever is greater.

(3) In the R-9,600, R-8,000, R-7,000, R-7,000R, R-6,000, R-6,000R, R-5,000 and Residential Manufactured Home zoning districts ~~within the Billings city limits~~ detached accessory structure(s) greater than two hundred (200) square feet in size shall not exceed the principal building first story square footage on the lot or one thousand (1,000) square feet, whichever is less. If the lot is greater than one-quarter (.25) acres maximum total square footage of a detached accessory structure shall be as calculated as follows or equal to the principal building first story square footage, whichever is less.

— Lots containing less than one-quarter (.25) acres = one thousand (1,000) square feet maximum size.

— Lots containing one-quarter (.25) acres up to one (1) acre shall use the following formula:

(667 x lot acreage) + 833 = maximum detached structure size)

— Lots containing more than one (1) acre = one thousand five hundred (1,500) square foot maximum size.

No detached accessory structure within these residential zoning districts in the Billings city limits shall exceed one thousand five hundred (1,500) square feet or that amount which, when added to the square footage of the principal structure(s), will achieve the maximum lot coverage allowable in that district, whichever is less. The maximum total square footage in detached accessory structures on any lot within these residential zoning districts in the Billings city limits shall not exceed two thousand (2,000) square feet or the total principal building first story square footage on the lot, whichever is less.

~~(4) For watercourse setbacks, see BMCC section 27-616.~~

(5) No above allowed building or structure nor any part thereof shall protrude into or hang over any public right-of-way.

(6) In the R-9,600, R-8,000, R-7,000, R-7,000R, R-6,000, R-6,000R, R-5,000 and Residential Manufactured Home zoning districts ~~within the Billings city limits~~, horizontal exterior siding is required on detached accessory structures greater than two hundred (200) square feet in size, unless the principle structure has vertical siding or a combination of horizontal and vertical siding. The detached accessory structure siding shall match the design and material of the principle structure to the maximum extent practicable.

~~(j) Yards and setbacks for accessory buildings in residential zones outside the Billings city limits and within the county jurisdictional zoning area. The following setbacks shall be provided for accessory buildings in residential zones:~~

~~(1) Detached garages, carports, patios, tool or storage sheds, playhouses, greenhouses or other accessory buildings shall meet the setbacks required in below Table 1.~~

~~TABLE 1. Setbacks From Property Lines For Detached Garages, Carports, Tool Or Storage Sheds, Greenhouses Or Other Detached Accessory Structures~~

	~~Front (b)~~	~~Side Adjacent to Street (b)~~	~~Side~~	~~Rear with Alley (c)~~	~~Rear Without Alley~~
~~Buildings Less Than 18 Feet In Height (a) (d) (e)~~					
~~- Approach from a street~~	~~20~~	~~20~~	~~3~~	~~0~~	~~3~~
~~- Approach at right angle from an alley~~	~~20~~	~~10~~	~~3~~	~~6~~	~~N/A~~
~~- All others~~	~~20~~	~~10~~	~~3~~	~~0~~	~~3~~
~~Buildings Greater Than 18 Feet In Height Up To And Including The Maximum Allowed Height (a) (d) (e)~~					
~~- Approach from a street~~	~~20~~	~~20~~	~~8~~	~~6~~	~~8~~
~~- Approach at right angle from an alley~~	~~20~~	~~10~~	~~8~~	~~6~~	~~N/A~~

All others	20	10	8	6	8

(a) All setbacks are denoted in feet from the property line.

(b) In districts with front or side adjacent to street setbacks greater than those required in above Table 1, the structure shall meet the most restrictive setback requirement.

(c) No above building or structure nor any part thereof shall protrude into or hang over the public right-of-way.

(d) Structures located adjacent to arterial streets must meet the arterial setbacks as outlined in BMCC section 27-602.

(e) Detached accessory buildings used to house, keep or shelter livestock or fowl shall meet the setbacks described in BMCC section 27-607.

N/A = Not Applicable

(2) Garages, carports and other accessory buildings attached to a dwelling shall be considered to be part of the dwelling and setbacks shall be the same as those required for such dwelling. In addition, garages and carports attached to the dwelling that have their approach from a street shall be setback from that street property line a minimum of twenty (20) feet or meet the front setback in the zoning district in which it is located, whichever is greater.

(3) The maximum size allowed for detached accessory structures shall be based on the following criteria, based on the size of the lot:

— Lots containing less than one-quarter (.25) acres = one thousand (1,000) square feet maximum size.

— Lots containing one-quarter (.25) acres up to one (1) acre shall use the following formula:

(667 x lot acreage) + 833 = maximum detached structure size)

— Lots containing more than one (1) acre = one thousand five hundred (1,500) square foot maximum size.

This provision shall not apply in the Agricultural-Open Space or Agricultural-Suburban zoning districts.

(4) The maximum total square footage in detached accessory structures on any lot shall not exceed three thousand (3,000) square feet or that amount which, when added to the square footage of the principal structure(s), will achieve the maximum lot coverage allowable in that district, whichever is less. This three thousand (3,000) square foot limit shall not apply in the Agricultural-Open Space zoning district.

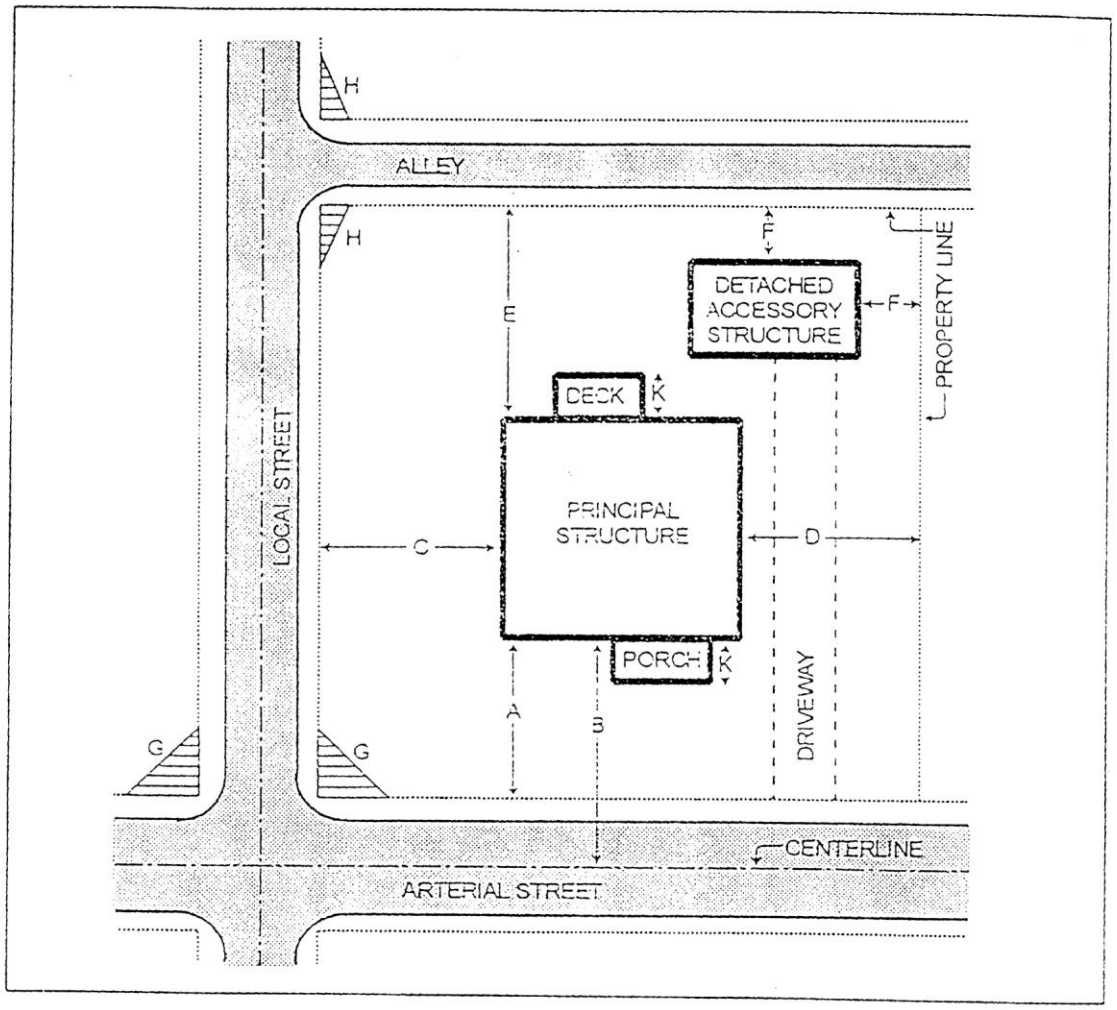
(5) See BMCC section 27-607, for setbacks regarding detached structures used to house livestock or fowl.

(6) For watercourse setbacks, see BMCC section 27-616.

(7) No above allowed building or structure nor any part thereof shall protrude into or hang over any public right-of-way.

Sec. 27-311. - Illustrations.

FIGURE 1: YARD REQUIREMENTS: RESIDENTIAL



(a) *Front* setback

(b) *Arterial* setback

(c) *Side adjacent to street* setback

(d) *Side* setback

(e) *Rear* setback

(f) *Detached accessory structure* setback

(g) *Clear vision triangle* at street intersections

(h) *Clear vision triangle* at alley and drive entrances

(~~i~~ k) *Permitted projections*

FIGURE 2: YARD REQUIREMENTS: COMMERCIAL AND INDUSTRIAL

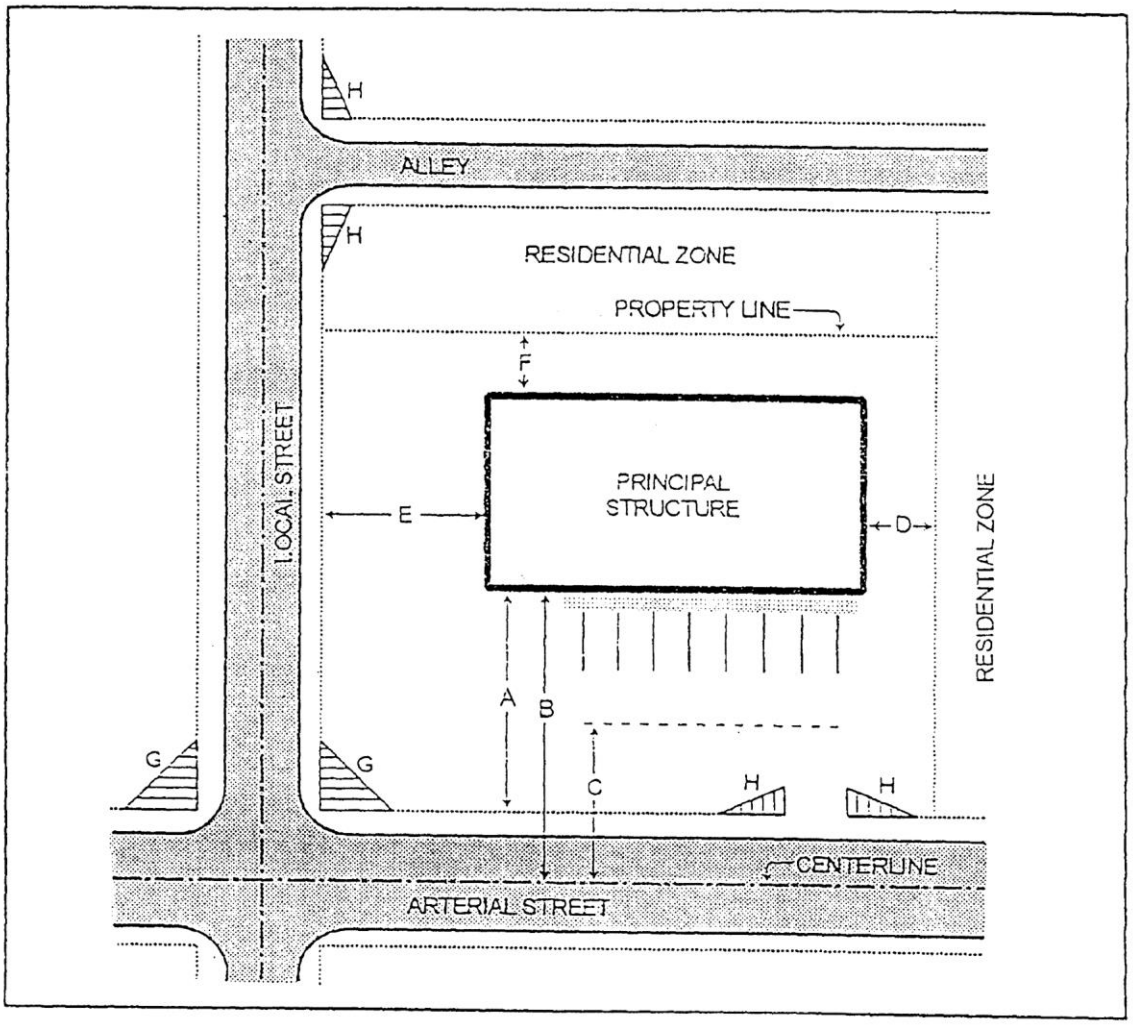


Figure 2

(a) *Front* setback

(b) *Arterial* setback: structures

(c) *Arterial* setback: Required Parking and Driving Isle

(d) *Side* setback – See Sec. 27-612(e) for required setbacks contiguous or near residential zones

~~**Side Minimum setbacks are fifteen (15) feet when contiguous to residential zones~~

(e) *Side adjacent to street* setback

(f) *Rear* setback

(g) *Clear vision triangle* at street intersections

(h) *Clear vision triangle* at alley and drive entrances

ARTICLE 27-400. - NONCONFORMING LOTS AND USES OF LAND, STRUCTURES, NONCONFORMING

Sec. 27-401. - Intent.

(a) The provisions of this chapter shall apply to buildings, structures, lands and uses which become nonconforming as a result of the application of this ~~Resolution/~~Ordinance [Ord. No. 97-5048, adopted Dec. 22, 1997] to them, or from classification or reclassification of property under Ord. No. 97-5048 or any subsequent amendments thereto. If a use originally authorized by a variance, special review or other valid use permit prior to the effective date, as defined in below subsection (b) of this ~~resolution/~~ordinance is located within a district in which such use is not permitted by the terms of this ~~resolution/~~ordinance, such use shall be a nonconforming use; however, pre-existing valid uses requiring a special review after the effective date of this resolution/ordinance shall not require a special review.

(b) The effective date for these regulations is May 3, 1972 for any property that was located within the limits of the City of Billings on or before that date.

~~The effective date for any property located within the Yellowstone County 4½ mile jurisdictional area, but outside the limits of the City of Billings is on or before November 6, 1973.~~

(c) To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of Ord. No. 97-5048 and upon which actual building construction has been carried on diligently. "Actual construction" is hereby defined to include the placing of construction materials in a permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

Sec. 27-402. - Nonconforming lots of record.

(a) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ~~resolution/~~ordinance, a single-family dwelling and customary accessory buildings may be erected on any vacant single lot of record at the effective date of adoption, as defined in above subsection (b), or amendment of this ~~resolution/~~ordinance. Such lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area, that are generally applicable in the district, provided that the yard dimensions, lot coverage and other requirements not involving area of the lot shall conform to the regulations of the district in which such lot is located. An additional variance of area and yard requirements shall be obtained only through affirmative action by the board of adjustment (see BMCC sections 27-1501, et seq.)

(b) If two (2) or more vacant lots or combinations of lots and portions of lots with contiguous frontage in single ownership or record exist at the time of adoption, as defined in Section 27-401, subsection B, or amendment of this ~~resolution/~~ordinance, and if all or part of the lots do not meet the requirements for lot area as established by this ~~resolution/~~ordinance, the land involved shall be considered to be an undivided parcel for the purpose of this ~~resolution/~~ordinance, and no portion of the parcel shall be used or sold which does not meet lot area requirements established by this ~~resolution/~~ordinance, nor shall any division of the parcel be made which leaves remaining any lot, with area below the requirements stated in this ~~resolution/~~ordinance.

Sec. 27-403. - Nonconforming uses of land.

Where, on the effective date of adoption, as defined in Section 27-401, subsection B, or amendment of this ~~resolution/~~ordinance, lawful use of land exists that is no longer permissible under the terms of this

~~resolution/~~ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

(a) No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption, as defined in Section 27-401, subsection B, or upon amendment of this ~~resolution/~~ordinance.

(b) No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption, as defined in Section 27-401, subsection B, or upon amendment of this ~~resolution/~~ordinance.

(c) If any such nonconforming use of land ceases for any reason for a period of one (1) year or more, any subsequent use of such land shall conform to the regulations specified by this ~~resolution/~~ordinance for the district in which such land is located.

Within a period of one (1) year or less, a manufactured home used for residential purposes which is a legal nonconforming use of land may be replaced by another manufactured home for residential purposes, so long as the new home is not substantially larger than the manufactured home that it replaced. In addition, the new manufactured home shall meet the minimum yard setback requirements including arterial setbacks (see BMCC Section 27-602), along with lot coverage requirements for the zoning district in which it is located.

Sec. 27-404. - Nonconforming structures.

Where a lawful structure exists at the effective date of adoption, as defined in Section 27-401, subsection b, or amendment of this ~~resolution/~~ordinance that could not be built under the terms of this ~~resolution/~~ordinance by reason of restriction on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains lawful, subject to the following provisions:

(a) No such structure may be enlarged or altered in a way which increases its nonconformity unless an enlargement or structural alteration makes the building more conforming or is required by law.

(b) Should such structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ~~resolution/~~ordinance.

(c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations of the district in which it is located after it is moved.

(d) Structural alterations may be permitted if necessary to adapt a nonconforming building to new technologies or equipment pertaining to uses housed in such building. Any enlargement necessary to adapt to new technologies shall be authorized only by a variance, as described in BMCC sections 27-1506 ~~(City) and 27-1511 (County)~~.

Sec. 27-405. - Nonconforming uses of structures.

If a lawful use of a structure or of structures and premises in combination exists at the effective date of adoption, as defined in Section 27-401, subsection B, or amendment of this ~~resolution/~~ordinance, that would not be allowed in the district under the terms of this ~~resolution/~~ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No existing structure devoted to a use not permitted by this ~~resolution/~~ordinance in the zone in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the zone in which it is located.

(b) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption, as defined in section 27-401, subsection (b), or amendment of the resolution/ordinance, but no such use shall be extended to occupy any land outside such building.

(c) If no structural alterations are made, any nonconforming use of a structure, or structures and premises, may be changed to another nonconforming use provided that the governing body with jurisdiction on the property shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the governing body with jurisdiction on the property may require appropriate conditions and safeguards in accordance with the provisions of this chapter. Any proposed change from one nonconforming use to another nonconforming use shall be processed and reviewed under the special review provisions of BMCC sections 27-1501, et seq., and the following criteria shall be considered:

(1) The nature and purpose of the existing nonconforming use;

(2) The difference in quality and character of the proposed use;

(3) The difference in the degree of use of the proposed use, including but not limited to hours of operation and parking requirements;

(4) The reasons for the proposed change; and

(5) The overall impact of the proposed use on the surrounding property.

(d) Any structure, or structures and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure(s) is located, and the nonconforming use may not be thereafter resumed.

(e) When a nonconforming use of a structure, or structures and premises in combination, is discontinued or abandoned for one (1) year or more, the structure, or structures and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. Abandonment shall include, but not be limited to, cessation of the use for one (1) year or more.

(f) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than fifty (50) percent of the replacement cost at time of destruction.

(g) Any sexually oriented business, located within the limits of the City of Billings, existing upon passage of this chapter which does not comply with the requirements established herein shall be deemed a legal nonconforming use. All existing legal nonconforming sexually oriented businesses, as of the effective date of this chapter, or any amendment hereto, shall comply with the provisions of this chapter within four (4) years from the date of the enactment of this section or any amendment thereto. (Refer also to BMCC Section 27-611.)

Sec. 27-406. - Repairs and maintenance.

Any building or other structure containing a nonconforming use, or any nonconforming building or portion thereof, declared unsafe by the Building Official may be strengthened or restored to a safe condition.

Sec. 27-407. - Unlawful use.

Nothing in this ~~resolution/~~ordinance shall be interpreted as authorization for or approval of a continuance of the use of a structure or premises in violation of the zoning regulations in effect at the time of the effective date of this ~~resolution/~~ordinance.

ARTICLE 27-500. - HISTORIC PRESERVATION

DIVISION 1. - GENERALLY

Sec. 27-501. - Intent.

The intent of this ordinance is to promote the educational, cultural, economic, and general welfare of the community by:

(1) Providing a mechanism to identify and preserve the distinctive historic architectural characteristics of the City of Billings that represent elements of the city's cultural, social, economic, political, military and architectural history;

(2) Fostering civic pride in the beauty and noble accomplishments of the past as represented in the City of Billings prehistoric and historic sites and historic districts;

(3) Conserving and improving the value of property designated as historic sites or within historic districts;

(4) Protecting and enhancing the attractiveness of the city to home buyers, tourists, visitors, and shoppers, and thereby supporting and promoting business, commerce and industry, and providing economic benefit to the city;

(5) Fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods and thereby preventing future urban blight.

Sec. 27-502. - Definitions.

For the purposes of this article, the following definitions apply:

Alteration: Any act or process that changes the exterior architectural appearance of a structure, including, but not limited to, the erection, construction, reconstruction or removal of any structure. Alterations and changes may include, but are not limited to, covering original materials and features, replacing a window, re-pointing brickwork, sandblasting, and the removal of paint by chemical or other means.

Appeal: An applicant may appeal a recommendation of the Yellowstone Historic Preservation Board (YHPB) to the Billings City Council.

Applicant: The owner of record of a historic site and/or local register property; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a "bona fide" contract to purchase an historic site and/or local register property.

Area: A specific geographic division of the City of Billings.

Certificate of appropriateness: A signed and dated document that shall be submitted to the Yellowstone Historic Preservation Board for recommendation of the appropriateness of any new construction, demolition, exterior alteration or change of location of an historic site or structure located within a historic district or designated on the local register. This certification is required prior to the issuance of a building permit, demolition permit or sign permit.

City administrator: The city administrator of the City of Billings or his/her designee.

Construction: The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Council: The city council of the City of Billings.

Demolition: Any act or process that destroys in part or in whole a historic site or a structure within a historic district.

Exterior architectural appearance: The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Historic district: An area designated as a "historic district" by ordinance of the city council which may contain within definable geographic boundaries one or more historic sites and which may have within its boundaries other properties or structures that, while are not of such historic and/or architectural significance to be designated as historic sites, nevertheless contribute to the overall visual characteristics of the historic site or historic sites located within the historic district.

Historic site: A property or structure designated as a historic site by ordinance of the city council pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City of Billings.

Local register: Means a list of properties designated by the city based on local register criteria and procedures, and properties listed to the National Register of Historic Places that have petitioned to be listed to the local register.

National register: National Register of Historic Places. A list, maintained by the US Department of Interior, of sites, properties, objects and districts having local, state or national historical, architectural or cultural significance.

Preservation board: The Yellowstone Historic Preservation Board.

Removal: Any relocation of a structure on its site or to another site.

Repair: Any change not otherwise construed as an alteration, as herein defined, that constitutes replacing broken, worn or damaged materials with like, not necessarily identical, materials and is insignificant to the size and condition of the structure or property. Repainting and re-roofing shall be included under this definition of repair.

Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, building, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.

Sec. 27-503. - Historic preservation board.

(a) *Members:* The Yellowstone Historic Preservation Board shall consist of nine (9) members with a demonstrated interest, competence, and knowledge in historic preservation. The following five (5) members shall be selected jointly by all signatories to the interlocal agreement establishing the Yellowstone Historic Preservation Board. Each signatory has one (1) vote. In this selection process the simple majority vote will prevail. The board shall include at least three (3) members with professional expertise in the disciplines of history, planning, archaeology, architecture, architectural history, or other historic preservation-related disciplines such as cultural geography or cultural anthropology. The board shall also include two (2) additional members from the following:

One member of the Yellowstone County board of planning;

One member of the Laurel board of planning;

One property owner either residing or owning a business in a historic district or who owns property listed on the National Register of Historic Places;

One member of a city/county preservation society.

The four (4) remaining board members shall be considered "at-large" and shall consist of:

One City of Billings resident appointed by the Billings city council;

One county resident appointed by the Yellowstone County commissioners;

One City of Laurel resident appointed by the Laurel city council;

One Crow Tribal member who lives within the Yellowstone County portion of the Crow Reservation or elsewhere within Yellowstone County appointed by the Crow Tribal council.

(b) *Appointments and terms:* Terms of office for the historic preservation board members shall be for two-year terms and shall be staggered. Upon enactment of this resolution, three (3) members shall be appointed to one-year terms. The following year, all terms shall be for two (2) years.

(c) *Absences and removal:*

(1) Each member shall inform the preservation officer at least one (1) day before the meeting of the inability to attend a board or committee meeting. Such an absence shall be considered an excused absence.

(2) If any member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residences, or by announcement at a meeting attended by him/her, the president may call such absences to the attention of the board which may then recommend to the appointing authority that such member be asked to resign and then another person be appointed to serve out the unexpired term.

(d) *Vacancies:* Vacancies occurring on the board shall be filled within sixty (60) days in the same manner as for the original appointment. This appointment shall be for the remainder of the unexpired term.

(e) *Meetings:* The historic preservation board shall conduct a minimum of one (1) regularly scheduled meeting each month, except that the chairperson may cancel any meeting or schedule special meetings when such meetings are necessary to carry out the provisions of this article.

Special meetings of the board may be called by the chairperson or by two (2) members, upon request to the preservation officer. The preservation officer shall notify members at least two (2) days in an advance of the special meeting.

Meetings shall be open to the public in accordance with the State of Montana Open Meeting Law, and all written or taped minutes, reports and case decisions shall be available to the public.

The historic preservation board shall establish bylaws conforming to the guidelines set forth in the "Certified Local Government Program in Montana."

(f) *Powers and duties:* Yellowstone historic preservation board shall:

(1) Maintain a system for the survey and inventory of historic and prehistoric properties. The information shall be available to the public.

(2) Review and participate in all proposed National Register nominations within the City of Laurel, the City of Billings, the Crow Reservation and/or Yellowstone County.

(3) Encourage public participation while assisting with the enforcement of appropriate state and local legislation concerning historic preservation.

(4) Submit an annual report to the State Historic Preservation Office describing projects, activities, recommendations and decisions made, projects reviewed, recommendations to the National Register of Historic Places, revised resumes of historic preservation board members and member attendance records, and indexed copies of typewritten or tape recorded minutes of all historic preservation board meetings. Copies of the following will be attached to the annual report: inventory forms, survey reports, maps, photographs, and other survey materials or planning documents generated during the preceding year.

(5) Have at least one (1) member attend at least one (1) training session each year and review any orientation materials provided by the State Historic Preservation Office.

(6) Review and comment on land use proposals and planning programs related to historic resources, such as municipal improvements, housing and other public programs.

(7) Consult with city, county, tribal, state and federal agencies on all applications, environmental assessment, environmental impact statements, and other similar documents pertaining to historic districts, historic sites, and landmarks or neighboring properties within the City of Billings and/or Yellowstone County. Comments and recommendations by the historic preservation board will be sent to the Billings city council and the Yellowstone county commissioners.

(8) Review the local zoning regulations for their applicability to the characteristics of the proposed historic districts, and make appropriate recommendations to the zoning commissions and the boards of adjustment concerning any changes or modifications to the zoning regulations, zoning boundaries, zone change applications, special review applications, or variance applications.

(9) Make recommendations to the boards of adjustments regarding variance change applications within any historic district.

(10) Assist with the preparation and adoption of a comprehensive historic preservation plan and assist with the annual updates of said plan.

(11) Provide information, advice and guidance, upon request by property owners, as to the restoration, rehabilitation, landscaping or maintenance of potentially historic buildings or structures. The historic preservation board may recommend voluntary design guidelines which will be made available to the public for assistance in preservation projects.

(12) Participate in, promote and conduct public information, education and interpretive programs pertaining to historic potential tax incentives and federal and/or state grants that might be available.

(13) Provide, in its discretion, quarterly reports to all governing bodies to discuss its activity for the past quarter. Minutes of board meetings and any other information deemed necessary may be appended to the quarterly reports. A copy of the annual report to the State Historic Preservation Office shall be provided to each of the governing bodies.

(14) Undertake any actions necessary to assure compliance of the preservation board with certified local government requirements.

(15) Review and forward a recommendation to the city administrator or his/her designee on a certificate of appropriateness as requested by applicants. The application may be recommended for approval as presented, approval with modifications, denied or delayed as set out in this article.

Sec. 27-504. - Historic preservation officer.

(a) *Duties:*

(1) The historic preservation officer shall serve as staff to the historic preservation board.

(2) The historic preservation officer must have demonstrated interest, competence or knowledge in historic preservation.

(3) The historic preservation officer will assist with coordinating the local historic preservation programs, help in the development of local surveys, projects and historic preservation planning documents, advise and provide assistance to the historic preservation board, government agencies and the public, and ensure, to the extent practicable, that the duties and responsibilities delegated by this resolution are carried out.

(4) The historic preservation officer shall be appointed by mutual agreement of the Laurel city council, the Billings city council, the Crow Tribal council and the Yellowstone county commissioners.

Sec. 27-505. - Local review and designation.

Historic designation on the local registry is the process by which a building, structure, site, or district is recognized as having historic, architectural or archaeological significance. It is the primary means for identifying and protecting Billing's historic resources. To qualify as a historic site or historic district, the individual properties, structures, sites, or buildings, or groups of properties, structures, sites or buildings must have significant character, interest, or value as part of the historical, cultural, aesthetic, and architectural heritage of the city, county, state or nation. To qualify as a historic site or district, the property or properties must fulfill one (1) or more of the criteria set forth in subsection (1) below and meet the criteria set forth in subsections (2)a. and (2)d. below.

(1) A building, structure, site, or district will be deemed to have historical or cultural significance if it meets one (1) or more of the following criteria:

a. Is associated in a significant way with the life or activities of a major person important in city, county, state, or national history (for example, the homestead of a local founding family);

b. Is the site of a historic event with significant effect upon the city, county, state, or nation;

c. Is associated in a significant way with a major historic event, whether cultural, economic, social, military, or political;

d. Exemplifies the historical, political, cultural, economic, or social trends of the community in history; or

e. Is associated in a significant way with a past or a continuing institution which has contributed substantially to the life of the city and/or county.

(2) A building, structure, site, or district is deemed to have architectural or aesthetic significance if it fulfills one (1) or more of the following criteria; except that to qualify as a historic interior, the interior must meet the criteria contained within subsections (2)b. and (2)d.:

a. Portrays the environment in an era of history characterized by one (1) or more distinctive architectural styles;

b. Embodies those distinguishing characteristics of an architectural style, period, or method of construction;

c. Is a historic or outstanding work of a prominent architect, designer, landscape architect, or builder; or

d. Contains elements of design, detail, material, or craftsmanship of outstanding quality or which represented, in its time, a significant innovation or adaption to the environment.

(3) A building, structure, site, or district will be deemed to have historic significance if, in addition to the previously mentioned criteria in subsections (1) and (2), the building, structure, site, or zone meets historic development standards as defined by and listed in the regulations of and criteria for the National Register of Historic Places as prepared by the United States Department of the Interior under the Historic Preservation Act of 1966, as amended. Said regulations, as amended from time to time, are made part of this chapter as if fully set forth herein.

(4) Classification of structures and buildings. All historic buildings, structures, archaeological sites, districts, and neighborhoods classified and designated on the local register, will be approved by the city council and be made an overlay to the city and county, zoning maps and land use plans. Such buildings, structures, districts, neighborhoods, and the like will be divided into two (2) classes:

a. *Contributing.* Those buildings, structures, archaeological sites, or districts classified as historic shall possess identified historical and architectural merit of a degree warranting their preservation. All buildings, structures, archaeological sites, and the like, listed in the city historic survey, as adopted and approved by the city council and county commission, will be considered worthy of preservation and may be designated as a historic site or a historic district.

b. *Noncontributing.* Those buildings and structures within a historic district not listed in the city historic preservation survey, and those buildings and structures determined by the preservation board to be of no contributing value.

(5) All commercial districts listed in the National Register of Historic Places within the city automatically become part of the local register. Commercial buildings individually listed in the National Register of Historic Places within the city may petition to become part of the local register by request of the owner of record of said National Register property. This petition must be submitted to the city council.

(6) Individually listed residential buildings and/or residential districts listed in the National Register of Historic Places within the city may petition to become part of the local register. Individuals may apply on their own behalf. Residential historic districts may petition to become part of the local register with a minimum of two-thirds (2/3) approval by the owner(s) of the properties within the district.

Sec. 27-506. - National Register of Historic Places; nomination review.

(a) The preservation board shall review proposed nominations to the National Register of Historic Places submitted by the State Historic Preservation Officer or other sponsor qualified pursuant to United States Department of the Interior regulations. The preservation board will develop or receive the documentation necessary to nominate properties to the National Register of Historic Places. The preservation board shall evaluate, in a timely manner, nomination proposals received for completeness. Should a nomination proposal not be technically complete, the preservation board shall notify the proposal's sponsor, identifying the technical deficiencies in writing, within thirty (30) days of receipt of the nomination proposal. If the nomination proposal is technically complete, the preservation board shall place the item on its agenda for the earliest possible regular meeting after notification procedures are complete.

(b) The preservation board shall notify the following of its intention to consider a nomination proposal. In all cases, such notification shall occur at least thirty (30) days but not more than seventy-five (75) days prior to the preservation meeting at which the nomination proposal will be considered.

(1) Owner(s) of record of the property. The list of owners shall be obtained from official tax records and provided with the nomination application. Where there is more than one (1) owner on the list, each separate owner shall be notified.

(2) The mayor of the City of Billings. Said local officials shall have thirty (30) days from receipt of notice within which to submit the preservation board a written recommendation supporting or opposing the nomination.

(3) The State Historic Preservation Officer.

(c) When the preservation board considers a nomination proposal that will impact properties which are normally evaluated by a professional in a specific discipline, and that discipline is not represented on the preservation board, the preservation board shall seek professional expertise in this area before rendering a decision, but failure to obtain such advice shall not invalidate its determination on the proposal.

(d) Nomination proposals shall be considered by the preservation board at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the preservation board meeting. All nomination proposals shall be forwarded, with a record of official action taken by the preservation board and the recommendation of the appropriate local official(s), to the State Historic Preservation Officer within thirty (30) days of the preservation board meeting at which they were considered.

(e) Any person or organization supporting or opposing the nomination of a property to the national register shall be afforded the opportunity to make their views known in writing or in person at meetings of the board. All such correspondence regarding a nomination proposal shall become part of the permanent record and shall be forwarded to the state historic preservation officer. In the case of disapproved nomination proposals, letters of support of comment shall be made a part of the permanent record concerning that proposal, and a list of such letters shall accompany the official copy of the disapproved nomination proposal when it is forwarded to the state historic preservation officer.

(f) Nomination proposals to be considered by the preservation board shall be on file at the Yellowstone county board of planning offices for at least thirty (30) days but not more than seventy-five (75) days prior to the meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local access, such as a local library, courthouse, or other public place.

(g) Any person may appeal the decision of the preservation board regarding a proposed nomination by filing a written appeal with the state historic preservation officer within thirty (30) days of the preservation board decision.

(h) In reviewing national register of historic places nomination proposals, the preservation board shall follow the regulations found in 36 C.F.R. Part 60, and as amended from time to time, promulgated by the National Park Service, Department of the Interior under the Historic Preservation Act of 1966, as amended.

Sec. 27-507. - Designation of historic districts.

(a) The following area within the city is designated as the Billings Townsite Historic District:

Beginning at the northwest corner of the right-of-way intersection of North 26th Street and 1st Avenue North, located in the original Town of Billings, said point being the point of beginning; thence, southeasterly along the westerly right-of-way line of North 26th Street to the southerly right-of-way line of Montana Avenue, thence northeasterly along said southerly right-of-way line of Montana Avenue 280± feet, thence southeasterly along a bearing perpendicular to the bearing of the southerly right-of-way line of Montana Avenue to the centerline of the Burlington Northern Railroad right-of-way thence northeasterly along said railroad right-of-way line to a point which is the extension of the easterly right-of-way line of North 22nd Street, thence northwesterly along said extension of the easterly right-of-way line of North 22nd Street and along the easterly right-of-way line of North 22nd Street to the northeast corner of the right-of-way intersection of North 22nd Street and 1st Avenue North, thence southwesterly along the northerly right-of-way line of 1st Avenue North to the point of beginning. Included within this area, but not limited to it, are Blocks 111, 112, 113 and 114 of the original Town of Billings.

Beginning at the northwest corner of the right-of-way intersection of North 26 th Street and Montana Avenue, located in the Original Town of Billings, said point of beginning; thence southwesterly to the easterly right-of-way line of North 27 th Street and Montana Avenue; thence southeasterly along the eastern right-of-way of North 27 th Street to the center line of the Burlington Northern right-of-way, thence northeasterly to the eastern boundary of the existing Billings Townsite Historic District, then following the eastern border of the existing district to the point of beginning.

(b) The following area within the city is designated as the Billings Old Town Historic District:

Beginning at the east side of North 30 th Street mid-block alley entrance, located in the Original Town of Billings, said point of beginning; thence easterly along alley to the northeast corner of the building at 2815 Montana Avenue; thence south to the centerline of Montana Avenue; thence turns easterly and continues along the centerline until reaching the intersection of 27 th Street and Montana Avenue; thence south to the southern edge of the Burlington Northern right-of-way; thence easterly along said right-of-way to the east side of the building at 2601 Minnesota Avenue; thence south to the centerline of Minnesota Avenue; thence westerly to the intersection of Minnesota Avenue and South 26 th Street; thence south to the mid-block alley entrance; thence westerly to the centerline of South 27 th Street; thence south to the intersection of South 27 th Street and 1 st Avenue South; thence westerly along the centerline of 1 st Avenue South to the west boundary of the building at 24 South 30 th Street; thence north to the northwest boundary of the building at 24 South 30 th Street; thence easterly to the centerline of South 30 th Street; thence north of the intersection of South 30 th Street and Minnesota Avenue centerline; thence easterly along said centerline to the intersection of Minnesota Avenue and South 29 th Street; thence north along South 29 th Street centerline to the intersection of North 29 th Street and Montana Avenue; thence westerly to the intersection of Montana Avenue and North 30 th Street; thence north along North 30 th street centerline to the point of beginning.

(c) Existing or additional historic districts may be expanded or created by amendment of this section as provided for under section 27-1502 of this article. Provision shall be made for public participation in the expansion of existing historic districts or the development of any new historic district.

Secs. 27-508—27-510. - Reserved.

DIVISION 2. - CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION AND BUILDING PERMITS

Sec. 27-511. - Approval of building, exterior remodeling and demolition permits.

No permit for building, alteration or demolition (excluding permits for interior work) of any building or structure currently listed or part of a district listed on the city local registry shall be granted by the city administrator or his/her designee until the historic preservation board has advised the city administrator or his/her designee concerning the application for a certificate of appropriateness pursuant to the procedures

and criteria set forth in this article. The board may advise the city administrator to approve the application as presented, approve with modifications, deny or delay based upon advice given by the board and the criteria set forth in sections 27-514 and 27-515 of this article. The owner or the owner's agent is responsible for applying for a certificate of appropriateness prior to, or concurrently with, any application for building, demolition, or alteration.

Sec. 27-512. - Procedures for historic preservation board review and advice on a certificate of appropriateness.

Procedures shall conform to the following:

(1) The city administrator shall, immediately upon receipt thereof, submit to the historic preservation board for consideration each complete application for permit for building, (excluding permits for interior work) exterior remodeling or demolition of any structure situated wholly or partially within the historic district. Within ten (10) days after receipt of the application, the board may request that the applicant furnish additional information or drawings concerning the proposed project.

(2) Within thirty (30) days after receipt by the board of any such application, or thirty (30) days after receipt by the board of any additional information or drawings requested from the applicant, the board shall advise the city administrator whether it recommends approval as presented, approval with modification, denial or delay of the permit. If the board does not advise the city administrator within such 30-day period it will be deemed conclusive evidence that the board has advised that the application be approved without modification. The foregoing 30-day period may be extended by the board for an additional 30-day period upon consent of the applicant.

(3) Within ten (10) days after the latter of receipt by the historic preservation board of the application or receipt by the board of additional information or drawings requested from the applicant, the board shall set a date for a public hearing on the application.

(4) Notice of the application and hearing shall be given by:

   a. Publication of the same in a newspaper of general circulation in the city at least seven (7) days prior to the date set for the hearing;

   b. Posting the same on the property affected by the application at least fifteen (15) days prior to the date set for the hearing; and

   c. Mailing the same to the applicant at the address stated on the application at least fifteen (15) days prior to the date set for the hearing.

(5) The historic preservation board may continue the hearing to a subsequent time. Any person may appear at the hearing and present such evidence or testimony at the board deems relevant to its decision. Following the hearing, the board shall advise the city administrator to approve as presented, approve with modifications, deny or delay the application.

(6) The historic preservation board's advice with regard to each application and the reasons therefore, shall be in writing, shall be preserved and shall be available for public inspection in the office of the historic preservation officer.

(7) The city administrator or his/her designee will notify, by certified mail, return receipt requested to the applicant and/or his/her agent of the final decision.

Sec. 27-513. - Review by council.

If, pursuant to this article, the city administrator disapproves an application or approves an application with modifications, the applicant may appeal the decision of the city administrator to the council. The appeal must be perfected by the following procedure:

(1) The applicant shall file with the city administrator's office within five (5) working days of the date of the administrator's final decision, a request in writing for review by the city council, and the city administrator shall place the matter on the next council agenda following the administrator's decision.

(2) If the administrator's final decision is contrary to the advice of the board with regard to any application, the decision of the city administrator shall be automatically reviewed by the council and the city administrator shall advise the city clerk, and the matter shall be placed on the next council agenda following the administrator's decision. The council may thereupon convene a public hearing or continue the matter to a public hearing at a more convenient date certain, not more than ten (10) days thereafter.

(3) The council's decision with regard to any matter appealed to it pursuant to this article shall be based upon the criteria set forth in this article.

Sec. 27-514. - Design review protection, historic preservation guidelines, and certificate of appropriateness.

In considering an application for a certificate of appropriateness for a building or demolition permit, the preservation board shall be guided by the secretary of interior standard's for the treatment of historic properties with guidelines for preserving, rehabilitation, restoring and reconstructing historic buildings and the following general standards:

(1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment.

(2) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.

(3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.

(4) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

(6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

(7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

(8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

(9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood, or environment.

Sec. 27-515. - Demolitions.

The preservation board, upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for demolition of designated historic sites, or buildings, structures, or appurtenances within designated historic districts:

(1) Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register;

(2) Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense;

(3) Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city;

(4) Whether retaining the structure would promote the general welfare of the city by providing an opportunity to study local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage;

(5) Whether there are definite plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the character of the surrounding area.

Sec. 27-516. - Criteria for demolition permits.

(a) No application for a permit to demolish a structure which is subject to this article shall be approved unless:

(1) It is found that the structure to be demolished is not historically or architecturally significant; and

(2) Preservation of the structure is not feasible; or

(3) The Yellowstone Historic Preservation Board with recommendations from the city building official has determined that the structure poses an immediate threat to public safety.

(b) No disapproval of a permit to demolish shall be in effect for more than six (6) months after the board's recommendation. During such six-month period, the historic preservation board may take or encourage the taking of whatever steps seem likely to lead to the structure's preservation. The board may work with the property owner to seek alternative economic uses for the property, may consult with private civic groups, interested private citizens and other public boards or agencies.

Sec. 27-517. - Informal opinions.

The historic preservation board may, in its discretion, render informal opinions to any person contemplating application for a permit for building, exterior remodeling or demolition of any structure situated wholly or partially within the historic district. The board will not be bound by its informal opinions.

Sec. 27-518. - Public improvements.

Any public improvements installed within the historic district shall be compatible with the criteria for approval of permits for building or exterior remodeling set forth in this article to the extent that such installation does not conflict with the requirements of the Manual on Uniform Traffic-Control Devices.

Sec. 27-519. - Penalty.

Violations of this article are designated as municipal infractions and punishable by civil penalties as specified in section 18-1304.

ARTICLE 27-600. - SUPPLEMENTARY GENERAL PROVISIONS

Sec. 27-601. - Parking and storage restrictions.

(a) *Residential.* The following standards for off-street parking and storage shall apply in all residential zoning districts and on property that is developed for residential use.

(1) Open storage and off-street parking of licensed and operable motor vehicles is an allowed accessory use as defined in section 27-201.

(2) Open storage and off-street parking of inoperable motor vehicles for more than five (5) consecutive days is a prohibited use.

(3) Within the city limits open storage and off-street parking of licensed and operable motor vehicles in any front or side yard shall be on a surface prepared with asphalt or concrete. Open storage and off-street parking of licensed and operable motor vehicles in any rear yard may be on any type of surface. (See also sections 6-1203, and 24-401 ~~and 27-1201~~.)

(4) Open storage and off-street parking of one (1) licensed and operable motor vehicle used for commercial or business purposes is an allowed accessory use provided it does not exceed twelve thousand (12,000) pounds in G.V.W. (gross vehicle weight). ~~Outside the city limits on property zoned agriculture open space or agriculture suburban this motor vehicle weight limitation shall not apply.~~

(5) Display of merchandise other than for a garage sale or a use allowed by permit under the temporary use section (section 27-614) is prohibited.

(6) Open storage and off-street parking of licensed and operable recreational vehicles including but not limited to snowmobiles, boats, and campers, all-terrain vehicles, off-road motorcycles, and sport/utility trailers is an allowed accessory use in any rear yard. Open storage and off-street parking of licensed and operable recreational vehicles is an allowed accessory use in a front or side yard only if there is no access to a rear yard. Within the Billings city limits open storage and off-street parking of licensed and operable recreational vehicles in a front or side yard shall be on a surface prepared with asphalt or concrete. Open storage of licensed and operable recreational vehicles in a rear yard may be on any type of surface. Open storage and off-street parking of licensed and operable recreational vehicles in any yard shall provide at least a five-foot separation between such recreational vehicle and any door, window or other opening of a dwelling or accessory building that provides ventilation or access to the structure. Open storage and off-street parking of licensed and operable recreational vehicles in any yard shall provide setbacks to property lines at a minimum of three (3) feet to a side or rear property line and eight (8) feet from the back of a sidewalk. If no sidewalk exists, all measurements shall be made from the front and side adjacent to street property lines.

(7) The use of any recreational vehicle for living or sleeping purposes for more than five (5) consecutive days is prohibited when parked off-street or stored in any residential zoning district or in an area developed for residential use.

(8) Open storage for more than five (5) consecutive days of junk, salvage and trash is prohibited.

(b) *Commercial and industrial.* The following standards for off-street parking and storage shall apply in all commercial and industrial zoning districts.

(1) Open storage for more than five (5) consecutive days of junk, salvage and trash is prohibited.

(2) Open storage for more than five (5) consecutive days of material collected as salvage for recycling, re-use, dismantling to remove parts for re-use or for separation prior to recycling or destruction is a special review use of property only in highway commercial (SIC 5015), controlled industrial (SIC 5093) and heavy industrial (SIC5093).

(3) Open storage and off-street parking of inoperable motor vehicles for more than five (5) consecutive days is a special review use of property only in highway commercial (SIC 5015), controlled industrial (SIC 5093) and heavy industrial (SIC5093).

(4) Open storage and off-street parking of inoperable motor vehicles for more than five (5) consecutive days is an allowed accessory use of property for principal uses classified as automotive repair shops (SIC 753). The open storage and off-street parking area shall be located in the rear or side yard, and inoperable motor vehicles or vehicle parts shall not be visible from any right of way or adjoining property. A sight obscuring fence of at least six (6) feet in height from grade shall be required to enclose the storage or off-street parking area for inoperable motor

vehicles. Chain link fence may be allowed as a sight obscuring fence if opaque slat inserts are used.

(5) Outside display of merchandise is permitted in residential professional, neighborhood commercial, community commercial, highway commercial, and controlled industrial zoning districts only if the merchandise is related to the principal use of the property, and such merchandise is removed each night into an enclosed structure. The continuous outside display of merchandise is permitted when the principal use of property is for lumber and construction materials (SIC 503, 521 and 525), wholesale and retail nurseries, lawn and garden supply (SIC 078, 081, 5191, 5193, and 526) or for temporary uses and structures regulated by section 27-614.

(6) Bufferyards and required landscaping shall not be used for the displaying of merchandise in any commercial or industrial zoning district.

~~(7) Outside the city limits, The use of any recreational vehicle for living or sleeping purposes for more than five (5) consecutive days is prohibited when parked off-street or stored on property zoned for commercial or industrial uses or on property developed for commercial or industrial uses.~~

(~~8~~7) Open storage of equipment and supplies is an allowed accessory use of property as limited in section 27-306. Any property where open storage of equipment and supplies is an allowed accessory use, the open storage area shall be located in the rear or side yard. A sight obscuring fence of at least six (6) feet in height from finished grade shall be required to enclose the storage area. Chain link fence may be allowed as a sight obscuring fence if opaque slat inserts are used.

(c) *Penalties.* A violation of this section is designated as a municipal infraction, and punishable by civil penalties as specified in section 18-1304.

Sec. 27-602. - Arterial setbacks.

(a) In any residential or public zoning district, no building or structure shall be erected within eighty (80) feet of the centerline of a principal arterial street, or within seventy (70) feet of the centerline of a minor arterial street. In addition, within any such residential or public zoning district, no required parking area or portion thereof, shall be constructed or located within seventy (70) feet of the centerline of a principal arterial street or within sixty (60) feet of the centerline of a minor arterial street.

(b) In any commercial or industrial zoning district ~~located within the Billings city limits~~, no building or structure shall be erected or maintained within sixty (60) feet of the centerline of an arterial street. In addition, within any such commercial or industrial zoning district, no required parking area or portion thereof, including driving aisles, shall be constructed or located within fifty (50) feet of the centerline of a principal arterial street or within forty (40) feet of the centerline of a minor arterial street. The central business district (CBD) zoning district shall be exempt from this section.

~~In any commercial or industrial zoning district located outside the Billings city limits, but within the county zoning jurisdiction, no building or structure shall be erected or maintained within eighty (80) feet of the centerline of a principal arterial street, or within seventy (70) feet of the centerline of a minor arterial street. In addition, within any such commercial or industrial zoning district, no required parking area or portion thereof, including driving aisles, shall be constructed or located within seventy (70) feet of the centerline of a principal arterial street or within sixty (60) feet of the centerline of a minor arterial street.~~

(c) Any new construction that increases the number of required off-street parking spaces, must locate these additional required parking spaces in areas that comply with above subsections (A) and (B). The term "new construction" shall be defined as construction on a previously vacant lot or parcel, construction of new structures after existing structures are demolished or removed, or expansion of existing structures.

(d) Approved advertising signs and public use controls and systems, trees trimmed up eight (8) feet and canopies with at least eight (8) feet clearance, shall be permitted in this setback area. For the purpose of this subsection, canopies shall be defined as covers that are solely attached to and supported by

the structure on which it is attached to and which can be removed without destroying any part of that supporting structure. This shall only apply to canopies attached to the principal structure.

(e) The designation of a street as an arterial shall be recommended by the city engineer, ~~county public works director~~ or in conformity with the most recent urban transportation plan.

(f) The centerline of such arterials shall be established by the City of Billings ~~or Yellowstone County~~:

(1) By actual physical establishment by the City Engineer's or County Public Works Office, and approval thereof by the City Council ~~or Board of County Commissioners~~; or

(2) If not possible to establish the centerline by physical establishment, then the centerline shall be established by ~~resolution/~~ordinance.

(g) *Permitted projections.* The following projections shall be permitted within the setback areas on arterial streets in residential districts:

(1) Fireplaces and bay windows not to exceed two (2) feet;

(2) Roof overhangs, eaves, gutters, cornices or other architectural features not to exceed two (2) feet;

(3) Open exterior stairways or decks not to exceed two (2) feet in side yards, four (4) feet in front yards, nor eight (8) feet in rear yards;

(4) Covered unenclosed porches over front steps or walkways not to exceed four (4) feet;

(5) Ramps that provide accessibility; and

(6) The above projections are not permitted if they protrude into or hang over the public right-of-way.

Sec. 27-603. - Building permits issued prior to adoption.

Where construction has started pursuant to a building permit validly issued by the City of Billings building division prior to the effective date of this ~~resolution/~~ordinance [Ord. No. 97-5048, adopted Dec. 22, 1997], it may be completed (under the regulations in effect at the time of issuance) thereunder without regard to this ~~resolution/~~ordinance.

Sec. 27-604. - Fences, walls and hedges.

(a) Fences, walls and hedges may be erected or maintained in any zoning district provided the height, setback, and material provisions outlined below are followed and a permit is secured. "Fence" for the purposes of this section means any fence, wall or hedge. No fence shall be erected or maintained in a public right-of-way.

(b) Height. Height for the purposes of this section shall be defined as the vertical distance from the top rail, board or wire to the ground directly below.

(c) Setbacks required. Fences, walls or hedges of up to four (4) feet may be erected or maintained in the required front yard setback as defined in sections 27-308 or 27-309. Fences, walls or hedges between a height of four (4) and six (6) feet may be erected or maintained anywhere outside of the front yard setback, except as described in subsection (d) below. (see figure 6, section 27-618). Any fence, wall or hedge in excess of six (6) feet shall meet all of the yard setback requirements for structures as defined in sections 27-308 or 27-309. None of the above setback requirements shall apply to lands located in the ~~agricultural-open space (A-1)~~, central business district (CBD), controlled industrial (CI), or heavy industrial (HI) zones.

(d) Setbacks for clear vision areas. No fence, wall or hedge greater than thirty (30) inches in height may be erected or maintained in any zoning district within a clear vision zone pursuant to section 27-615 and as illustrated in figures 1, 2, and 3 of section 27-618.

(e) Material permitted-residential and commercial zones. All fences in residential, agricultural and commercial zoning districts shall be constructed from materials which are commonly used for fencing and shall not be constructed from railroad ties, wood pallets, tires, rubble or salvaged material.

Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work. Materials not listed are subject to special review.

(f) Material permitted—Industrial zones. All fences in industrial zoning districts shall be constructed from materials commonly used for fencing and shall not be constructed from railroad ties, wood pallets, rubble, or salvaged material. Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work, finished or coated steel or aluminum building panels. Materials not listed are subject to special review.

(g) Material exception—Barbed wire or electric fence. ~~In the city limits,~~ ~~n~~No barbed wire or electrical fencing shall be permitted in any residential zoning district. ~~Barbed wire and electrically charged fencing is allowed in the A-1 and A-S districts within Yellowstone County. When electrically charged fences are used in an A-1 or A-S district, such fences shall be posted with warning signs or fluorescent markings at intervals not to exceed one hundred fifty (150) feet, where such fences are adjacent to public rights-of-way.~~

~~In the city limits,~~ ~~n~~ No electrical fencing shall be permitted in any commercial or industrial zoning district. ~~Electrically charged fencing is allowed in commercial or industrial districts within Yellowstone County provided that such fences shall be posted with warning signs or fluorescent markings at intervals not to exceed one hundred and fifty (150) feet, where such fences are adjacent to public rights-of-way.~~ Barbed wire fencing is allowed in commercial or industrial zoning districts ~~both~~ within the city limits ~~and Yellowstone County~~ when such material is located not less than eight (8) feet above grade.

(h) Permit required. Any fence between a height of four (4) feet and six (6) feet shall require a permit from the planning department. Any retaining wall exceeding a height of four (4) feet or any fence exceeding a height of six (6) feet shall require a permit from the building department.

(i) Penalties. A violation of this section is designated as a municipal infraction, and punishable by civil penalties as specified in section 18-1304.

Sec. 27-605. - Hazardous waste facilities.

(a) Intent. The purpose and intent of this section is to establish review criteria for the citing of any new hazardous waste facility as defined herein, in order to prevent any significant threat to human health or the environment. When used in citing new hazardous waste facilities, the criteria shall:

(1) Protect the residents of the City of Billings ~~and Yellowstone County~~;

(2) Ensure the structural stability of the new hazardous waste facility;

(3) Protect surface water;

(4) Protect groundwater;

(5) Provide for the safe transportation of hazardous waste to new hazardous waste facilities;

(6) Protect environmentally sensitive areas; and

(7) Protect air quality.

(b) *Definitions.* For the purposes of this Section, the following definitions shall apply:

1. *Hazardous waste:* Means a waste or combination of wastes that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

a. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness;

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed; or

c. A material which is classified by the Environmental Protection Agency (EPA) as being Hazardous or Extremely Hazardous.

(2) *Facility (hazardous waste management facility):* Means all contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous wastes. A facility may consist of several treatment, storage or disposal operational units.

(3) *Transfer facility:* Means any transporter-owned or operated land, structure, or improvement, including loading docks, parking areas, holding sites, and other similar areas used for the transfer and temporary storage of hazardous wastes and where shipments of hazardous waste are held temporarily for a period of ten (10) days or less during the normal course of transportation, up to but not including the point of ultimate treatment, storage, or disposal.

(4) *Long-term storage facility:* This facility is the same as a "transfer facility", except that it is designed to store hazardous wastes for a period longer than ten (10) days.

(c) *Use allowed.* Any hazardous waste facility shall only be allowed in the heavy industrial (HI) zoning district and must be approved through the special review procedure as outlined in BMCC section 27-1501, et seq.

(d) *Supplemental requirements.* Any hazardous waste facility shall, in addition to meeting all other requirements of this resolution/ordinance, comply with the following supplemental requirements:

(1) Submit with the required special review application, twenty (20) copies of a community and environmental impact statement which shall include the following elements:

a. Description of impact of proposal upon existing environmental conditions:

1. Population and land use.
2. Soils.
3. Drainage.
4. Vegetation.
5. Topography.
6. Wildlife.
7. Air quality.
8. Surface water quality.
9. Ground water quality.
10. Floodplain data.
11. Scenic vistas.
12. Historic and cultural sites.

b. Description of impact of proposal upon existing and required services:

1. Public Utilities

i. Water
ii. Sewer
iii. Drainage
iv. Electric
v. Gas
vi. Telephone

2. Schools

c. The applicant(s) shall document the adequacy and availability of fire, police, medical and other emergency management facilities and services in the area, as well as, their familiarity with the substance(s) being treated, disposed or stored. Documentation shall also be required as to the adequacy and availability of transportation means and routes for the purposes of evacuation of the population at risk in the event of an accident. Evacuation methods and routes shall be indicated. In addition, information shall be provided on spill mitigation measures and pollution risk analysis.

Applicants requesting special review for a hazardous waste facility shall address each element of the community and environmental impact statement, indicating what impacts are foreseen. Methods shall be proposed to avoid or to mitigate any potential adverse impacts. Failure to provide sufficient documentation for each element or failure to demonstrate effective avoidance or mitigation techniques shall be considered sufficient grounds for denial of the application.

Statements in writing which grant preliminary, tentative or conditional approvals as required by any local, county, state, federal, or public authority shall be submitted to the planning department along with all other materials as required by this chapter. These documents shall be submitted along with the information required through the special review process.

The applicant shall submit any information or documentation, in addition to the above, that the Planning Department deems necessary to fully evaluate the proposal.

(e) *Review criteria.* The planning department, zoning commission and governing body, shall, at every step of the review process, take into consideration the following:

(1) The density of population in proximity to the facility;

(2) The size and type of the facility;

(3) The type of waste expected to be present at the facility;

(4) The transportation means and routes available to evacuate the population at risk in an accident, including both spills and fires;

(5) The size and types of other hazardous waste facilities and facilities that handle hazardous waste materials in the adjacent area; and

(6) The availability of fire, police, and other emergency management personnel and medical facilities in the area.

(f) Citing criteria. Any new hazardous waste facility shall, in addition to all other requirements of this ~~resolution/~~ordinance, meet the following citing criteria:

(1) No hazardous waste treatment facility shall be located any closer than two thousand (2,000) feet from any residence, school, playground, public park, public recreation area, church or other public building.

(2) No hazardous waste disposal or long-term storage facility, as defined in this section, shall be located any closer than two thousand and six hundred (2,600) feet from any residence, school, playground, public park, public recreation area, church or other public building.

Sec. 27-606. - Home occupations.

A *home occupation* is defined as an occupation carried on by an occupant of a dwelling, which is located in a residential zoning district, as an accessory and incidental activity to the main residential use of the building.

The *planning department* recognizes that the restrictions set forth in this section do not anticipate all possible types of home occupations. Therefore, to guide the planning department in the enforcement of this section, the department has adopted the following policies:

(1) The home occupation should not generate traffic before 7:30 a.m. or after 6:00 p.m.

(2) The occupation should not generate, on average, more than four (4) vehicle trips to the residence during any hour.

The home occupation shall comply with all of the following restrictions:

(a) The occupation to be performed must be a use which is allowed outright in the Residential Professional (RP) zoning district. In addition, the following uses, listed by Standard Industrial Classification (S.I.C.), may also be allowed:

S.I.C. Number	Description
7231	Beauty shops
7241	Barber shops
7251	Shoe repair shops
7291	Tax return preparation services
7631	Watch, clock and jewelry repair
76—	Office only for miscellaneous repair services
7911	Dance studios, schools and halls

Uses not listed above may be allowed with written approval from the zoning coordinator, if they meet the spirit and intent of this section and will conform to all of the restrictions of this section.

(b) No person shall be employed other than the residents of the dwelling.

(c) The occupation shall be conducted entirely within the dwelling or an accessory building.

(d) The floor area devoted to the occupation shall not exceed five hundred (500) square feet or twenty-five (25) percent of the total ground area occupied by the buildings, whichever is less.

(e) The occupation shall not produce light, noise, vibration, glare, fumes, odors, electrical interference, etc., which is inconsistent with the character of the residential area.

(f) There shall be no sign advertising or calling attention to the home occupation on the premises.

(g) There shall be no display, evidence or activity apparent from the exterior of the lot which would indicate that the premises are being used for any purpose other than that of a dwelling.

(h) There shall be no group instruction, assembly or activity for greater than five (5) persons.

(i) One (1) business vehicle that is associated with the home occupation and which does not exceed eight thousand (8,000) pounds gross vehicle weight (G.V.W.), may be parked or stored on the premises. In addition, there shall be no outside storage of materials or equipment related to the home occupation, except the one (1) allowed business vehicle.

Sec. 27-607. - Livestock and fowl.

Livestock, as defined in BMCC section 27-201, shall not be maintained in any zoning district located within the limits of the city except as provided within section 27-305 or 27-306. Horses may be permitted in the city when located within a planned development, as described in section 27-1303, that is specifically designed to accommodate horses and/or equestrian centers. Fowl, as defined in BMCC section 27-201 except chicken hens, shall not be maintained in any zoning district located within the limits of city. Chicken hens may be kept within the limits of the city in residential zoning districts or on property used for residential purposes as provided in section 27-305 or 27-306 subject to limitations and permitting requirements in BMCC section 4-303. ~~Chicken hens may be kept outside the city limits as provided in section 27-305 and subject to the provisions below.~~

~~Areas located outside the limits of the city, but within certain agricultural or residential zoning districts, as shown in the residential district regulations (see BMCC section 27-305), shall be permitted to have livestock and/or fowl. In addition, livestock and/or fowl may be permitted as part of a planned development, as described in section 27-1303, and are also exempt from the following animal unit standards, unless specifically referenced within the planned development agreement. However, the standards outlined below must be satisfied, depending upon the size of the property.~~

~~The allowance of livestock and/or fowl in commercial or industrial zoning districts, situated outside the limits of the city, may be permitted when the regulations established in below subsection (b) are met, regardless of the lot size. However, if the number of animals requested exceeds the allowed limit in below subsection (b), then the property must conform to the uses allowed by right or through special review, as shown in the commercial/industrial district regulations matrix in BMCC section 27-306.~~

~~(a) Lots which are 2.5 net acres or less in size are allowed to have livestock and/or fowl provided that all of the following regulations are satisfied.~~

~~(1) One (1) livestock and/or fowl unit is allowed per twenty thousand (20,000) square feet of land devoted exclusively to the raising of the animal(s). Livestock or fowl that are listed in the livestock and/or fowl unit table(s) below are allowed types of animals under this subsection, with the exception of bison.~~

~~(2) Supplemental feeding of the animal(s) is required.~~

~~(3) Any keeping of animal(s) in this section shall be secondary and accessory to the primary residential use of the property. Commercial breeding and/or commercial raising of any type of animal or fowl shall be prohibited, except as allowed by right or through special review in the residential district regulations matrix located in BMCC section 27-305.~~

~~(4) In addition to the above regulations, project animal(s), as defined in BMCC section 27-201, are allowed, but shall be limited to one (1) livestock or fowl unit (as defined below) per youth actively enrolled in F.F.A., 4-H or other similar types of programs. In addition, project animals are required to be supplementally fed and shall only be allowed to remain on the property for no more than six (6) months during any twelve (12) month period. Breeding projects shall be exempt from the above time limit.~~

~~(5) All accessory structures used for the purpose of housing, keeping or sheltering livestock or fowl shall be setback a distance of fifty (50) feet from any property line and fifty (50) feet from any dwelling.~~

~~(6) No accessory building or structure used for the housing of livestock or fowl shall occupy any portion of a required front yard in any district, except in the agricultural-open space (A-1) zoning district. See BMCC section 27-310, for the allowed maximum size of detached accessory structures.~~

~~(b) Lots which are 2.51 to 9.99 net acres in size are allowed to have livestock and/or fowl provided that all of the following regulations are met.~~

(1) One (1) livestock and/or fowl unit per one (1) acre of land devoted exclusively to the raising of the animal(s), in which the animal(s) is supplementally fed and/or is on irrigated pasture land.

(2) One (1) livestock and/or fowl unit per four (4) acres of land devoted exclusively to the raising of the animal(s), in which there is no supplemental feeding and/or the animal is on unirrigated pasture land.

(3) In addition to the above regulations, project animal(s), as defined in BMCC section 27-201, are allowed, but shall be limited to one (1) livestock or fowl unit (as defined below) per youth actively enrolled in F.F.A., 4-H or other similar types of programs. In addition, project animals are required to be supplementally fed and shall only be allowed to remain on the property for no more than six (6) months during any twelve (12) month period. Breeding projects shall be exempt from the above time limit.

(4) All accessory structures used for the purpose of housing, keeping or sheltering livestock or fowl shall be setback a distance of one-hundred (100) feet from any property line and fifty (50) feet from any dwelling.

(5) No accessory building or structure used for the housing of livestock or fowl shall occupy any portion of a required front yard in any district, except in the agricultural-open space (A-1) zoning district. See BMCC section 27-310, for the allowed maximum size of detached accessory structures.

(c) Lots which are greater than 9.99 net acres shall be exempt from this section.

(d) Livestock and fowl units, for the purpose of this section, shall be defined as follows:

Livestock Class	Livestock Units
Cow - Mature	1.00
Cow with calf	1.00
Bull - Mature	1.00
Bull - Yearling	.50
Calf - Weaned or under 6 months	.50
Steer - One year or older	1.00
Heifer - One year or older	1.00
Horse - Mature	1.50
Horse with colt	1.50
Colt - Weaned	1.00
Ewe - Mature	.25

~~Ewe with lamb~~	~~.25~~
~~Lamb - Weaned or under 6 months~~	~~.25~~
~~Ram - Mature~~	~~.25~~
~~Goat - Mature~~	~~.25~~
~~Goat with kid~~	~~.25~~
~~Kid - Weaned or under 6 months~~	~~.25~~
~~Bison - Mature~~	~~2.00~~
~~Bison with calf~~	~~2.00~~
~~Bison calf - Weaned or under 6 months~~	~~1.50~~
~~Hog - Mature~~	~~.25~~
~~Hog - Weaned~~	~~.10~~
~~Llama~~	~~1.00~~
~~Fowl Class~~	~~Fowl Units~~
~~Hens, roosters or ducks~~	~~.25 each~~
~~Turkeys or geese~~	~~.50 each~~

~~Livestock and/or fowl units for animals not listed herein shall be determined by the zoning coordinator.~~

(e) *Penalties.* A violation of this section is designated as a municipal infraction, and punishable by civil penalties as specified in section 18-1304.

Sec. 27-608. - Manufactured home parks and individual manufactured homes.

For the purposes of this section, the following definitions shall be utilized in determining the appropriate classification of manufactured homes and modular homes:

(1) *Manufactured home:* A dwelling unit that: (a) is constructed in accordance with the standards set forth by the U.S. Department of Housing and Urban Development, (b) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed

to be transported to the home site on its own chassis, and (c) exceeds forty (40) feet in length and eight (8) feet in width.

(2) *Manufactured home, Class A:* A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

a. The home has a length not exceeding four (4) times its width;

b. The pitch of the home's roof has a minimum vertical rise of three (3) inches for each twelve (12) inches of horizontal run (3:12), and the roof is finished with a type of shingle that is commonly used in standard residential construction;

c. The exterior siding consists of wood, hardboard, aluminum or vinyl siding comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;

d. A continuous, permanent perimeter foundation, which complies with the Uniform Building Code, is installed under the home; and

e. The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

(3) *Manufactured home, Class B:* A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A manufactured home.

(4) *Manufactured home Class C:* Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home.

(5) *Manufactured home park:* A residential use in which more than one manufactured home is located on a single lot. Manufactured home parks must also comply with the subdivision regulations for the jurisdiction in which it is located and when located within the limits of the City of Billings, Article 15-500 of the Billings, Montana City Code.

(6) *Modular home:* A dwelling unit constructed in accordance with the standards set forth in the Uniform Building Code and bearing the insignia of the State of Montana, applicable to site-built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a manufactured home (except that the modular home meets the Uniform Building Code Standards applicable to site-built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site.

(7) *Commercial use:* Trailers or manufactured homes shall not be used for any commercial use other than an on-premise office in connection with a trailer or manufactured home sales area.

Sec. 27-609. - Plats recorded after effective date.

Notwithstanding any other provisions of this ~~resolution/~~ordinance, any subdivision or certificate of survey, where a completed application has been received by the Planning Department before the effective date of this ~~resolution/~~ordinance, shall be required to comply with the minimum lot area requirements which were in effect at the time the completed application is received. Said lot(s) or tract(s) shall be deemed nonconforming for the purpose of this ~~resolution/~~ordinance.

Any subdivision, resubdivision, or certificate of survey, where a completed application was not received by the Planning Department before the effective date of this ~~resolution/~~ordinance shall be required to comply with the minimum lot area requirements of this ~~resolution/~~ordinance, depending upon the zone within which it is located.

Nothing in this section shall be interpreted to grant relief from any requirement of the State of Montana regarding minimum lot or tract area for sanitary restrictions.

Sec. 27-610. - Satellite antennas and dishes.

(a) For the purpose of this section, the following definitions shall apply:

(1) *Satellite dish antenna:* A device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition shall include but not be limited to what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas), direct satellite systems (D.S.S.) and satellite microwave antennas.

(2) *Satellite signal, usable:* That level of signal received via the satellite dish antenna which will run the television and/or radio with a minimum level of distortion, a distortion level that is barely discernible to the naked eye and a picture quality consistent with other reception in the area.

(b) *Residential districts.* The following setbacks and height restrictions shall apply in residential zoning districts:

(1) Satellite dish antennas shall be placed only in the rear yard.

(2) In the event that a usable satellite signal cannot be obtained from the rear yard, the satellite dish antenna may be located on the side or front yard provided that no satellite dish antenna shall be placed in a required front or side setback or arterial setback.

(3) In the event that a usable satellite signal cannot be obtained by locating the satellite dish antenna on the rear, side or front yard of the property, such satellite dish antenna may be placed on the roof of the dwelling structure. These satellite dish antennas or pole mounted antennas shall not extend more than ten (10) feet above the height limit established for the zone in which the structure is located.

(4) In either above subsections (2) or (3), it is the responsibility of the owner to provide proof, satisfactory to the zoning coordinator, that a usable satellite signal cannot be obtained from the required location.

(5) No satellite dish antenna shall exceed a diameter of twelve (12) feet.

(6) No satellite dish antenna may be installed on a portable or movable device except as a temporary means (not to exceed 30 days) to test for a usable satellite signal.

(c) *Commercial and industrial districts.* The following setbacks and height restrictions shall apply in commercial and/or industrial zoning districts:

(1) No satellite dish antenna shall be placed in any required front yard, side adjacent to street or arterial setback.

(2) No satellite dish antenna shall be placed in any required side setback when contiguous to residentially zoned property.

(3) A satellite dish antenna may be permanently mounted or may be installed on a portable or movable device.

(4) No satellite dish antenna (whether permanent or portable) shall be installed in a required parking space.

(5) No satellite dish antenna shall exceed the maximum height of the zoning district.

(d) *Permit required.* Before any satellite antenna is erected in any zoning district, the property owner(s) shall first obtain the applicable permits from the Building Official.

(1) A building permit is not required for installation of satellite dish antennas which are four (4) feet or less in diameter.

(2) All satellite dish antennas and the construction and installation thereof shall conform to the building and electrical codes adopted by the building division.

(3) Satellite dish antennas shall meet all manufacturer's specifications, be of noncombustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner.

Sec. 27-611. - Sexually oriented businesses.

(a) *Purpose and intent.* It is the purpose of this section to regulate sexually oriented businesses to promote the health, safety, morals, and the general welfare of the citizens of the city and to establish reasonable uniform regulations to prevent the continued deleterious location and concentration of sexually oriented businesses within the city. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly it is not the intent or effect of these regulations to restrict or deny access by adults to distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of these regulations to condone or legitimize the distribution of obscene materials.

(b) *Findings and determinations.* The city council hereby finds and determines that:

(1) The establishment of adult uses in business districts which are immediately adjacent to and which serve residential neighborhoods has a deleterious effect on both the business and residential segments of the neighborhood, causing or contributing to blight and a downgrading of property values.

(2) The establishment of more than two (2) adult uses within six hundred (600) feet of each other has a deleterious effect on surrounding residential and business areas and the fostering of such businesses within a close proximity tends to create a "skid row" atmosphere.

(3) The location of several adult uses in the same neighborhood tends to attract an undesirable quantity and quality of transients, a circumstance which adversely affects property values, causes an increase in crime and encourages residents and businesses to move elsewhere.

(4) Concern for, and pride in, the orderly planning and development of a neighborhood should be encouraged and fostered in those persons comprising residential and business segments of that neighborhood.

(c) *Definitions.* Terms used in this section, that are not specifically defined below, may be found in section 27-201. Where other definitions are necessary and are not defined in this section or section 27-201, the dictionary may define such terms.

(1) *Adult arcade* means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

(2) *Adult book store* or *adult video store* means a commercial establishment which, as one (1) of its principal business purposes, offers for sale or rental for any form of consideration any one (1) or more of the following:

a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, video reproductions, slides, or other visual representations which are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

b. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

(3) *Adult cabaret* means a commercial establishment which regularly features:

a. Persons who appear nude or in a state of nudity or semi-nudity; or

b. Live performances which are characterized by the exposure of specified anatomical areas or by the exhibition of specified sexual activities;

(4) *Adult motel* means a hotel, motel, or similar commercial establishment which:

a. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis on the depiction or description or "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;

b. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or

c. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

(5) *Adult motion picture theater* means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

(6) *Church or other place of worship* means a building which is used primarily for religious worship and related religious activities, including but not limited to churches, convents, monasteries, shrines, and temples.

(7) *City* means the City of Billings, Montana.

(8) *Establishment* means and includes any of the following:

a. The opening or commencement of any sexually oriented business as a new business;

b. The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

c. The additions of any sexually oriented business to any other existing sexually oriented business; or

d. The relocation of any sexually oriented business.

(9) *Nudity* or *a state of nudity* means:

a. The appearance of a human bare buttock, anus, male genitals, female genitals, or areola or nipple of the female breast, or

b. A state of dress which fails to opaquely and fully cover human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.

(10) *Sexually oriented business* means an adult arcade, adult book store, adult cabaret, adult video store, adult motel, or adult motion picture theater.

(11) *Specified anatomical area* means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

(12) *Specified sexual activities* means and includes any of the following:

a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

c. Masturbation, actual or simulated; or

d. Excretory functions as part of or in connection with any of the activities set forth in subsections a. through c.

(13) *Transfer of ownership or control of sexually oriented business* means and includes any of the following:

a. The sale, lease, or sublease of the business;

b. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or

c. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(d) *Classification.* Sexually oriented businesses are classified as follows:

(1) Adult arcades;

(2) Adult book stores or adult video stores;

(3) Adult cabarets;

(4) Adult motels; and

(5) Adult motion picture theaters.

(e) *Location of sexually oriented business.*

(1) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate any sexually oriented business within one thousand (1,000) feet of the following residential zones:

~~a. Agricultural suburban (A-S) zone;~~

~~b. Agriculture open-space (A-1) zone;~~

~~c. Residential 15,000 (R-150) zone;~~

d. Residential 9,600 (R-96) zone;

e. Residential 8,000 (R-80) zone;

f. Residential 7,000 restricted (R-70R) zone;

g. Residential 7,000 (R-70) zone;

h. Residential 6,000 restricted (R-60R) zone;

i. Residential 6,000 (R-60) zone;

j. Residential 5,000 (R-50) zone;

k. Residential multi-family (RMF) zone;

l. Residential multi-family—Restricted (RMF-R) zone;

m. Residential manufactured home (RMH) zone;

n. Entryway mixed use (EMU) zone; or

o. Any planned development zone that allows residential uses unless such zone is separated from the location of a sexually oriented business by an Interstate Highway.

(2) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate any sexually oriented business within one thousand (1,000) feet of the following land uses:

a. Public library;

b. Public playground or park (for purposes of this section, publicly owned multiuse trails shall be deemed to be a park);

c. Public or private school and its grounds, from pre-school through twelfth grade;

d. A state licensed community residential facility, family day care home, group day care home, or day care center; Church or other place of worship; or

e. A cemetery.

(3) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own or operate any sexually oriented business within six hundred (600) feet of another sexually oriented business.

(4) For purposes of this section, specified distances will be measured in a straight line, without regard to intervening structures, from the property line of the sexually oriented business to the property line of the preceding land uses or zoning districts.

(5) In addition to the preceding requirements, sexually oriented businesses are permitted in the following zones only:

a. Central business district (CBD) zone;

b. Highway commercial (HC) zone;

c. Controlled industrial (CI) zone; or

d. Heavy industrial (HI) zone.

(f) *Nonconforming use—Amortization period established.* (Refer to subsection 27-405(g))

Sec. 27-612. - Supplemental commercial development standards.

Certain commercial uses shall be specifically restricted as follows:

(a) *Eating and drinking places.* The use of any premises or the construction or alteration of any new or existing building or structure where alcoholic beverages are served for on-premises consumption as a primary or accessory use shall only be allowed in commercial or industrial zoning districts as regulated by section 27-306. No building, structure or premises shall be used for the on-premise consumption of alcoholic beverages unless:

(1) A distance of six hundred (600) feet between property lines, measured in a straight line, is maintained from any building that is predominantly used as a church or school or from a public park that contains a children's playground or playfield.

a. Properties or establishments which are located in the Central Business District zoning district are exempt from subsection (1).

b. Properties may be granted a waiver from the 600-foot separation required in subsection (1) if the governing body finds that a physical barrier exists between the proposed use requiring the 600-foot separation. These barriers include, but are not limited to, the following:

1. An arterial street with no existing or proposed signalized pedestrian crossing;

2. A building or buildings that entirely obstruct the view between the separated uses; and

3. No direct physical access exists between the separated uses. The person applying for the special review must provide the governing body with proof that the proposed property or establishment meets one of the above described physical barriers or that other types of physical barriers exist that warrant the waiving of the 600-foot separation.

Exemptions to above subsection (a) for establishments previously granted a special review are located in BMCC section 27-613.

(b) *Drive-in service.* Any persons desiring to use any premises or to erect, construct or alter any new or existing building or structure for a drive-in service as defined in BMCC section 27-201 shall satisfy the following criteria, based upon the adjoining zoning district(s).

(1) When a drive-in establishment adjoins (including any location across an alley) residentially zoned property, the use shall obtain approval of a Special Review as outlined in BMCC sections 27-1503 and 27-1509. The application will conform to all the standards within subsection 27-612(e).

(2) All other drive-in establishments, including those which are located across a public street from residentially-zoned property, shall meet the following criteria:

a. A traffic accessibility study shall be completed and approved by the city engineer ~~or county public works director~~; and

b. The use shall comply with all other sections of the this Code.

(c) *Gambling operation.* Any gambling operation as defined in Article 7-1100 of the Billings, Montana City Code, other than for nonprofit organizations, shall be allowed only in those zones specified in BMCC section 27-306, and shall meet all of the rules, regulations and requirements of this chapter pertaining to bars, taverns and lounges, except that this provision shall not apply to bingo.

(d) *Reserved.*

(e) *Commercial and industrial uses within the city.* All commercial and industrial uses, as listed within section 27-306, within fifty (50) feet of any Residential zoning district, including a planned development that allows residential use, shall comply with these site development standards:

(1) All buildings in excess of thirty (30) feet in height shall be setback a minimum of thirty (30) feet from a property line that adjoins a residential zone and a minimum of ten (10) feet from a property line that parallels but does not adjoin a residential zone.

(2) All outdoor lighting, with the exception of signage, shall have full cutoff shields so no part of the fixture or lens projects below the cutoff shield. Light pole standards must be twenty (20) feet in height or less.

(3) Mechanical equipment, including but not limited to air conditioning units, air handling units, back-up power generators, installed at ground level or on a roof must be fully screened from view. The screening shall be at least the height of the mechanical equipment. Mechanical equipment that generates or is expected to generate noise in excess of fifty-five (55) decibels (DbA) within three (3) feet of the equipment location must provide sound abatement or suppression which may require the equipment to be enclosed in a structure.

(4) Loading docks, if necessary or required by the operation, must be located the farthest distance practicable from the residential zone. However, if the property adjoins an arterial street, the loading dock must be set back far enough such that no trucks will be loading, unloading, or backing within the street. Loading shall be done from alleys when possible.

(5) Outdoor storage of merchandise or equipment must be within an area enclosed with a sight obscuring fence at least six (6) feet in height that is architecturally coordinated in color and design with the building. Vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale. Outside promotional displays are allowed during business hours only.

(6) No fascia of a building or canopy may be internally illuminated.

(7) No signs may be placed on a building wall that parallels a residential zone. No freestanding advertising signs may be placed within thirty (30) feet of a property line that adjoins a residential zone or within ten (10) feet of a property line that parallels a residential zone.

(8) No outdoor waste storage on the commercial or industrial property shall be located within thirty (30) feet of a property line that adjoins a residential zone or within ten (10) feet of a

property line that parallels a residential zone. This requirement shall not apply where the property is separated from a residential zone or residential use by an alley or street. All on-site solid waste storage shall be located within an area enclosed with a solid, masonry wall that is architecturally coordinated in color and design with the building.

(9) No outdoor announcement system or music system, whether permanent or temporary, is allowed.

(10) Existing developments that do not conform to one or more of these development standards, may continue unless the site is re-developed for a new use, a new building is added to the existing development, or the floor area of the existing structures is increased by more than ten (10) percent of the gross floor area. At the time of re-development, change in use or expansion, the property will conform to these standards.

Sec. 27-613. - Supplemental special review standards.

(a) *Eating and drinking places.* The following exemptions from the special Review requirements, as regulated by section 27-306, shall apply to those establishments where alcoholic beverages are served for on-premise consumption, which have previously been approved pursuant to a special review by the city council ~~or board of county commissioners~~:

(1) Such an establishment shall be allowed to remodel, expand or relocate within the same structure without an additional special review, as regulated by section 27-306 provided that:

a. The gross floor area of the remodeled, expanded or relocated establishment is not over ten (10) percent greater than the gross floor area originally occupied by the establishment;

b. The number of potential occupants is not increased by more than ten (10) percent, than the number that is currently allowed;

c. The number of new parking stalls is not more than ten (10) percent greater than the original number of spaces; and

d. All other requirements of this ~~resolution/~~ordinance and/or this Code are met.

(2) Such an establishment in which additions and/or remodels include an outdoor patio lounge shall be required to obtain special review approval, as regulated by section 27-306 and as outlined in sections 27-1503 ~~and 27-1509~~.

(b) *Churches.* Churches and other places of worship shall be reviewed as a special review use in all residential zones pursuant to BMCC section 27-305. The following exemptions from the special review requirements shall only apply to those churches and other places of worship which have previously been approved pursuant to a special review by the city council ~~or board of county commissioners~~ or which are legal nonconforming uses:

(1) Such a church or place of worship shall be allowed to remodel or expand without an additional special review provided that:

a. The number of potential occupants is not increased by more than ten (10) percent, than the number that is currently allowed;

b. The gross floor area of the facility after such remodeling or expansion is not over ten (10) percent greater than the gross floor area originally occupied by the facility;

c. The number of new parking stalls is not more than ten (10) percent greater than the original number of spaces; and

d. All other requirements of this ~~resolution/~~ordinance and/or the Billings, Montana City Code are met.

(2) If, at the time the original or subsequent Special Review was conducted and approved, the applicant submitted a master plan showing: (a) future additions to the structure(s); (b) future structure(s); and/or (c) future parking area(s), those future improvements may be constructed

without additional Special Review provided that these future improvements were considered in the Special Review approval and all other requirements of this ~~resolution/~~ordinance and/or the Billings, Montana City Code are met. Minor modifications and expansions to the future improvements identified on the master plan may also be constructed without additional Special Review provided that such modifications and/or expansions to the master plan meet the provisions of above subsection (1).

(c) *Other special review uses.* Uses not listed in above subsections (a) or (b), which have been approved pursuant to a special review by the city council ~~or board of county commissioners~~, may be allowed to expand or remodel without an additional special review, provided that the expansion or remodeling meets all of the following criteria:

(1) The gross floor area of the remodeled or expanded establishment is not over ten (10) percent greater than the gross floor area originally occupied by the establishment;

(2) The number of potential occupants is not increased by more than ten (10) percent, than the number that is currently allowed;

(3) The number of new parking stalls is not more than ten (10) percent greater than the original number of spaces; and

(4) All other requirements of this ~~resolution/~~ordinance and/or the Billings, Montana City Code are met.

Sec. 27-614. - Temporary uses and structures.

(a) *Definitions.* For the purposes of this section, the definitions found in section 27-201 for both temporary uses and temporary structures shall be used in the regulation of such uses and structures. In addition, all uses contained in temporary structures shall be considered temporary uses of property and therefore must comply with the provisions of this section. All temporary uses and structures shall also comply with the adopted fire code.

This section shall not apply to sidewalk vendors governed by article 7-1200 of the City Code.

(b) *Temporary uses in nonresidential zoning districts.*

(1) *Group 1 temporary uses.* This group shall be defined as temporary uses of property continuing for less than seventy-two (72) hours. Group 1 uses do not require a temporary use/structure permit from planning and community development. Uses in this group shall comply with the following:

a. Such use shall be an allowed use in the underlying zoning district;

b. Any temporary structure must be setback five (5) feet behind all property lines;

c. No part of the temporary use or temporary structure shall block any defined clear vision area (section 27-615) for driving aisles, drive approaches from streets, or at the intersection of streets or alleys;

d. Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed one-hundred (100) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of any freestanding sign is eight (8) feet from finished grade. Paper or cardboard signs are prohibited. Banner signs are exempt from the limitations found in the City Sign Code [subsection 27-700(b)(1)b.].

e. All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

(2) *Group 2 temporary uses.* This group shall be defined as temporary uses of property continuing for longer than seventy-two (72) hours but less than sixty-one (61) days and are required to obtain a temporary use/structure permit from the planning and community services department.

a. The following temporary uses may be allowed in this temporary use group:

1. Carnival, circus, seasonal sales or other uses as allowed in the district regulations in section 27-306.

b. Supplemental standards. Uses in this group shall comply with the following:

1. Such use shall be an allowed use in the underlying zoning district;

2. Any temporary structure must be setback five (5) feet behind all property lines;

3. No part of the temporary use or temporary structure shall block any defined clear vision area (section 27-615) for driving aisles, drive approaches from streets, or at the intersection of streets or alleys;

4. Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed one hundred (100) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of any freestanding sign is eight (8) feet from finished grade. Paper or cardboard signs are prohibited. Banner signs are exempt from the limitations found in the City Sign Code {subsection 27-700(b)(1)b.}

5. All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

6. New access drives to public right-of-ways must be approved by the city engineering division ~~or county public works department as required~~.

7. A business license for temporary uses located within the city limits must be obtained if required by Billings Municipal City Code (BMCC) chapter 13-400 (finance and revenue).

(3) *Group 3 temporary uses.* This group shall be defined as temporary uses of property continuing for longer than sixty-one (61) days but less than one (1) year and are required to obtain a temporary use permit from the planning and community services department.

a. The following temporary uses may be allowed in this temporary use group, but must be located in a district that allows the use, as specified in the district regulations in sections 27-305 and 27-306:

1. Greenhouses or other similar seasonal-oriented uses, as determined by the zoning coordinator;

2. Portable classrooms;

3. Portable offices; or

4. Other uses, such as carry-out food and/or beverage service.

b. Location restrictions.

1. Any group 3 temporary use/structure existing upon adoption of this chapter, which does not comply, depending upon its location, with the applicable city ~~or county~~ site development regulations, shall comply with such standards within one (1) year from the date of the enactment of this section or any amendment thereto;

2. Any new or relocated temporary use must be located on a site which complies, depending upon its location, with the applicable city ~~or county~~ site development regulations, including landscaping, surfacing and number of required off-street parking spaces;

3. The structure shall be a factory-built structure and shall not have an axle(s). Temporary structures which do not comply with one or both of these requirement(s) and which exist on the date of adoption of these regulations, shall be deemed legal nonconforming

structures and may continue to be used as a temporary structure, provided the temporary use and structure complies with all other requirements of this section; and

4. Temporary uses as listed in subsection (3)a.4. shall also comply with the following criteria:

    a. Maximum size of the structure shall be ten (10) feet by twelve (12) feet or one hundred twenty (120) square feet;

    b. Site circulation shall be approved by the city traffic engineer ~~or county public works director~~, along with the location of any drive-in window. This group of temporary uses shall be exempt from any special review requirements for drive-in service;

    c. The temporary use must provide the required number of paved off-street parking spaces. In addition, the temporary use shall not utilize any parking spaces that would make the principal use deficient in the required number of off-street parking spaces;

    d. Utilities to serve the temporary use shall be located underground or suspended overhead, in compliance with all applicable codes; and

    e. All structures are subject to local, ~~county~~ and state requirements and must obtain all relevant licenses before a temporary use/structure permit is issued.

c. Supplemental standards.

1. When submitting for a temporary use/structure permit, a group 3 use shall provide the following:

    a. Existing site plan, including parking stalls and buildings;

    b. Proposed site plan, including location of temporary use and its relationship to existing site circulation and off-street parking spaces and driving aisles, including existing and proposed surfacing;

    c. Location of drive-in service, if applicable;

    d. Setbacks from property lines and arterial streets;

    e. Size of temporary structure; and

    f. Proposed use of the temporary structure.

2. Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed one-hundred (100) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of a freestanding sign is eight (8) feet from finished grade. Banner signs, paper or cardboard signs are prohibited.

3. The temporary use must provide sufficient space to accommodate the structure and paved off-street parking for customer and use-related vehicles;

4. Clear vision standards set forth in section 27-615 shall be followed;

5. Access to any public right-of-way must be approved by the city engineering division ~~or county public works department~~;

6. It shall be the responsibility of the owner of the temporary structure to ensure that the structure is secured to withstand an eighty (80) miles per hour (m.p.h.) wind load and to meet all applicable Americans with Disabilities Act (A.D.A.) and accessibility standards;

7. All group 3 temporary structures, regardless of size, which contain electrical wiring, and are placed on property within the city limits, shall have such electrical wiring permitted,

inspected and approved by the city building division. All temporary structures that exceed one hundred twenty (120) square feet, except greenhouses, shall have the structure permitted, inspected and approved by the city building division or labeled as a factory-built structure by the State Building Codes Bureau prior to issuance of a temporary use/structure permit. A temporary use/structure permit shall be obtained by the owner and a business license, if required, shall be obtained by the operator. Such temporary use/structure permit shall be valid for a period of not more than one (1) year. An annual renewal may be given by the zoning coordinator, provided that the use complies with the above requirements. However, permits for portable offices or classrooms may be renewed only one time per location.

(c) *Temporary uses in residential ~~or agricultural~~ zoning districts.* In any residential district, the temporary use of land for uses listed below may be allowed for a period not to exceed sixty-one (61) days and are required to obtain a temporary use permit from the planning and community services department.

(1) *Seasonal sales.* The sales of seasonal items including but not limited to holiday decorations in residential zoning districts shall be allowed when all of the following restrictions are met:

a. The sale must be conducted on a church, school or other tax exempt premises which provides sufficient space to accommodate the seasonal sales and off-street parking for customer and other sale related vehicles;

b. Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed thirty-two (32) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of any freestanding sign is eight (8) feet from finished grade. Banner signs, paper or cardboard signs are prohibited.

c. Clear vision standards set forth in section 27-615 shall be followed; and

d. All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

(2) *Roadside stands.* The sale of flowers or produce at temporary roadside stands shall be allowed when all of the following restrictions are met:

a. Only items which are produced on the premises may be sold on the premises;

b. Any structure used must be portable and removed after the temporary use/structure has ceased operation. ~~However, structures which are located in the agricultural-open space (A-1) zoning district may be used even if they are permanent~~;

c. Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed thirty-two (32) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of any freestanding sign is eight (8) feet from finished grade. Banner signs, paper or cardboard signs are prohibited.

d. The use must provide sufficient space to accommodate the stand and off-street parking for customer and other sale related vehicles;

e. No structure, either temporary or permanent, nor any parking area shall be located within any public right-of-way and shall meet the clear vision standards set forth in section 27-615;

f. New access to any public right-of-way must be approved by the city engineering division ~~or county public works department~~; and

g. All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

~~(d) *Fireworks stands.* The erection of a temporary fireworks stand may be permitted if it meets the following restrictions:~~

(1) The stand is located outside the limits of the city and is situated in one of the following zoning districts:

a. Public (P) zone;

b. Community commercial (CC) zone;

c. Highway commercial (HC) zone;

d. Controlled industrial (CI) zone;

e. Heavy industrial (HI) zone; or

f. Agricultural-open space (A-1) zone.

(2) No fireworks stand shall be allowed to operate within five hundred (500) feet of any other structure. Nor shall any fireworks stand be allowed to operate within one thousand five hundred (1,500) feet of structures which have any flammable or combustible liquid handling, distribution or sales (including gas pumps);

(3) All fireworks stands shall display warning signs in red letters on white background with letters not less than three (3) inches in height and one-half (½) inch in stroke. Such signs shall state:

a. Danger - Explosives

b. No smoking

c. No discharge of fireworks within five hundred (500) feet

d. No parking of flammable or combustible liquid transportation vehicles within five hundred (500) feet

(4) There must be a minimum of fifty (50) feet clear cut radius measured from the corner of each exterior wall. Vegetation within this radius shall be a maximum of two (2) inches in height and shall be raked clean of any dead vegetation. Any trees within this radius will be subject to review and approval by the county fire marshal;

(5) Each fireworks stand shall have a minimum of two (2) pressurized water extinguishers (class 2A or approved equivalent) on premises at all times;

(6) Location of each stand shall also be approved by the county fire marshal;

(7) Each fireworks stand shall be setback a minimum of fifty (50) feet from any public right-of-way;

(8) All fireworks stands shall receive fire protection from a fire protection service licensed or registered in the state;

(9) An application for a permit must be submitted a minimum of fifteen (15) working days prior to the fireworks season, as defined by M.C.A. 50-37-106. The sale of fireworks shall only be allowed within this time period. However, the fireworks stand, without any sales occurring, may be allowed to be erected between June 17 through July 12;

(10) Signs advertising the temporary use or activity are allowed at the same location as the temporary use. Signage may not exceed one hundred (100) square feet in area and may be displayed while the temporary use is on the property. Wall signs affixed to temporary structures and freestanding signs are allowed. The maximum height of any freestanding sign is eight (8) feet from finished grade. Banner signs, paper or cardboard signs are prohibited. All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

(11) The fireworks stand must provide sufficient space to accommodate the stand and off-street parking for customer and other sale-related vehicles;

(12) An "Application For Sale of Fireworks" must be obtained and signed by the planning department, county fire marshal, Yellowstone county treasurer and the applicant. In addition, the applicant must obtain "Proof of Fire Protection";

~~(13) No structure, either temporary or permanent, nor any parking area shall be located within any public right-of-way; and~~

~~(14) Access to any public right-of-way must be approved by the county public works office.~~

(e) *Temporary uses and structures.*

(1) *Construction equipment, sheds and materials.* The temporary staging and storage of equipment and materials and use of buildings or modular structures for offices or equipment sheds during construction projects may be permitted in any zoning district. A temporary use/structure permit is not required if the equipment, materials and structures are part of an approved construction project. In addition, all equipment, materials and structures shall meet the following criteria:

a. Equipment, materials and structures include any items procured by a contractor that are necessary to complete the approved construction project including, but not limited to:

1. Heavy equipment, pipe, fittings, manholes, and the appurtenances;

2. Gravel, sand, soil, concrete mix, forms, lumber and similar materials;

3. Traffic control devices and stacked pallets of materials; and

4. Modular offices and equipment sheds.

b. Staging and storage of equipment and materials shall be conducted in a safe, neat and orderly manner at all times;

c. Any such equipment, materials and structures shall be removed upon completion of the construction project; and

d. No such structure shall be used for living or sleeping purposes.

(2) *Other temporary structures.* Temporary structures not used for construction or equipment sheds may be allowed when the following criteria are met:

a. For group 3 uses, the structure shall meet the applicable setbacks for the zone in which it is located, including arterial setbacks as found in section 27-602;

b. The structure shall meet the clear vision standards set forth in section 27-615;

c. No such structure shall be used for living or sleeping purposes; and

d. The use of the structure shall comply with subsections 27-614(b) and 27-614(c), whichever is applicable.

e. A temporary use/structure permit shall be obtained for each location by the owner for group 2 and group 3 uses as defined in subsection 27-614(b).

f. A temporary use/structure permit shall be obtained for each location by the owner for seasonal sales and roadside stands in residential and noncommercial zoning districts as defined in subsection 27-614(c).

(3) *Time limit established.* The zoning coordinator shall establish the time period that a building or modular structure can be used on a temporary basis. This time period shall coincide with the temporary use/structure permit time period established under above subsection (b) or (c), whichever is applicable. The structure shall be removed when the temporary use is discontinued or the permit has expired. An extension for the renewal of the temporary structure permit only, may be granted by the zoning coordinator, if it is found that unusual and/or extraordinary circumstances exist.

(f) *Temporary use/structure permit required.* Before any group 2 or group 3 temporary use or structure is established, the property owner shall obtain a temporary use/structure permit for each location from the zoning coordinator or his/her designee. For group 3 temporary uses, the temporary use permit holder shall post a one thousand five hundred ($1,500.00) bond, money order or ~~cashiers~~ cashier's check for each location with the planning and community services department to ensure timely removal

of the use and/or structure. Before any seasonal sale or roadside stand is established in a residential or noncommercial zoning district, the property owner shall obtain a temporary use/structure permit for each location from the zoning coordinator or his/her designee.

Sec. 27-615. - Visibility at intersections.

(a) On corner lots at the intersection of all streets, except those intersections which are controlled by stop signs, yield signs or traffic signals, no fence, hedge, wall, shrub, structure or vision impediment over thirty (30) inches in height above an established top-of-curb grade shall be located within a triangular area formed by the intersecting street centerlines and a straight line joining such intersecting lines at points measured back from the point where the centerlines or the extension of the centerlines intersect a distance as shown in Table 1 (See section 27-618, figures 3a, 3b, and 3c).

Table 1—Clear Vision Areas at Intersections

INTERSECTION TYPE	Clear Vision Area Required:	Reference Figure in Section 27-618
Minor Street Stop	Entering a Local Street—10′ × 55′ (along property lines)	Fig. 2a
	Entering Collector Street—10′ × 75′ (along property lines)	
	Entering Arterial Street—10′ × 95′ (along property lines)	
All-Way Stop	20′ × 20′ along property lines	Fig. 2b
Yield	25′ × 60′ along property lines	Fig. 2c
Traffic Signal	Same as minor street stop looking toward approaching traffic in nearest travel lanes Same as all-way stop looking opposite direction	Fig. 2d
Open (uncontrolled)		
4-legged	110′ × 110′ along street centerline	Fig. 3a
2-legged (right angle curve with street centerline radius of 100 feet or less)	80′ × 80′ along street centerlines (extended)	Fig. 3b
"T" intersection	25′ along stem × 60′ along top of "T" measured along property lines (see Note 1)	Fig 3c

Notes and exceptions for Table 1:

(1) Only applies to "permanent" T-intersections where there is no chance of the street extending through. Intersections where the property along the top of the "T" is not subdivided or is split into lots significantly larger than the majority of lots in the subdivision, or where there is a private street extending into the adjacent property opposite the stem of the "T" will be treated as a four-legged intersection.

(2) In cases where the there is a curve coming into the intersection or the street alignment near the intersection deviates by more than five (5) degrees from tangent may be subject to increased (additional) restrictions based on technical review by the city traffic engineer.

(3) Along arterial and collector streets where the "major" street curbline is more than twenty (20) feet from the property line, the clear vision area may be reduced to that provided for a stop controlled local street intersection.

(4) For minor street stop (case 2a) entering a street with a posted speed limit greater than forty-five (45) mph, the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer.

(5) Along private streets where there is no property line, controlled intersection areas shall be measured as though there is a property line twelve (12) feet behind the curbline of the private street.

(b) On corner lots at intersections where one (1) or more approaches are controlled by a stop sign, yield sign, or a traffic signal, no fence, hedge, wall, shrub, structure or vision impediment over thirty (30) inches in height above an established top-of-curb grade shall be located within a triangular area formed by the intersecting lines measured along the property lines as provided in Table 1 (See section 27-618, figures 2a, 2b, 2c, and 2d).

(c) On the street side of all lots where an alley or private driveway enters the street right-of-way, a clear vision area shall be maintained. Such area shall be measured as defined in Table 2. No fence, hedge, wall, shrub or structure over thirty (30) in height above an established top-of-curb grade shall be erected or maintained within the above defined this clear vision area (See section 27-618, figure 1a). If no sidewalk exists, all measurements shall be made from and along the property line.

Table 2—Clear Vision Area at Driveways and Alley Approaches

Clear Vision Area For:	Clear Vision Area Required
Vehicular Traffic	*Entering local street* —Triangle measured along centerline of the driveway or alley fourteen (14) feet from back of curb by one hundred seventy-five (175) feet along the curb line or the extension of the curb line on the cross street
	Entering collector street —Triangle measured along centerline of the driveway or alley fourteen (14) feet from back of curb by two hundred fifty (250) feet along the curb line or the extension of the curb line on the cross street
	Entering arterial street —Triangle measured along centerline of the driveway or alley fourteen (14) feet from back of curb by three hundred fifteen (315) feet along the curb line or the extension of the curb line on the cross street

	(See Note 1)
Pedestrian Traffic	Triangle ten (10) feet from back of walk into property measured along the edge of the drive, and twenty (20) feet along the back of sidewalk measured from the edge of the driveway

Notes for Table 2:

(1) For commercial driveways the point of reference for "centerline" shall be the actual marked centerline separating inbound and outbound traffic when there are two (2) or more exit lanes.

(2) For driveways entering a street with a posted speed limit greater than forty-five (45) mph, the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer.

(d) Central business district. On corner lots at intersections within the central business district no fence, hedge, wall, shrub, structure or vision impediment over thirty (30) inches in height above an established top-of-curb grade shall be located within a triangular area formed by the intersecting lines measured along the street centerline and the back of curbline as provided in Table 3 (See section 27-618, figure 2e). In cases where the clear vision area at intersections extends two (2) feet or less on to private property, the city engineer is authorized to review and may waive the clear vision area.

On the street side of all lots within the central business district where an alley or driveway enters the street right-of-way, a vehicular and pedestrian clear vision area shall be maintained. Such areas shall be as defined in Table 4. No fence, hedge, wall, or shrub over thirty (30) in height above an established top-of-curb grade shall be erected or maintained within these clear vision areas (See section 27-618, figure 1b). The clear vision area for alleys and driveways shall not apply to buildings or pertinent parts thereof within the central business district.

Table 3—CBD Clear Vision Areas at Intersections

INTERSECTION TYPE	Clear Vision Area Required:	Reference Figure in Section 27-618
Stop Sign or Traffic Signal	Entering 25 mph Street—Triangle 14 feet along centerline on the stop controlled approach measured from back of curb on the intersecting street by 205 feet along the curbline or the extension of the curb on the cross street Entering 35 mph Street—Triangle 14 feet along centerline on the stop controlled approach measured from back of curb on the intersecting street by 290 feet along the curbline or the extension of the curb on the cross street Entering street with speed limit above 35 mph—the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer	Fig. 2e
Yield	The required clear vision area will be based on a site specific engineering review subject to approval by the city traffic engineer	None

Open (uncontrolled)	The required clear vision area will be based on a site specific engineering review subject to approval by the city traffic engineer	None

Table 4—CBD Clear Vision Areas at Alleys and Driveways

Clear Vision area for:	Clear Vision Area Required: The clear vision area for alleys and driveways shall not apply to buildings or pertinent parts thereof within the central business district.	Reference Figure in Section 27-618
Vehicular traffic	Entering 25 mph Street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 175 feet along the curbline or the extension of the curbline on the cross street Entering 35 mph Street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 250 feet along the curbline or the extension of the curbline on the cross street Entering street with speed limit above 35 mph—the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer	Fig. 1b
Pedestrian Traffic	The clear vision area is defined by a triangle 10 feet along edge of alley or driveway and 20 feet along back of sidewalk	Fig. 1b

(e) Approved advertising signs, and public use controls and systems may be permitted in any of the above defined clear vision areas. In addition, trees with a maximum trunk diameter of one (1) foot measured four (4) feet above the ground line, and trimmed of all branches between the ground line and eight (8) feet in height, may be permitted in the above defined clear vision areas.

(f) Penalties. A violation of this section is designated as a municipal infraction, and punishable by civil penalties as specified in section 18-1304.

~~Sec. 27-616. - Watercourse setbacks.~~

~~(a) The following watercourse standards have been established to help minimize or prevent any destruction of improvements when flood events occur in areas which do not have a delineated floodplain. This section shall only apply to areas which are outside the limits of the City of Billings and which lie on a watercourse listed in below subsection (c).~~

~~(b) Any newly constructed structure, addition to an existing structure or other similar improvements shall meet one of the following watercourse standards when located adjacent to a watercourse, as defined in BMCC section 27-201, which does not have a floodway/floodplain delineated by the Federal Emergency Management Agency (FEMA).~~

~~(1) The structure, addition or similar improvement shall be setback fifty (50) feet from the centerline of the watercourse; or~~

~~(2) The structure, addition or similar improvement shall have a finished floor level which is located two (2) feet in elevation, above the highest point on the adjacent watercourse bank (See BMCC section 27-618, Figure 4).~~

~~The Yellowstone County floodplain administrator shall make any required determinations regarding the location of the watercourse centerline or its bank elevation, whether by physical inspection and/or submittal of survey documents.~~

~~(c) For the purposes of this section, the following creeks and drainages shall be classified as "watercourses" and shall conform to the restrictions in above subsection (B). These "watercourses" include: the South Fork of Alkali Creek, Basin Creek, Bitter Creek, Brockway Coulee, Dirt Creek, Five Mile Creek, Hogans Slough and the undelineated portions of Dry Creek and Unnamed Creek.~~

Sec. 27-617. - Reserved.

Sec. 27-618. - Illustrations.

FIGURE 1a. VISIBILITY AT ALLEY AND DRIVE APPROACHES

At the intersection of any alley or any driveway and a public street outside of the central business district, the illustrated clear vision area shall be maintained.

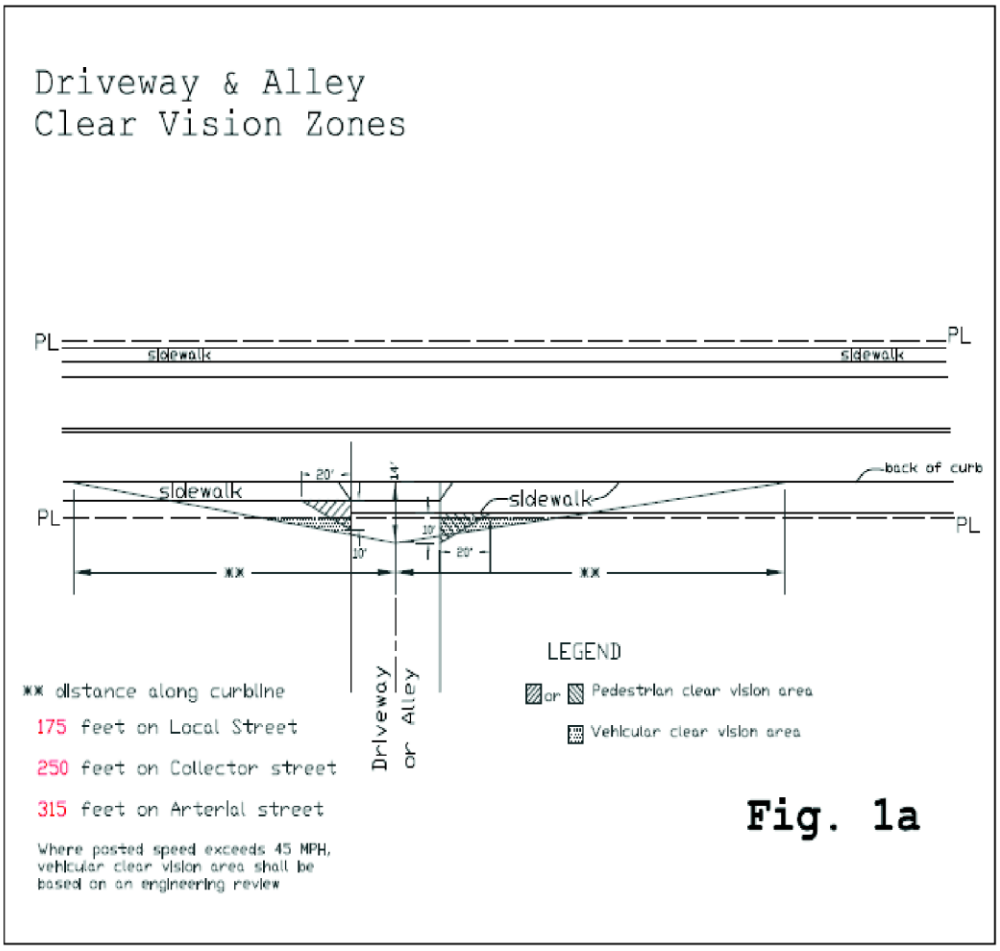


FIGURE 1b. VISIBILITY AT ALLEY AND DRIVE APPROACHES

At the intersection of any alley or any driveway and a public street within the central business district, the illustrated clear vision areas shall be maintained. The clear vision area for alleys and driveways shall not apply to buildings or pertinent parts thereof within the central business district.

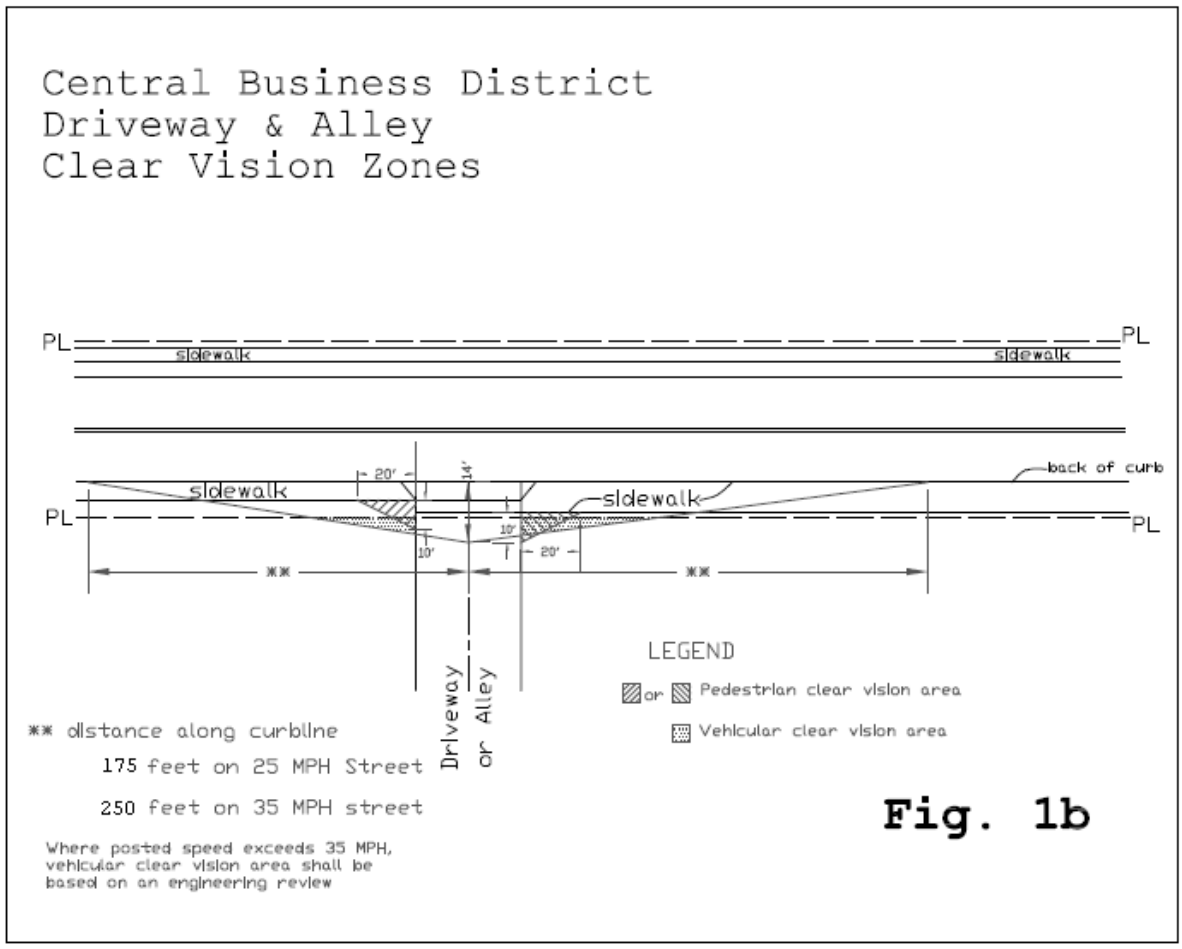


FIGURE 2a. VISIBILITY AT INTERSECTIONS: MINOR STREET STOP CONTROL

At any intersection where one (1) or more approaches is controlled by a stop sign the illustrated clear vision area shall be maintained.

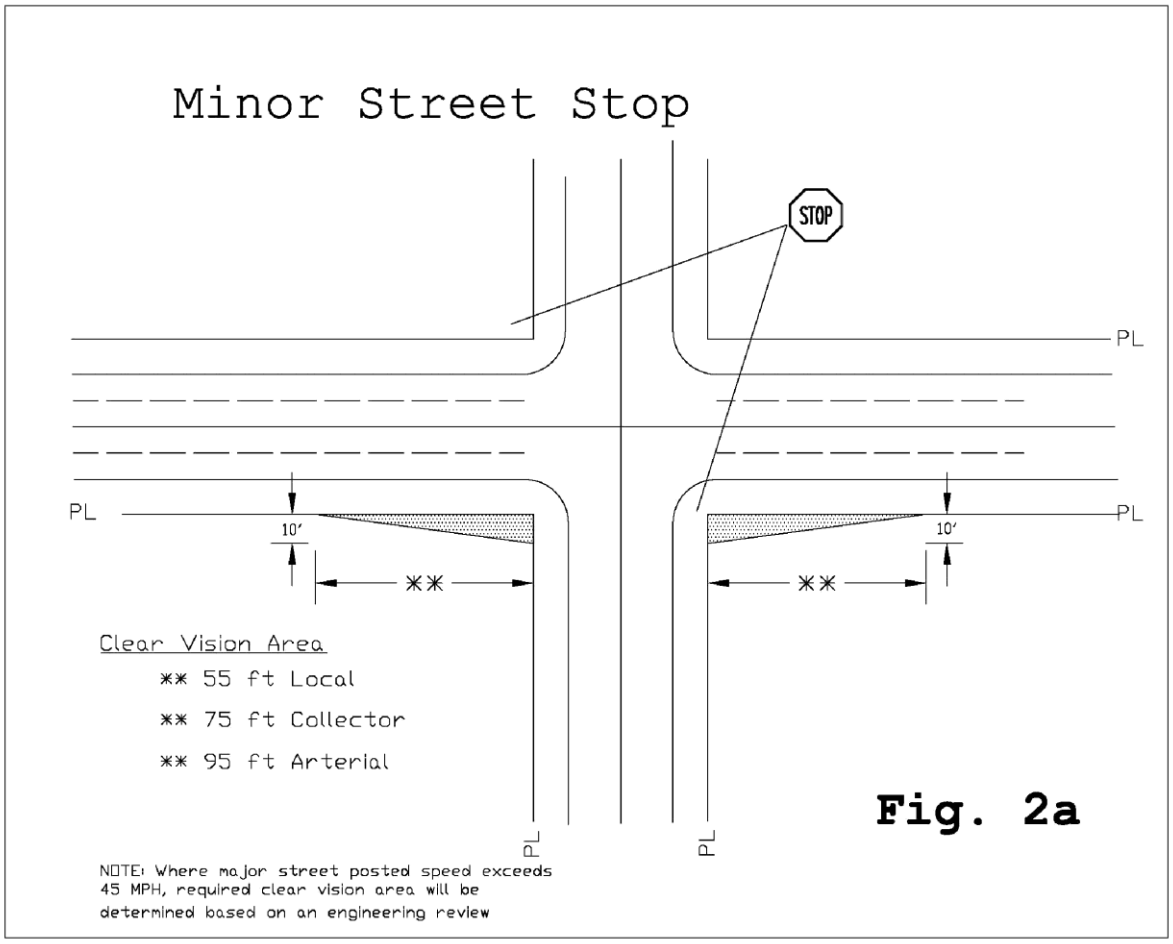


FIGURE 2b. VISIBILITY AT INTERSECTIONS: ALL-WAY STOP CONTROL

At any intersection where all approaches are controlled by stop signs the illustrated clear vision area shall be maintained.

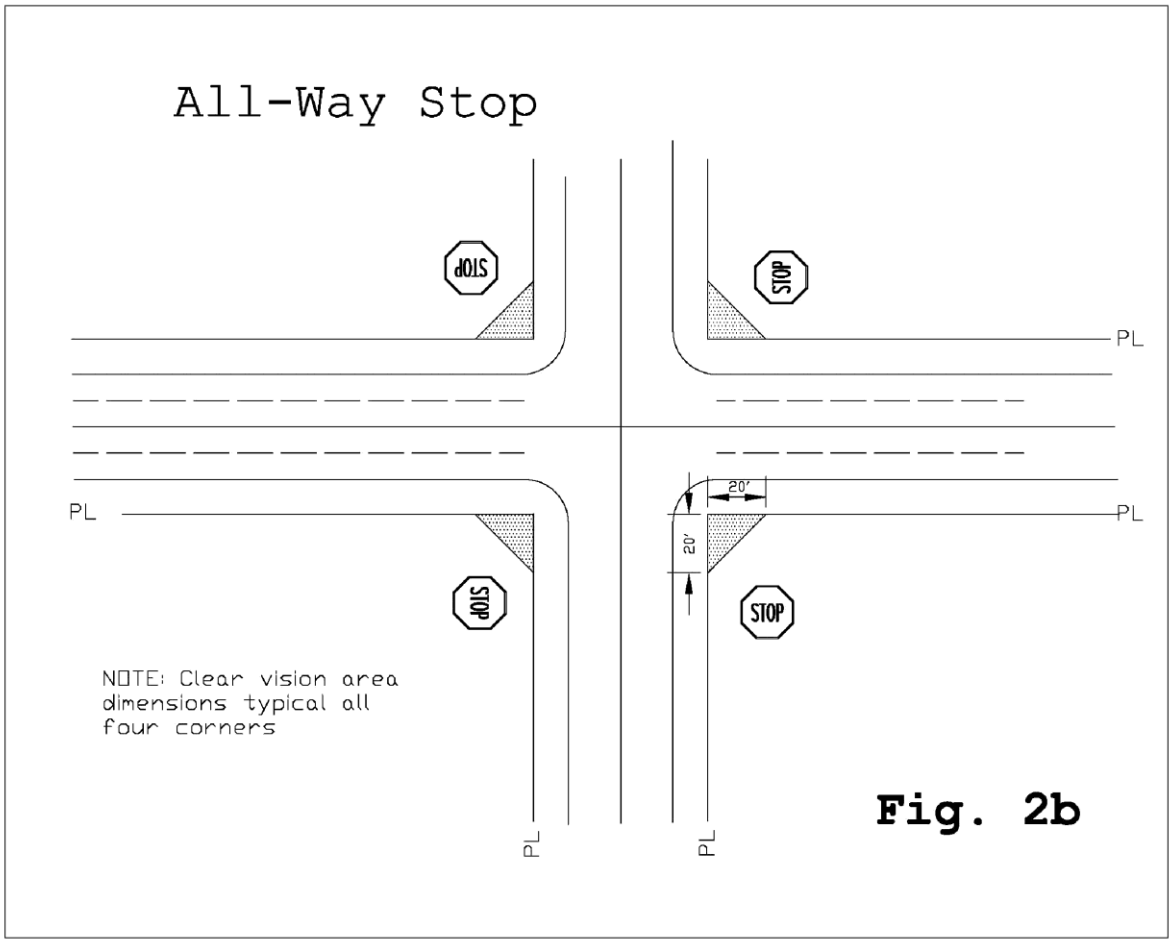


FIGURE 2c. VISIBILITY AT INTERSECTIONS: YIELD CONTROL

At any intersection where one (1) or more approaches is controlled by a yield sign the illustrated clear vision area shall be maintained.

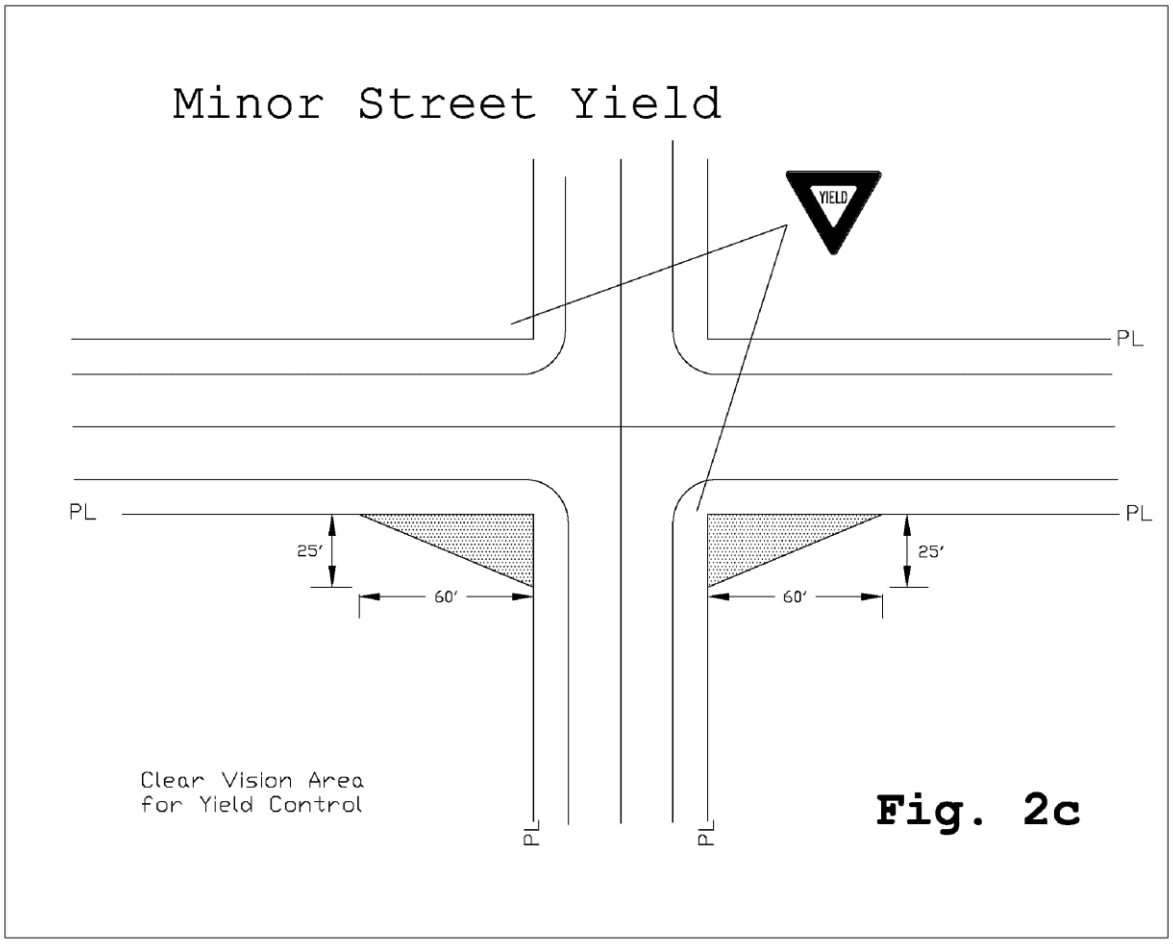


FIGURE 2d. VISIBILITY AT INTERSECTIONS: TRAFFIC SIGNAL CONTROL

At any intersection where traffic is controlled by traffic signals the illustrated clear vision area shall be maintained.

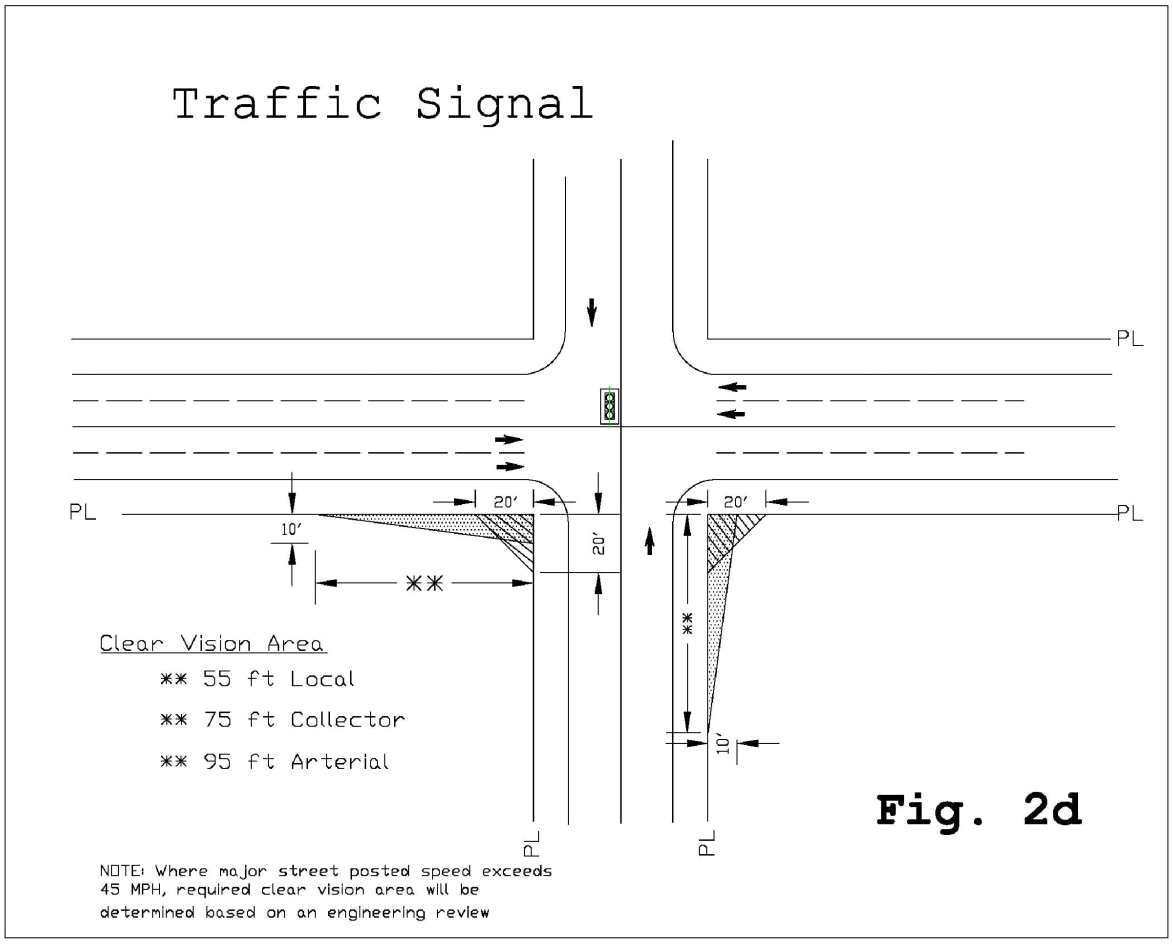
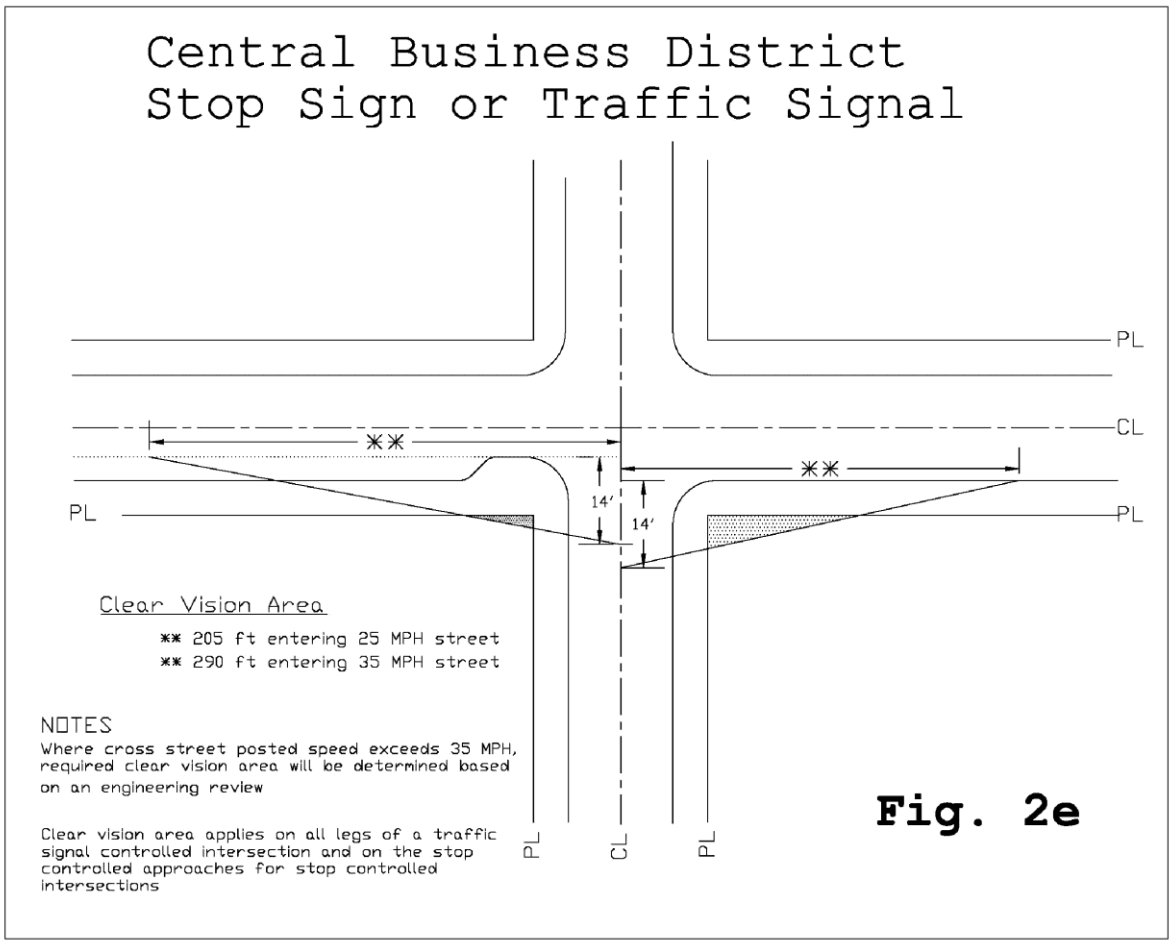


FIGURE 2e. VISIBILITY AT STOP SIGN AND TRAFFIC SIGNAL CONTROLLED INTERSECTIONS IN THE CENTRAL BUSINESS DISTRICT

At any intersection within the central business district where traffic is controlled by stop signs or traffic signals the illustrated clear vision area shall be maintained.



FIGURES 3a., 3b., and 3c. VISIBILITY AT INTERSECTIONS: UNCONTROLLED

At any intersection where none of the approaches are controlled by a stop sign, yield sign or traffic signal, the illustrated clear vision areas shall be maintained.

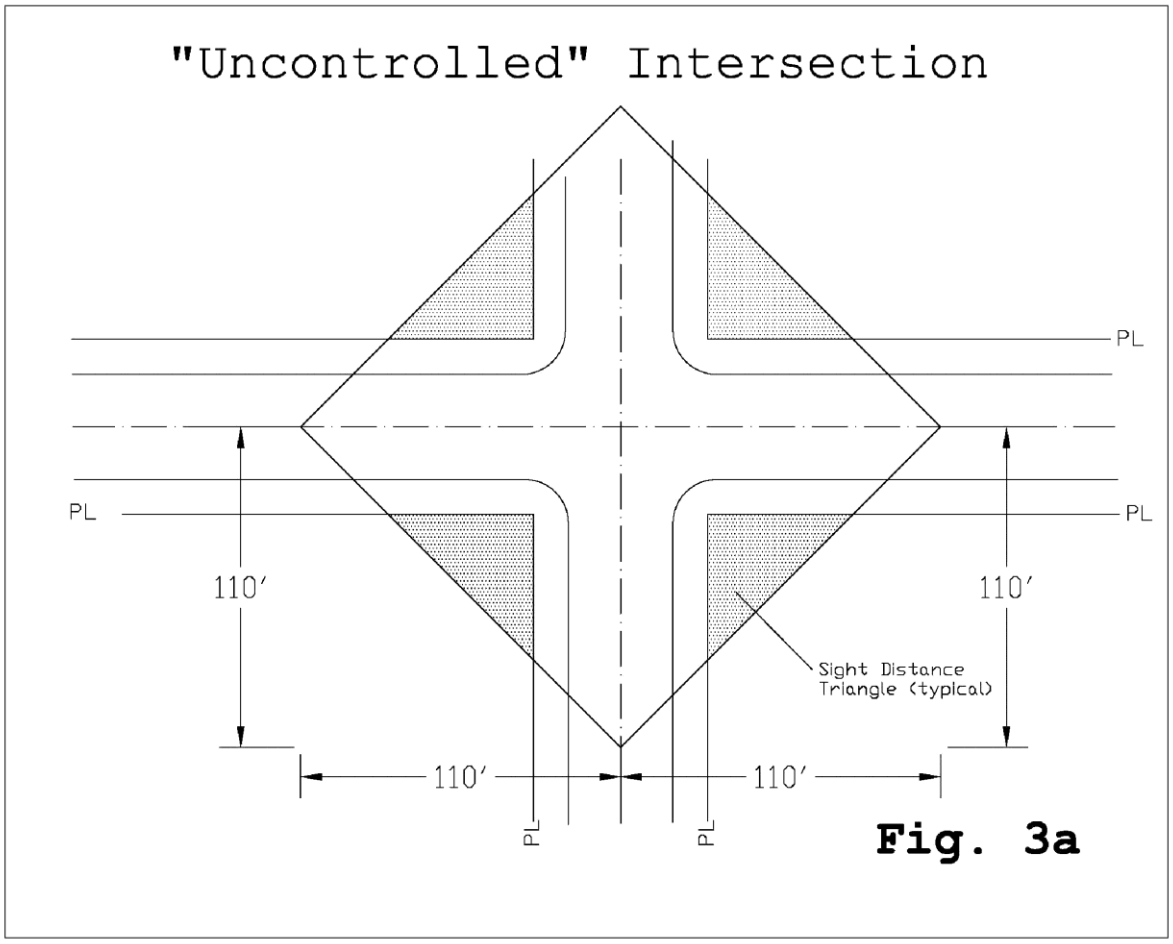


Fig. 3a

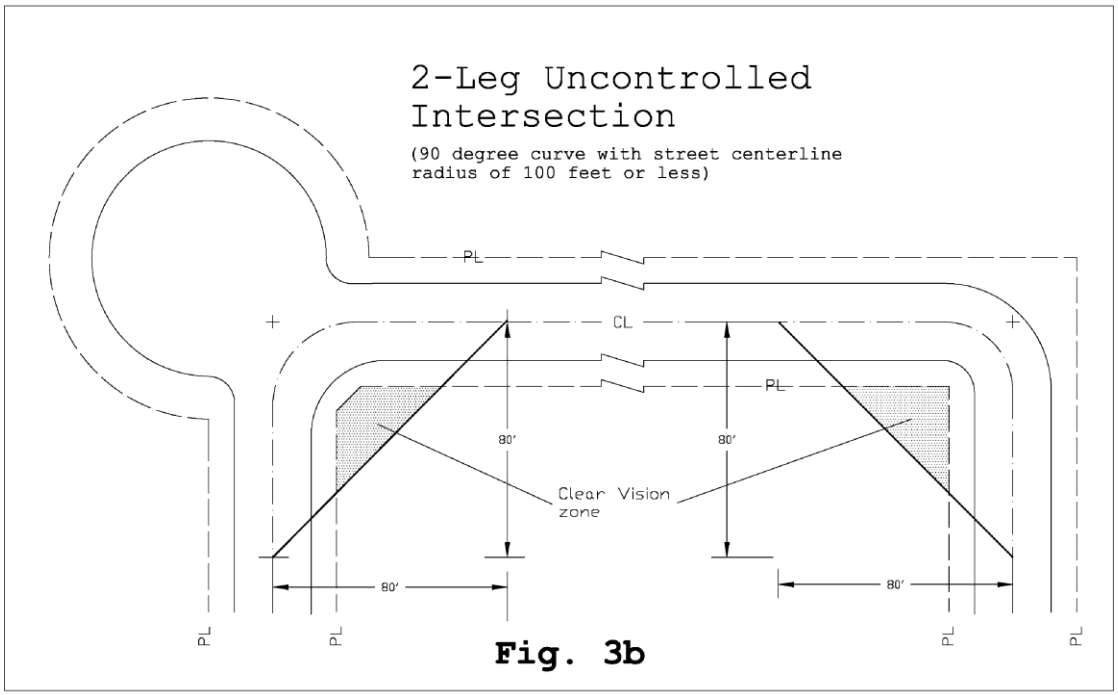

2-Leg Uncontrolled Intersection
(90 degree curve with street centerline radius of 100 feet or less)
PL
CL
PL
80'
80'
Clear Vision zone
80'
80'
PL
PL
PL
PL

Fig. 3b

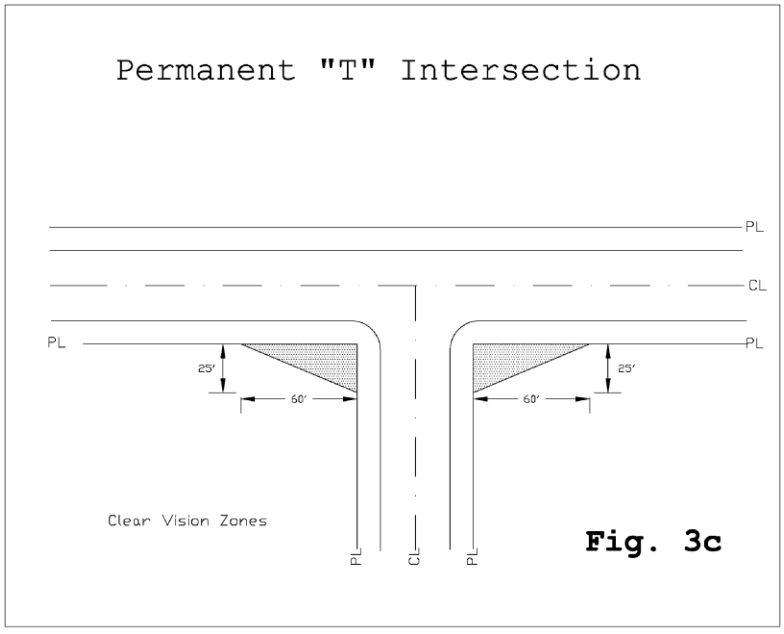

Permanent "T" Intersection
PL
CL
PL
PL
25'
60'
25'
60'
Clear Vision Zones
PL
CL
PL

Fig. 3c

~~FIGURE 4. WATERCOURSE SETBACKS~~

~~Any new structure, addition to an existing structure or similar improvements, located adjacent to a watercourse not delineated with a floodway/floodplain by FEMA, shall either be setback 50' from the watercourse centerline or have a finished floor level which is 2' in elevation above the highest point of the adjacent watercourse bank (See also BMCC Section 27-616).~~

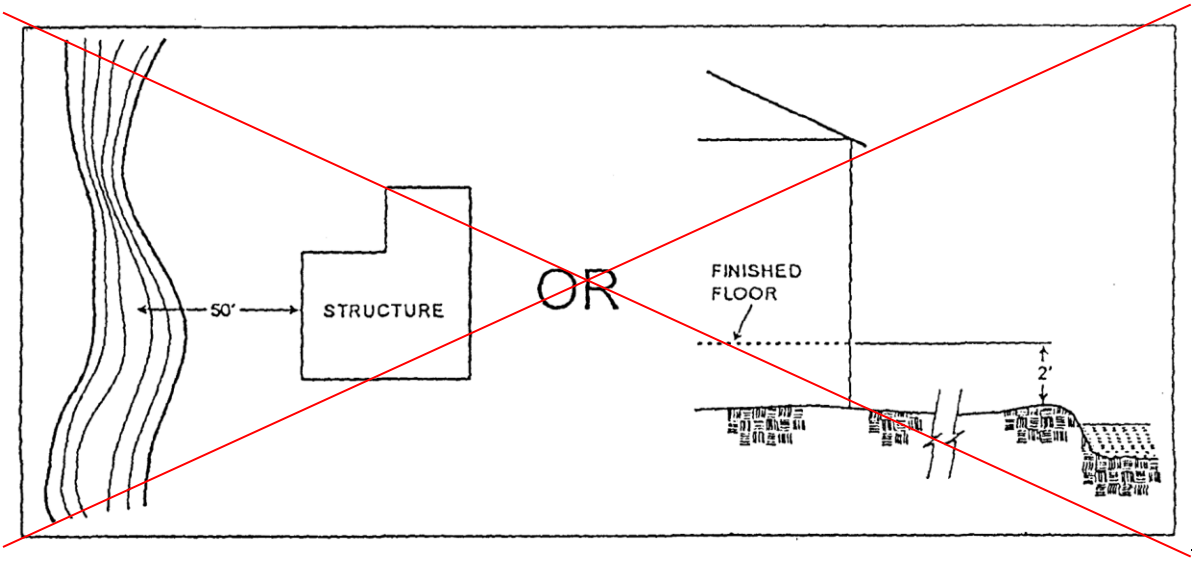
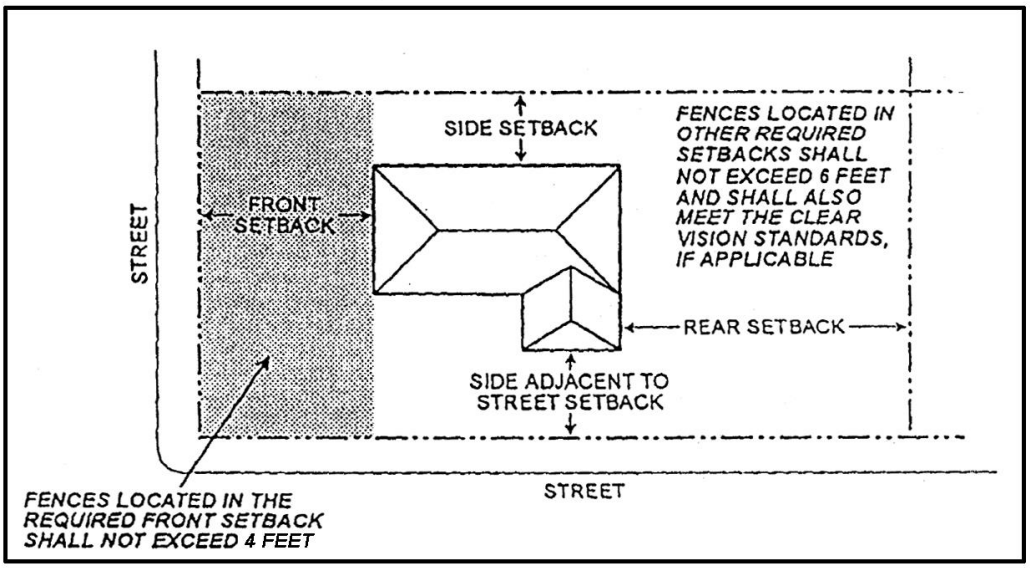


FIGURE 5. RESERVED

FIGURE 6. FENCES



Sec. 27-619. - Standards for amateur radio antenna support structures.

(a) *Definitions.* For the purposes of this section, the terms used shall be defined as follows:

(1) *Amateur radio antenna:* A ground-, building- or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, 49 CFR § 97 and as designated by the Federal Communications Commission (FCC).

(2) *Amateur radio antenna support structure:* Any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing amateur radio antennae. The term includes the structure and any support thereto.

(3) *Antenna support structure height:* The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

(b) *General provisions.* All amateur radio towers shall comply with the following requirements:

(1) Amateur radio antenna support structures and antennae shall be located only within the rear yard and shall not be placed within any required setback and shall be located so as to minimize their impact on adjacent residential properties and adjacent rights-of-way while maintaining acceptable signal quality.

(2) Amateur radio antenna support structures and antennae exceeding six (6) feet in height above grade (if ground-mounted) or above the roof or ridge of the building on which they are located (if building-mounted), shall require a building permit. With each building permit, the applicant shall submit evidence as is required to show that the device is adequately anchored, designed and/or constructed so as to safeguard the general public and/or adjacent property from damage in the event of failure of the device.

(3) It is recommended that amateur radio antenna support structures be designed, installed, and maintained so as to blend into the surrounding environment through the use of color and alternative designs, except in instances where the color is dictated by the Federal Aviation Administration (FAA).

(4) In accordance with the FCC's preemptive ruling PRB1, 101 FCC 2d 952 (1985), antenna support structures erected for the primary purpose of supporting amateur radio antennae may exceed the height limitations of the underlying zoning as indicated in section 27-305, BMCC.

(5) Attachments to amateur radio antenna support structures, such as guy wires, shall not cross any property line or any existing or proposed easement.

(6) No lighting shall be permitted on any amateur radio antenna support structures except as mandated by the FAA.

(7) No signage, other than required warning signs, or displays of any type shall be permitted on any amateur radio antenna support structure.

(c) *Applicability.* All amateur radio antenna support structures and antennae located within the city ~~and/or the Yellowstone County~~ zoning jurisdiction whether upon private or public lands shall be subject to this section. This section shall apply to amateur radio antenna support structures and antennae upon state and federal lands to the extent of the city's ~~and/or county's~~ jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this section.

Pre-existing amateur radio antenna support structures and pre-existing amateur radio antennae shall not be required to meet the requirements of this section, so long as said pre-existing antenna support structures and antennae have received all required approvals, permits and exceptions prior to adoption of this section.

Sec. 27-620. - Standards for wireless communication facilities.

(a) *Purpose.* The purpose of this section is to establish regulations for the siting of antenna support structures and antennae on public and private property. The goals of this section are to:

(1) Encourage the location of antenna support structures in non-residential areas and minimize the total number of antenna support structures throughout the community;

(2) Strongly encourage the joint use of new and existing antenna support structures;

(3) Require wireless communication facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;

(4) Require wireless communication facilities to be configured in a way that minimizes the adverse visual impact of the towers and antennae; and

(5) Enhance the ability of the providers of wireless communication services to provide such services to the community, as quickly, effectively, and efficiently as possible.

(b) *Definitions.*

(1) *Abandoned antenna support structures:* Any antennae or antenna support structures that are not utilized for the provision of wireless communications services for a continuous period of six (6) months shall be considered abandoned.

(2) *Alternative antennae support structure:* An antenna support structure designed to shield, conceal or disguise the presence of antennae or towers and blend with the surrounding setting. Alternative structures may include, but are not limited to, unobtrusive architectural features on new or existing structures, utility poles, clock towers, flagpoles and church steeples. Examples of alternative antenna support structures are illustrated in subsection (o) of this section.

(3) *Antenna:* Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennae, such as panels, microwaves dishes, and satellite dishes, and omni-directional antennae, such as whip antennae but not including satellite earth stations.

(4) *Antenna support structure:* Any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing antennae. Antenna support structures may include, but are not limited to, self-supporting lattice towers, guyed towers, or monopole towers. The term also includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative antenna support structures, and the like. The term includes the structure and any support thereto. Types of antenna support structures are illustrated in subsection (o) of this section. Land mobile radio and radio and television antenna support structures are regulated under section 27-621 of these regulations.

(5) *Antenna/antenna support structure height:* The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height. The height of roof-mounted antenna support structure height does not include the height of building on which they are mounted.

(6) *Wireless communication facility antenna* or *tower farm:* An antenna or tower farm is a tract of land that contains no more than three (3) antenna support structures within seven hundred fifty (750) linear feet of each other. No antenna support structures located in tower farms shall exceed two hundred fifty (250) feet in height. Legal tracts must be adjacent to each other to be included in this definition.

(7) *Co-location:* The use of a wireless communications facility by more than one wireless communications provider.

(8) *Commercial wireless communications services:* Licensed commercial wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

(9) *Equipment enclosure:* A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

(10) *Wireless communication facility:* An unstaffed facility for the transmission and/or reception of radio frequency (RF), microwave or other signals for commercial communications purposes, typically consisting of an equipment enclosure, an antenna support structure and one or more antennae. Amateur radio, land mobile radio, and commercial radio and television facilities are excluded from this definition.

(11) *FAA:* Federal Aviation Administration.

(12) *FCC:* Federal Communications Commission.

(c) *Applicability.* All wireless communication facilities located within the city and/or the Yellowstone County zoning jurisdiction whether upon private or public lands shall be subject to this section. This section shall apply to wireless communication facilities upon state and federal lands to the extent of the city's and/or county's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this section.

(1) Amateur radio stations and antenna support structures (See sections 27-305; 27-306 and 27-619, BMCC.)

(2) Antennae and antenna support structures for land mobile radio and radio and television (See sections 27-305, 27-306 and 27-621 BMCC).

(3) Pre-existing antenna support structures or antennae. Pre-existing antenna support structures and pre-existing antennae shall not be required to meet the requirements of this section, so long as said pre-existing antenna support structures have received all required approvals, permits and exceptions prior to adoption of this section. (See subsection (h) of this section.)

(d) *Commercial antenna support structures and antennae located in residential zoning districts.*

(1) Antenna support structures and antennae shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

a. Alternative antenna support structures conforming to all applicable provisions of this Code and roof-mounted antennae that do not add more than twenty (20) feet to the total height of the building on which they are mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements as provided in sections 27-1503 ~~and 27-1509~~ of these zoning regulations, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall hold a public hearing at a time requested by the owner/agency, in accordance with subsection 27-1505(c) ~~or 27-1510(c)~~, BMCC. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.

b. Antennae co-located on existing or approved alternative antenna support structures or existing or approved antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use.

~~(2) Antenna support structures and antennae shall be permitted in the Agricultural-Open Space (AO) zoning district provided the following conditions and all applicable setback, lot coverage, and building (commercial equipment enclosures) height requirements are met:~~

~~a. Antenna support structures conforming to all applicable provisions of this Code shall be permitted when:~~

~~1. Located on school, government-owned utility, and government sites and alternative antenna support structures or roof-mounted antenna are used. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements as provided in sections 27-1503 and 27-1509 of these zoning~~

~~regulations, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall hold a public hearing at a time requested by the owner/agency, in accordance with subsection 27-1505(c) or 27-1510(c), BMCC. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.~~

~~2. Antenna support structures fifty (50) feet or less in height.~~

~~b. Antenna support structures that are greater than fifty (50) feet in height shall be required to obtain special review approval.~~

~~c. Antennae co-located on existing or approved alternative antenna support structures or existing or approved antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use.~~

~~d. Wireless communication facility tower farms are permitted by special review.~~

(e) *Commercial antenna support structures and antennae located in commercial zoning districts.*

(1) Alternative antenna support structures shall be permitted as an allowed use in all commercial zoning districts.

(2) Antenna support structures shall be permitted as an allowed use in all commercial zoning districts when located on school, government-owned utility, and other government sites. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements as provided in sections 27-1503 ~~and 27-1509~~ of these zoning regulations, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall hold a public hearing at a time requested by the owner/agency, in accordance with subsection 27-1505(c) ~~or 27-1510(c)~~, BMCC. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.

(3) Antennae co-located on existing alternative antenna support structures or existing antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use in all commercial zones.

(4) Antenna support structures and antennae located in Residential Professional (RP), Neighborhood Commercial (NC), and Entryway Mixed Use (EMU) that do not meet the requirements of subsections E 1, E 2, and E 3 shall be required to obtain special review approval. Wireless communication facility tower farms are not allowed in these zoning districts.

(5) New antenna support structures erected in the medical corridor shall be required to follow the permit zoning approval procedures in section 27-901, BMCC. Antennae may be placed on existing antenna support structures and alternative antenna support structures that have previously received all required approvals and permits and meet the provisions and requirements of these regulations, without obtaining permit zoning approval.

(6) Antenna support structures and antennae located in Community Commercial (CC), Highway Commercial (HC), Controlled Industrial (CI), South 27th Street, Central Business District (CBD), Entryway Light Commercial (ELC), Entryway General Commercial (EGC), Entryway Light Industrial (ELI) and Public (P) zoning districts shall be permitted as an allowed use provided that the towers meet the requirements subsections E 1, E 2, and E 3, or:

a. Roof-mounted antenna that do not add more than twenty (20) feet to the total height of the building on which it is mounted shall be permitted as an allowed use. See additional requirements for roof-mounted antenna in subsection (g)(10)b. of this section.

b. Antenna support structures fifty (50) feet in height or less shall be permitted as an allowed use.

c. Antenna support structures that are greater than fifty (50) feet in height shall be required to obtain special review approval.

d. Wireless communication facility tower farms are permitted with special review approval, except in the CBD and South 27th Street zoning districts.

(7) All antenna support structures located in Heavy Industrial (HI) shall be permitted as an allowed use, including tower farms.

(f) *Antenna support structures located in parks.* The presence of certain wireless communication facilities may conflict with the purpose of some city ~~and county~~ owned parks. Wireless communication facilities will be considered only following a recommendation by the city-county planning department; the city parks, recreation, and cemetery advisory board ~~or county parks board~~, and approved by the city council ~~or county commission~~. Factors that will be considered include:

(1) Public parks of a sufficient scale and character that are adjacent to an existing commercial or industrial use;

(2) Commercial recreation areas and major playfields; and,

(3) Park maintenance facilities.

(g) *General requirements.* The requirements set forth in this section shall govern the location and construction of all wireless communications facilities governed by this section.

(1) *Building codes and safety standards.* To ensure the structural integrity of wireless communication facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such wireless communication facilities, as amended from time to time.

(2) *Regulatory compliance.* All wireless communication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this section. All wireless communication facilities must comply with all revised standards and regulations within the date established by the agency promulgating the standards or regulations.

(3) *Setbacks.*

a. Antenna support structures adjacent to residential uses or zoning. Antenna support structures must be set back, from all property lines, a distance equal to one-half (½) the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures must maintain a minimum of a 15-foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

b. Commercial and industrial zoning setbacks antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(4) *Lot coverage and height.* Antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Accessory structures shall not exceed the height restrictions for the zoning district in which they are located.

(5) *Fencing and buffering.*

a. *Fencing.* A chain link or solid wood fence, or masonry wall at least six (6) feet in height (eight (8) feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six (6) feet in height are required adjacent to residential uses and residentially zoned property.

b. *Landscaping.* For all facilities the following will be required: a continuous evergreen hedge at least four (4) feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes.

A performance bond or letter of credit for one hundred fifty (150) percent of the landscaping and fencing materials and labor costs shall be posted with the planning department, prior to building permit approval, to ensure the placement of required landscaping and fencing in accordance with section 27-1110, BMCC.

c. *Commercial landscaping.* Landscaping requirements shall not apply to antenna support structures located in the Heavy Industrial (HI) zoning district.

d. *Exceptions for city airport airfield area.* If federal safety and security standards within the city airport's airfield area prevent an antenna support structure from being fenced or landscaped, items (5)(a) and (5)(b) will not apply. Documentation of these standards must be submitted with the building permit or special review applications.

(6) *Lighting.* Antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. If the FAA requires safety lighting, the use of red beacons is preferred to flashing strobe lights. Security lighting on site may be mounted up to twenty (20) feet high on the tower, and shall be directed towards the ground to reduce light pollution, prevent off-site light spillage, and avoid illuminating the tower.

Cut-off security lighting must be used adjacent to residential uses or residentially zoned lots. When incorporated into the approved design of the facility, light fixtures used to illuminate sports fields, parking lots, or similar areas may be included in the facility.

(7) *Signage.* Signage shall be limited to non-illuminated warning and equipment identification signs.

(8) *Co-location.*

a. Antenna support structures should be designed in all respects to accommodate both the applicant's antennae and antennae for at least two (2) additional comparable antennae if the antenna support structure is over one hundred (100) feet in height or for at least one (1) additional comparable antennae if the tower is between fifty (50) feet and one hundred (100) feet in height.

b. All new antennae must co-locate on existing or approved antenna support structures or alternative antenna support structures unless it can be demonstrated co-location is not feasible as provided for in subsection (k)(7) of this section.

(9) *Maintenance.*

a. Equipment at a wireless communication facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.

b. All property used for the siting of an antenna support structure or antenna shall be maintained, without expense to the city ~~and/or county~~, so as to be safe, orderly, attractive, and in conformity with city and/or county codes including those regarding the removal of weeds, trash and landscape maintenance.

(10) *Visual impact/aesthetics.*

a. Wireless communication facilities shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

b. If an antenna is installed on a structure other than a tower, the antenna and associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Antennae and antenna support structures may be mounted on existing buildings that are thirty (30) feet or more in height above the street grade.

c. Roof-mounted antennae and antenna support structures shall not add more than twenty (20) feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other architectural elements. Only monopole antennae support structures with omni-directional (whip) or low profile single-directional (panel) shall be installed on building roofs. Examples of acceptable designs are shown in subsection (o) of this section. Crow's nest antennae arrays are prohibited on roof-top structures.

d. Wireless communication facilities attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

e. Wireless communication facilities shall be located as to minimize their visibility and not be placed within historic or scenic view corridors as designated by the city council ~~or the Yellowstone County Commission~~, or by any state or federal law or agency.

(11) *Antenna support structure separation.* All antenna support structures over fifty (50) feet in height, regardless of the zoning district in which the structure is located, shall be located at least one (1) mile from any other antenna support structure that is over fifty (50) feet. Up to three (3) antenna support structures located within an approved wireless communication facility tower farm shall be located at least one (1) mile from any other tower farm.

Exceptions to the terms of subsection (g)(11) of this section may be granted by the governing body during the special review process when it is found that no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna or a critical need exists for the proposed location and it is technically infeasible to locate or co-locate structures at or beyond the required separation distance.

(h) *Nonconforming wireless communication facilities.* Antenna support structures and/or facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, (nonconforming antenna support structures) are subject to the following provisions:

(1) Nonconforming antenna support structures may continue their present use, but may not be expanded or increased in height without complying with these regulations, except as further provided in this section.

(2) Nonconforming antenna support structures which are hereafter damaged and destroyed, by less than fifty (50) percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals thereof, but without otherwise complying with these regulations. If an antenna support structure is destroyed or damaged by more than fifty (50) percent of its replacement the antenna support structure must be brought into compliance with these regulations.

(3) The owner of any nonconforming antenna support structure may make minor modifications in order to improve the structural integrity of the facility, to allow the facility to accommodate co-located antennae or facilities, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

(i) *Modifications of existing wireless communication facilities that meet the requirements of these regulations.*

(1) *Minor modifications.* Minor modifications to facilities permitted under these regulations shall be approved by the city-county planning department so long as they comply with the original approved design. Minor modifications are as follows: the addition of more antenna arrays to any existing antenna support structure, so long as the addition of the antenna arrays add no more than twenty (20) feet in height to the facility and the increase in height of the support structure is no greater than ten (10) percent. Placement of additional antennae, up to the number the antenna support structure was originally designed to accommodate, shall be considered a minor modification.

(2) *Major modifications.* Major modifications to antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any that exceed the definition of minor modifications.

(j) *Abandonment.* Wireless communications facilities will be considered abandoned if they are unused by all providers at the facility for a period of six (6) months. Determination of abandonment shall be made by the city-county planning department, which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have ninety (90) days to:

(1) Re-use the facility, or transfer the facility to another owner who will re-use it; or

(2) Dismantle the facility. If the facility is not removed within ninety (90) days of abandonment, the city ~~and/or county~~ may remove the facility at the facility and/or property owner's expense. If the facility is removed, city ~~and/or county~~ approval of the facility will expire.

If the facility owner is unable to remove the facility within the ninety (90) days due to unusual circumstances, the city-county planning department may grant the facility owner an additional ninety (90) days in which to comply with the requirements of this section.

(k) *Special review submittal requirements.* The applicant of new wireless communication facilities shall provide the following documentation for review by the city-county planning department:

(1) A map to scale showing the service area of the proposed wireless communication facility and an explanation of the need for that facility.

(2) A site/landscaping plan showing the following items:

a. North arrow.

b. The location and dimensions of all vehicular points of ingress and egress, drives, alleys and streets.

c. Property boundaries and lot line dimensions.

d. The locations and dimensions of all existing and proposed buildings, structures, and improvements including those that will be removed. All information must be labeled.

e. Setbacks from all property boundaries for existing and proposed structures and buildings.

f. Centerline and names of major and minor arterial streets relevant to the application.

g. Elevation drawing of proposed wireless communication facility including the antenna support structure, antenna platforms and associated equipment enclosures. Also indicate the maximum number of antenna platforms that can be supported.

h. Detailed landscaping plan of the site.

i. Location of artificial light sources and the areas of illumination.

j. Applications for tower farms shall include items a. through i. of this subsection (k)(2) and an overall development plan showing the location of future structures and equipment enclosures.

k. Latitude, longitude and height of proposed antenna support structures.

l. Other pertinent features as determined by the zoning coordinator or development review committee.

(3) Area map showing the property boundaries of adjacent property and the location of existing buildings.

(4) Inventory of existing and approved sites. Each applicant for one or more antenna support structure shall provide to the city-county planning department a map showing the locations and service area of existing and approved antenna support structures operated or utilized by the applicant, including specific information on the location, height, and design of each antenna

support structure. The city-county planning department shall maintain an inventory of existing and approved antenna support structures, including specific information about the location, height, and design of each antenna support structures. The city may share such information with other persons, organizations or governmental authorities.

(5) Documentation of minimum light requirements from the FAA or other local, state or federal agency for the antenna support structure and/or antennae. Where applicable, applicant will provide documentation of the FAA airspace review and a copy of comments from the FAA.

(6) When the applicant is a wireless service provider, proof that the applicant is licensed by the FCC to provide the wireless communication services that the proposed facility is designed to support.

(7) Availability of suitable existing or approved antenna support structures. No new antenna support structure shall be permitted unless the applicant clearly demonstrates, in writing, to the reasonable satisfaction of the city-county planning department that no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna. Closer separation distances may be approved if the applicant clearly demonstrates a critical need for the alternative location and the infeasibility of locating or co-locating wireless communication facility at or beyond the required separation distance. Evidence submitted to demonstrate that no existing or approved structure can accommodate the applicant's proposed antenna must include a discussion of the following items, if relevant.

a. No existing or approved antenna support structures are located within the geographic area required to meet the applicant's engineering requirements.

b. Existing or approved antenna support structures are not of sufficient height to meet the applicant's engineering requirements.

c. Existing or approved antenna support structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment and cannot be reinforced to provide sufficient structural strength.

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing or approved antenna support structures, or the antenna on the existing or approved antenna support structures would cause interference with the applicant's proposed antenna.

e. The fees or costs required to share an existing or approved antenna support structure or to adapt an existing or approved antenna support structures for sharing are unreasonable. Costs below new tower development are presumed reasonable.

f. Property owners or owners of existing or approved antenna support structures are unwilling to accommodate the applicant's needs.

g. The applicant demonstrates that there are other limiting factors that render existing or approved antenna support structures unsuitable.

(8) Co-location agreement. If co-location is feasible, the owner of the antenna support structure shall certify, prior to permit approval, that the owner will accept for co-location any FCC licensed wireless communication provider using compatible technology on commercially reasonable terms up to the antenna support structure's capacity to accommodate additional antennae. The applicant shall also include a statement on how requests for co-locators will be processed.

(9) Effect of surrounding property values. The applicant must submit information that substantiates there will be no adverse effects on surrounding property values resulting from the proposed facility.

(l) *Special review uses.*

(1) A request for a special review shall be initiated by application to the city-county planning department and handled in accordance with the special review procedure provided in sections 27-1503 ~~and 27-1509~~ of these zoning regulations. The city council ~~or Yellowstone County~~

~~Commission~~ may issue special review approval under these sections provided they have determined that the requirements of these regulations have been satisfied and, further, that the benefits of and need for the proposed wireless communication facilities are greater than possible depreciating effects and damage to neighboring properties.

(2) In granting special review approval, the city council ~~or Yellowstone County Commission~~ may impose additional conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed wireless communication facilities on surrounding properties.

(3) Expiration of special review approval.

a. A building permit must be applied for within six (6) months of special review approval and the project shall be completed within one (1) year from the date the special review is granted by the city council ~~or county commission~~. For the purpose of these regulations, the term standard of construction shall be defined as the installation of a permanent foundation for the antenna support structure. The city council ~~and/or county commission~~ may grant one (1) six-month extension of the period to start construction upon written request by the applicant.

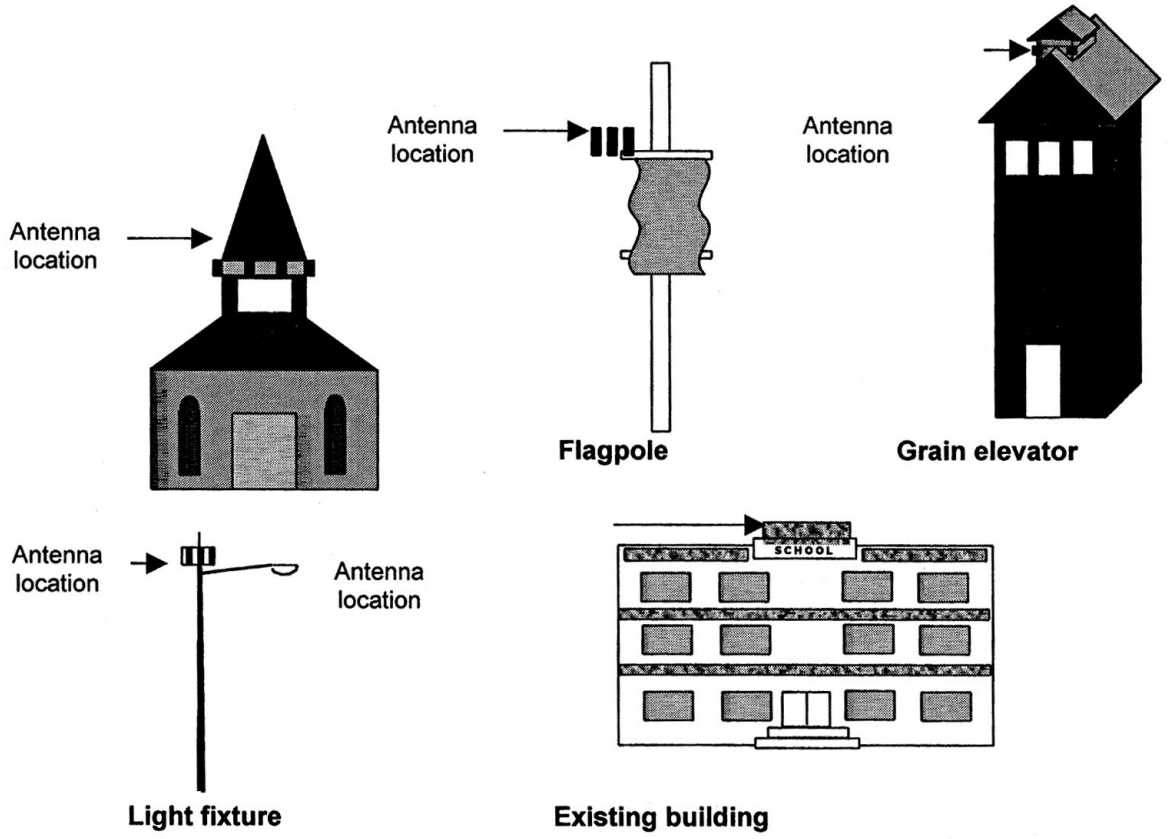
b. The city council ~~or county commission~~ shall not approve an extension unless the development plan is brought into conformance with any relevant zoning regulations that have been amended subsequent to the original approval and unless the applicant provides adequate evidence that construction is able to begin within the time period sought. This evidence shall include, but not be limited to, the acquisition of any or all required government approvals and project financing, the city council ~~or county commission~~ may as a condition of approval of a special review establish the period of time such special review may remain in effect.

(m) *Appeals.* Appeals from any decision of the city-county planning department may be taken by any person aggrieved or any official of the city ~~or county~~ affected by the decision of the city-county planning department. Such appeal shall be to the city ~~and/or county~~ board of adjustment pursuant to section 27-1506 ~~or section 27-1511~~ of the city ~~and Yellowstone County Unified~~ Zoning Regulations.

(n) *Nuisances.* Wireless communication facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times within the city ~~and/or county~~ noise regulations, shall not be operated so as to cause the generation of heat that adversely affects a building occupant and shall not be maintained or operated in such a manner as to be a nuisance.

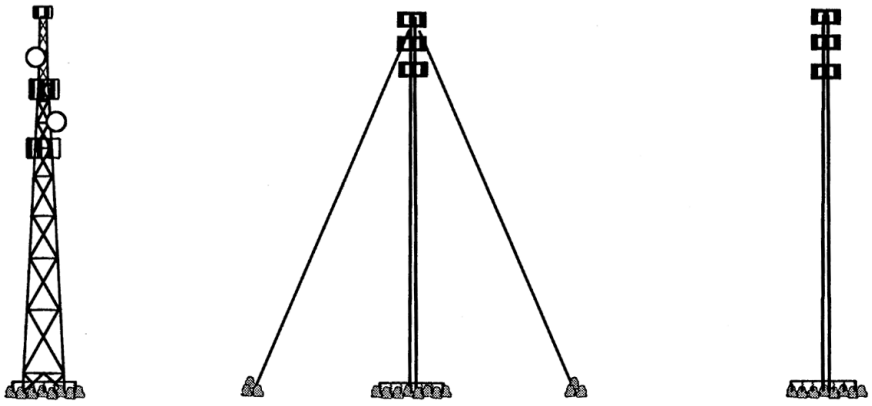
(o) *Wireless communication facilities.* Illustrated examples.

(1) Alternative antenna support structures:



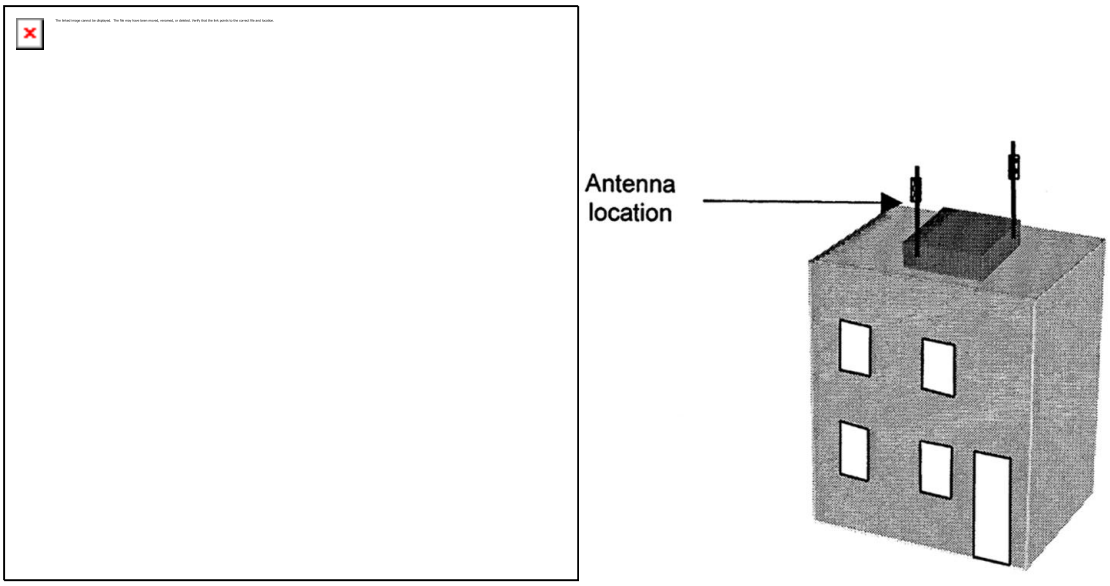
Alternative antenna support structures

(2) Antenna support structures:



Antenna support structures

(3) Roof-mounted antenna support structures and antennae:



Roof-mounted antenna support structures and antennae

Sec. 27-621. - Standards for land mobile radio and radio and television broadcast antennae and antenna support structures.

(a) *Purpose.* The purpose of this section is to establish regulations for the siting of broadcast facilities, including land mobile radio services and radio and television broadcast antennae, antenna support structures and associated equipment and buildings on public and private property. The goals of this section, developed with the assistance and participation of the Broadcast and Land Mobile Radio industry in Yellowstone County, are to:

(1) Encourage the location of broadcast facilities in non-residential areas and minimize the total number of antenna support structures throughout the community;

(2) Strongly encourage the joint use of new and existing broadcast antenna support structures;

(3) Require broadcast facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;

(4) Require broadcast facilities to be configured in a way that minimizes the adverse visual impact of antenna support structures and antennae; and

(5) Enhance the ability of the providers of land mobile radio services and radio and television broadcast services to provide such services to the community, as quickly, effectively, and efficiently as possible.

(b) *Definitions.* For the purposes of this section, the terms used shall be defined as follows:

(1) *AM:* Amplitude-modulated broadcasting in the frequency band 535-1, 705 Kilohertz.

(2) *Antenna/antenna support structure height:* The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

(3) *Broadcast antenna:* A ground-, building- or tower-mounted antenna operated as a land mobile radio service or as a broadcast radio and/or television service as defined by the Federal

Communications Commission (FCC) under Code of Federal Regulations and subsequent title amendments:

a. Title 47, PART 90 (47 CFR § 90)—PRIVATE LAND MOBILE RADIO SERVICES;

b. Title 47, PART 73 (47 CFR § 73) RADIO BROADCAST SERVICES, which includes AM, FM, and Television Services; and

c. Title 47, PART 74 (47 CFR § 74) EXPERIMENTAL RADIO, AUXILIARY, AND SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES.

(4) *Broadcast antenna support structure:* Any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing antennae. Antenna support structures may include, but are not limited to, self-supporting lattice towers, guyed towers, or monopole towers. In this section, the term applies to land mobile radio service and broadcast radio and television transmission antenna support structures. The term includes the structure and any support thereto.

(5) *Broadcast antenna or tower farm:* A tract of land that contains three (3) or more broadcast or land mobile radio service antenna support structures, any two (2) are spaced no more than seven hundred fifty (750) linear feet of each other. Legal tracts must be adjacent to each other to be included in this definition. The term is inclusive of all antenna support structures, equipment enclosures, buildings and any additions thereto.

(6) *Broadcast facilities:* An unstaffed facility for the transmission and/or reception of radio signals for communications purposes, typically consisting of an equipment building or enclosure, an antenna support structure and one (1) or more antennae. This definition applies exclusively to land mobile radio fixed systems, and radio and television broadcast transmission facilities.

(7) *FAA:* Federal Aviation Administration.

(8) *FCC:* Federal Communications Commission.

(9) *Land mobile radio service (LMRS):* A mobile service between base stations and land mobile stations or between land mobile stations as defined in Title 47, PART 90 (47 CFR § 90)—Private Land Mobile Radio Services.

(c) *Applicability.* All land mobile radio service and radio and television broadcast antenna and antenna support structures located within the city ~~and/or the Yellowstone County~~ zoning jurisdiction whether upon private or public lands shall be subject to this section. This section shall apply to broadcast antenna and antenna support structures upon state and federal lands to the extent of the city's and/or county's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise.

Pre-existing land mobile radio and radio and television broadcast antenna support structures and antennae shall not be required to meet the requirements of this section, except as provided under subsection 27-621(g), "Nonconforming broadcast facilities."

(d) *Broadcast antenna support structures and antennae located in residential zoning districts.*

(1) Land mobile radio and radio and television broadcast antenna support structures and antennae shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

a. Alternative broadcast antenna support structures conforming to all applicable provisions of this Code and roof-mounted antennae that do not add more than twenty (20) feet to the total height of the building on which it is mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements as provided in sections 27-1503 ~~and 27-1509~~ of these zoning regulations, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall hold a public hearing at a time requested by the owner/agency, in accordance with subsection 27-1505(c) ~~or 27-~~

~~1510(c)~~, BMCC. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.

b. Antennae co-located on existing or approved alternative broadcast antenna support structures or existing or approved broadcast antenna support structures, which have previously received, all required approvals and permits shall be permitted as an allowed use.

~~(2) Broadcast antenna support structures and antennae shall be permitted in the Agricultural-Open space (AO) zoning district provided the following conditions and all applicable setback, lot coverage, and building (commercial equipment enclosures) height requirements are met:~~

~~a. Broadcast antenna support structures conforming to all applicable provisions of this Code shall be permitted when:~~

~~1. Located on school, government-owned utility, and government sites and alternative antenna support structures or roof-mounted antenna are used. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements as provided in sections 27-1503 and 27-1509 of these zoning regulations, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall hold a public hearing at a time requested by the owner/agency, in accordance with subsection 27-1505(c) or 27-1510(c), BMCC. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.~~

~~2. Broadcast antenna support structures fifty (50) feet or less in height.~~

~~b. Broadcast antenna support structures that are greater than fifty (50) feet in height shall be required to obtain special review approval.~~

~~c. Broadcast antennae co-located on existing or approved alternative broadcast antenna support structures or existing or approved broadcast antenna support structures that have previously received all required approvals and permits shall be permitted as an allowed use.~~

~~d. Broadcast antenna or tower farms are permitted by special review.~~

(e) Broadcast antenna support structures and antennae located in commercial zoning districts.

(1) Broadcast antenna support structures fifty (50) feet in height or less shall be permitted as an allowed use.

(2) Broadcast antenna support structures that exceed fifty (50) feet in height or the maximum height limitations in the underlying commercial and industrial zoning districts as indicated in section 27-306, BMCC (whichever is greater) are permitted by special review.

(3) Broadcast antenna or tower farms are permitted by special review, except in the CBD and South 27th Street zoning districts.

(4) All broadcast antenna support structures located in heavy industrial (HI) shall be permitted as an allowed use, including broadcast antenna or tower farms.

(5) All broadcast facilities located within the boundaries of an approved or preexisting broadcast antenna or tower farm shall be permitted as an allowed use.

(f) *General requirements.* The requirements set forth in this section shall govern the location and construction of all land mobile radio service and radio and television transmission facilities governed by this section.

(1) *Building codes and safety standards.* To ensure the structural integrity of broadcast facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such facilities.

(2) *Regulatory compliance.* All broadcast facilities must meet current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this section.

(3) *Setbacks.*

a. Broadcast antenna support structures adjacent to residential uses or zoning. Broadcast antenna support structures must be set back, from all property lines, a distance equal to one-half (½) the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures, such as equipment enclosures or transmitter buildings, must maintain a minimum of a 15-foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

b. Commercial and industrial zoning setbacks: Broadcast antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

c. Broadcast facilities in broadcast antenna or tower farms: Antenna support structures and accessory facilities located in antenna or tower farms must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(4) *Lot coverage and height.* Broadcast antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Building and equipment enclosures shall not exceed the height restrictions for the zoning district in which they are located.

(5) *Fencing and buffering.*

a. Fencing. A chain link or solid wood fence, or masonry wall at least six (6) feet in height (eight (8) feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the broadcast antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six (6) feet in height are required adjacent to residences and residentially zoned property. All AM broadcast antenna support structures must be surrounded by a suitable fence as required by FCC regulations.

b. Landscaping adjacent to residential uses and/or residential zoning. For broadcast facilities located in a residential zoning district, adjacent to a residential use, or adjacent to a residentially zoned parcel, the following will be required: a continuous evergreen hedge at least four (4) feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. AM Broadcast stations are exempt from this requirement due to overriding FCC regulations regarding vegetation in ground radial systems.

A performance bond or letter of credit for one hundred fifty (150) percent of the landscaping and fencing materials and labor costs shall be posted with the planning department to ensure the placement of required landscaping and fencing in accordance with section 27-1110, BMCC.

c. *Commercial landscaping.* Landscaping requirements shall not apply to broadcast antenna support structures located in ~~Agricultural Open Space,~~ commercial or industrial zoning districts or approved broadcast antenna or tower farms.

d. *Exceptions for city airport airfield area.* If federal safety and security standards within the city airport's airfield area prevent a broadcast antenna support structure from being fenced or landscaped, items (5)(a) and (5)(b) will not apply. Documentation of these standards must be submitted with the building permit or special review applications.

(6) *Lighting.* Broadcast antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. Security lighting may be placed on a support structure no higher than twenty (20) feet above ground. Cut-off security lights must be used in or adjacent to residential areas to prevent light spillage onto adjacent property.

(7) *Signage.* Signage shall be limited to non-illuminated warning and equipment identification signs unless otherwise required by the FAA and/or FCC.

(8) *Maintenance.*

a. Equipment at a broadcast facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.

b. All property used for the siting of a broadcast antenna support structure or antenna shall be maintained, without expense to the city ~~and/or county~~, so as to be safe, orderly, attractive, and in conformity with city ~~and/or county~~ codes including those regarding the removal of weeds, trash and landscape maintenance.

(9) *Visual impact/aesthetics.*

a. Broadcast antenna support structures shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

b. If a broadcast antenna is installed on a structure other than a tower, the associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the related equipment as visually unobtrusive as possible. Broadcast antennae and antenna support structures may be mounted on existing buildings that are thirty (30) feet or more in height above the street grade.

c. Roof-mounted antennae and antenna support structures shall not add more than twenty (20) feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other background. Crow's nest antennae arrays are prohibited on rooftop structures.

d. Broadcast antenna or antenna support structures attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

(g) *Nonconforming broadcast facilities.* Broadcast facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, are subject to the following provisions:

(1) Nonconforming broadcast facilities may continue their present use, but may not be expanded without complying with these regulations, except as further provided in this section.

(2) Nonconforming broadcast antenna support structures which are hereafter damaged and destroyed, by less than fifty (50) percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals thereof, but without otherwise complying with these regulations. If a broadcast antenna support structure is destroyed or damaged by fifty (50) percent or more of its replacement the broadcast antenna support structure must be brought into compliance with these regulations.

(3) The owner of any nonconforming broadcast antenna support structure may make minor modifications in order to improve the structural integrity of the structure, to allow the structure to accommodate co-located antennae, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

(h) *Modifications of existing or broadcast facilities that meet the requirements of these regulations.*

(1) *Minor modifications.* Minor modifications to facilities permitted under these regulations shall be approved by the city-county planning department so long as they comply with the original approved design. Minor modifications are as follows:

a. The addition of one (1) or more antenna arrays to any existing antenna support structure, so long as the addition of the antenna arrays add no more than twenty (20) feet in height to the facility and the increase in height of the support structure is no greater than ten (10) percent.

b. Placement of additional antennae, up to the number the antenna support structure was originally designed to accommodate, shall be considered a minor modification.

c. Repairs to or replacement of existing antennae or feedlines or support members (such as guy wires) are not considered modifications under this part.

(2) *Major modifications.* Major modifications to antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any that exceed the definition of minor modifications.

(i) *Abandonment.* Broadcast facilities will be considered abandoned if they are unused by all providers at the facility for a period of six (6) months. Determination of abandonment shall be made by the city-county planning department which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have ninety (90) days to:

(1) Re-use the facility or transfer the facility to another owner who will re-use it; or

(2) Dismantle the facility. If the facility is not removed within ninety (90) days of abandonment, the city ~~and/or county~~ may remove the facility at the facility and/or property owner's expense. If the facility is removed, city ~~and/or county~~ approval of the facility will expire. If the facility owner is unable to remove the facility within the ninety (90) days due to unusual circumstances, the city-county planning department may grant the facility owner an additional ninety (90) days in which to comply with the requirements of this section.

(j) *Special review submittal requirements.* The applicant of new broadcast facilities shall provide the following documentation for review by the city-county planning department:

(1) A map to scale showing the service area of the proposed broadcast facility.

(2) A site/landscaping plan showing the following items:

a. North arrow.

b. The location and dimensions of all vehicular points of ingress and egress, drives, alleys and streets.

c. Property boundaries and lot line dimensions.

d. The locations and dimensions of all existing and proposed buildings, structures, and improvements including those that will be removed. All information must be labeled.

e. Setbacks from all property boundaries for existing and proposed structures and buildings.

f. Centerline and names of major and minor arterial streets relevant to the application.

g. Elevation drawing of proposed broadcast facility including the antenna support structure, antenna platforms and associated equipment enclosures.

h. Latitude, longitude and height of proposed antenna support structures.

i. Location of artificial light sources and the areas of illumination.

j. Applications for tower farms shall include items a. through h. of this subsection (j)(2) and a general overall development plan showing the location of future structures and equipment enclosures.

k. Detailed landscaping plan of the site when applicable.

l. Other pertinent features as determined by the zoning coordinator or development review committee.

(3) Area map showing adjoining property boundaries and the location of existing buildings within a distance equal to the required setbacks as set forth in section F (3).

(4) Documentation of minimum light requirements from the FAA or other local state or federal agency for the antenna support structure and/or antennae. Where applicable, applicant will provide documentation of the FAA airspace review and a copy of the comments provided by the FAA. Where an application has been filed with the FAA for the services proposed and decision on minimum light requirements by the FAA is still pending, submittal of a copy of the proposed application shall be sufficient to meet the requirements of this paragraph.

(5) When the applicant is a land mobile radio service provider, or a radio or television broadcaster, proof must be provided that the applicant is licensed by the FCC to provide the services that the proposed facility is designed to support or the applicant must prove the necessary application have been filed with the FCC and/or FAA for the services proposed, together with proof all filing fees have been paid.

(k) *Special review uses.*

(1) A request for a special review shall be initiated by application to the city-county planning department and handled in accordance with the special review procedure provided in sections 27-1503 and 27-1509, BMCC of these zoning regulations. The city council ~~or Yellowstone County Commission~~ may issue special review approval under these sections provided they have determined that the requirements of these regulations have been satisfied.

(2) In granting special review approval, the city council ~~or Yellowstone County Commission~~ may impose additional conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed broadcast facilities on surrounding properties.

(3) Expiration of special review approval.

a. A building permit must be applied for within six (6) months of a special review approval and the project shall be completed within one (1) year from the date the special review is granted by the city council ~~or county commission~~. For the purpose of these regulations, the term standard of construction shall be defined as the installation of a permanent foundation for the antenna support structure. The city council ~~and/or county commission~~ may grant one (1) six-month extension of the period to start construction upon written request by the applicant.

b. The city council ~~or county commission~~ shall not approve an extension unless the development plan is brought into conformance with any relevant zoning regulations that have been amended subsequent to the original approval and unless the applicant provides adequate evidence that construction is able to begin within the time period sought. This evidence shall include, but not be limited to, the acquisition of any or all required government approvals and project financing, the city council ~~or county commission~~ may as a condition of approval of a special review establish the period of time such special review may remain in effect.

c. Small increases in the height of existing antenna support structures approved by special review may be approved by the city-county planning department on an administrative basis provided that the increase in the height of the antenna support structure is ten (10) percent or less.

d. Special review approvals for broadcast antenna or tower farms shall not expire until such time as all facilities within the boundaries of the antenna or tower farm have been abandoned.

(l) *Appeals.* Appeals from any decision of the city-county planning department may be taken by any person aggrieved or any official of the city affected by the decision of the city-county planning department. Such appeal shall be to the city ~~and/or county~~ board of adjustment pursuant to section 27-1506 ~~and/or section 27-1511~~ BMCC.

(m) *Nuisances.* Broadcast facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times within the city ~~and/or county~~ noise regulations, shall not be operated so as to cause the generation of heat that adversely affects a building occupant and shall not be maintained or operated in such a manner as to be a nuisance.

Sec. 27-622. - New condominiums, townhome, townhouse and multi-unit developments.

New condominiums, townhouse, townhome and multi-unit developments are allowed in all zoning districts if they meet all applicable zoning district requirements, and supplementary general provisions, site development, building and fire safety regulations as per sections 6-1200, 14-300, 27-622 and 27-623 of the Billings Municipal Code. Projects subject to these regulations include condominium, townhome, townhouse or commercial development projects that include common, private facilities shared by buildings or lots, and residential developments that have more than two (2) dwelling units and include common, private facilities shared by buildings or lots.

Prior to filing a condominium, townhome or townhouse declaration of unit ownership with the county clerk and recorder, or applying for building permits for the multi-unit development, the owner(s) shall submit to the planning division:

(1) A city approved master site plan showing the dimensions of the lot(s) containing the condominium, townhouse, townhome units or multiple commercial units and the location and dimensions of all buildings containing the units.

(2) A copy of the declaration of unit ownership if creating a condominium, townhouse or townhome.

Only after determining that the condominium, townhome, townhouse or multi-unit development project has a city approved master site plan, as required in subsection (1) above, that complies with the applicable zoning district requirements, and supplementary general provisions, site development, building and fire safety regulations as per sections 6-1200, 14-300, 27-622, and 27-623 of the Billings Municipal Code will the planning division issue a condominium, townhome or townhouse certificate of compliance or approve a building permit.

For condominiums, townhomes or townhouses, the certificate of compliance will be filed with the county clerk and recorder prior to recording the declaration of unit ownership. The certificate shall state:

(1) The legal description of the property.

(2) The condominium, townhomes or townhouse units are exempt from MCA 76-3-203, because they comply with zoning, or in the case of new development, comply with zoning based on the city approved master site plan.

(3) Any changes to the city approved master site plan must be reviewed by the city through the planning division.

Sec. 27-623. City Building Permit. ~~- Zoning compliance permits required.~~

~~(a) *Permits required.* A zoning compliance permit is required for properties that are located outside the limits of the city but within the unincorporated jurisdictional area. A building permit is required for properties located inside the limits of the city.~~

~~(b) *County zoning compliance permit.*~~

~~(1) No change of land use may be made; or no building or other structure shall be erected, moved, enlarged, rebuilt, added to, or structurally altered without first having received a zoning compliance permit issued by the zoning coordinator or his/her designee, who shall determine that the permit is issued in compliance with the regulations set forth in this resolution/ordinance. The review of a zoning compliance permit application shall be limited only to a review of the applicable zoning regulations and shall not constitute a review of compliance with any applicable building codes. A separate sign permit is required prior to the erection of any sign.~~

~~(2) Each application for a zoning compliance permit shall be accompanied by a site plan, building elevations and any other information requested by the zoning coordinator to adequately review~~

~~the proposed project. Additionally, commercial projects require submittal of a landscaping plan and a site plan showing off-street parking, loading, etc. The board of county commissioners may set an application fee by resolution for review of a zoning compliance permit. The zoning coordinator or his/her designee may waive the submittal requirements for some of the above-mentioned plans. Zoning compliance permits are valid for a period of six (6) months from the date of approval and may be extended for an additional six (6) months with written approval from the zoning coordinator.~~

~~(c) *City building permit.*~~

(1) Any building permit application submitted to the city building division for the purpose of erecting, moving, enlarging, rebuilding, adding to, or structurally altering a structure must be reviewed and approved by the zoning coordinator or his/her designee for compliance with the applicable zoning regulations.

(2) Each building permit application shall be accompanied by a zoning compliance review fee established by council resolution. This fee shall be in addition to the building permit fee required under section 6-202. The fee shall be established by council resolution.

ARTICLE 27-700. - SIGNS

DIVISION 1. - GENERALLY

Sec. 27-701. - Short title.

This article of the city zoning ordinance shall be known as the "Sign Code" hereafter called code.

Sec. 27-702. - Statement of purpose.

(a) This article creates the legal framework for signage regulations that is intended to facilitate an easy and agreeable communication between people. It recognizes the need to protect the safety and welfare of the public, the need for well-maintained, and attractive and aesthetically pleasing appearance in a community, and the need for adequate business identification and advertising and communication.

(b) This article authorizes the use of signs visible from public right-of-way provided the signs are:

(1) Compatible with their surroundings, pursuant to the objectives to proper design and zoning amenities;

(2) Allowing and promoting optimum conditions for meeting the sign user's needs while at the same time promoting the amenable environment and aesthetically pleasing appearance desired by the general public;

(3) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;

(4) Legible, readable and visible in the circumstances in which they are used;

(5) Respectful of the reasonable rights of other advertisers whose messages are displayed.

Sec. 27-703. - Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Ambient light monitor: A device that is attached to an electronic message display that measures on a continuous basis the brightness of light surrounding the sign. The monitor is connected to the system that controls the brightness of the electronic message display. The brightness is then automatically adjusted based on the measured ambient light.

Animated sign: Any sign that uses movement or change or lighting to depict action or create a special effect or scene.

Architectural blade sign: A wall sign or projecting sign with no legs or braces, on a structure or building larger than three (3) stories and designed to look as a part of the building structure, rather than something suspended from or standing on the building.

Awning, canopy or marquee: A roof-like shelter detached or extending from part or all of a [structure].

Balloon sign: Means any sign that is a balloon, inflatable figure, or inflatable structure. For purposes of this article, balloon signs do not include passenger hot air balloons used for air travel.

Building frontage: The linear length of a building facing the public access or right-of-way.

Canopy or marquee sign: Any sign attached to, constructed in or on a canopy or marquee or across a series of canopies or marquees located on the same building face.

Copy: The wording or message on a sign surface either in permanent or removable letter or panel form.

Electronic message display: A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Flashing: The repetitive display of a single image (full or partial) interrupted by any other color, image or lack thereof at an interval of less than five (5) seconds. Motion borders fitting this definition are specifically included. See subsection 27-708(1).

Free-standing signs: Any sign supported by uprights or braces permanently placed upon the ground, and not attached to any building.

Frontage: The length of the property line of any one (1) premises along each public right-of-way it borders excluding alleys and serviceways.

Ground level means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the sign and property line or, when the property line is more than five (5) feet from the sign, between the sign and a line five (5) feet from the sign.

Height of sign: The vertical distance measured from the finish ground level grade to the highest point of the sign. Exaggerated or artificial berming to increase height of sign shall not be permitted.

Identification sign: A sign which is limited to the name, address and number of a building, institution or person and to the activity/service carried on in the building or institution, or the occupancy of the person.

Interstate corridor: means the area of the city which is within six hundred sixty (660) feet of the nearest edge of the right-of-way of a designated interstate highway and which area is not in a residential zone or used for residential purposes.

Maintain: To permit a sign, structure or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

Medical campus: means a definable area owned, developed, occupied, and used by the owner for medical and medical related services, even though the area consists of two (2) or more city blocks, provided however, the blocks are contiguous.

Nameplates:

(1) *Commercial nameplate:* A nonelectric sign identifying only the name and occupation or profession of the occupant of premises on which the sign is located.

(2) *Residential nameplate:* A nonelectric sign identifying only the name and address of the occupant.

Neighborhood watch sign: Neighborhood watch is a national program based upon the idea that community members can prevent or help deter crimes in their neighborhoods. The neighborhood watch program is administered by local law enforcement. A neighborhood watch sign is a sign obtained through the local law enforcement agency that is posted on property within a residential or public zoning district.

Nonconforming sign (legal): Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this article and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this article, or a nonconforming sign for which a special permit has been authorized.

Off-premise/billboard electronic displays: An off-premise/billboard electronic display is a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means and which directs attention to a business, activity, products, commodity, service, entertainment or communication which is not conducted, sold, or offered at the premises on which the sign is located, or which does not pertain to the premises upon which the sign is located. An electronic off-premise/billboard display shall not include any other visual effects including but not limited to animation, motion pictures, video, holograms, moving parts or the illusion of movement and shall not include any audible sound.

Off-premise/billboard sign: A sign which directs attention to a business, activity, products, commodity, service, entertainment or communication which is not conducted, sold, or offered at the premises on which this sign is located, or which does not pertain to the premises upon which the sign is located.

On-premise sign: means any sign identifying or advertising a business, activity, goods, products or services located on the premise where the sign is installed and maintained.

Owner: A person recorded as such on official records and including duly authorized agent.

Parcel: A single tract or parcel of land, no matter how legally described whether by metes and bounds, certificate of survey, and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street over an easement approved by the city engineer.

Penthouse: A structure on top of a building roof such as houses, an elevator shaft, or similar form.

Premises: An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Primary public entrance: means an entrance to a business which is open to the public during its normal and customary hours of operations and the entrance is used as the primary ingress and egress to the business by the public.

Projecting signs: means a sign other than wall sign which is suspended from or supported by a building or wall and which projects more than twelve (12) inches.

Public right-of-way width: The perpendicular distance across a public street measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the city engineer.

Roof sign: Means a sign erected, constructed and maintained upon, or connected to any roof of any building with the principal support on the roof structure. This definition excludes architectural blade signs.

Shopping center or mall: A shopping center is a mix of retailing land and service uses offering both essential and nonessential goods and services, with at least five (5) stores or one hundred thousand (100,000) square feet, and that attracts consumers from a region-wide market area.

Sign: Any identification, description, illustration or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures.

Sign administrator: The city administrator or his or her designated representative.

Sign area means the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

Street: A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, place, or however otherwise designated which has been dedicated to or acquired for public use and extends the full width between right-of-way lines.

Temporary/portable sign: A sign advertising on an interim basis special business sales, new business openings, special events, goods, products, services, or facilities located on premise. A temporary sign is differentiated from a permanent sign in that a permanent sign is attached to a building or structure or affixed in the ground. A temporary/portable sign is mobile and free-standing. Any electrical temporary sign shall comply with all city electrical codes.

Under canopy sign: A sign suspended below the ceiling or roof of a canopy.

Unlawful sign: A sign which contravenes this article or which the administrator may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment or a nonconforming sign for which a permit required under a previous sign code was not obtained.

Use: The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

Video: Means the display of a succession of single images at a rate of twenty (20) frames per second or higher.

Wall sign means any sign painted on, mounted on, attached to or erected against the wall of a building and approximately paralleled to the face of a principal building wall and projecting not more than twelve (12) inches from the plane of the wall. Street graphic on the outside of a window is considered a wall sign.

Sec. 27-704. - Permits, fees, inspection and indemnification.

(a) *Permits required.* Except as otherwise provided in this article, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the city or cause the same to be done, without first obtaining a sign permit for each sign from the sign administrator as required by this article. These directives shall not be construed to require any permit for a change of copy on any sign, nor for the repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way. No new permit is required for signs which have permits and which conform with the requirements of this article on November 24, 1980 unless and until the sign is altered or relocated.

Every sign permit issued by the sign administrator shall become null and void if installation is not commenced within one hundred twenty (120) days from the date of such permit. If work authorized by such permit is suspended or abandoned for one hundred twenty (120) days any time after the work is commenced, a new permit shall be first obtained to do so, and the fee will be one-half the amount required for a new permit for such work, provided that no changes have been made in the original plans. Such permit may not be unreasonably withheld, providing that proper application and payment of permit fees is complied with and a proper application is fully and correctly completed.

(b) *Sign contractor's license.* No person shall perform any work or service for any person or for any government entity for compensation, in or in connection with the erection, construction, enlargement, alteration, repair, moving, improvement, maintenance, conversion or manufacture of any sign in the city, or any work or service in connection with causing any such work to be done unless such person shall first have obtained a sign contractor's license and bond from the city and paid the license fees provided for by the city, or shall be represented by a duly licensed agent or subcontractor.

(c) *Permission to install.* No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.

(d) *Application for permit.* Application for a permit shall be made to the sign administrator upon a form provided by the sign administrator and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the city including:

(1) Name and address of owner of the sign;

(2) Name and address of owner or the person in possession of the premises where the sign is located or to be located;

(3) Clear and legible drawings or photo with description definitely showing location of the sign which is the subject of the permit and all other existing signs whose construction requires permits, when such signs are on the same premises;

(4) Drawings showing the dimensions, construction supports including footings, sizes, materials of the sign and method of attachment and character of structural members to which attachments are to be made. A certification of the total electrical energy consumption of all sign components (lights, motors, etc.) stated in watts. The design, quality, materials and loading shall conform to the requirements of the currently adopted Uniform Building Code, as amended, and the National Electrical Code. If required by the sign administrator, engineering data shall be supplied on plans submitted certified by a licensed professional engineer;

(5) Statement certifying that applicant has reviewed the site development ordinance, section 6-1205, and believes that applicant is in compliance with this article.

(e) *Issuance; denial.* The sign administrator shall issue a permit for the erection, alteration or relocation of a sign within the city when an application therefor has been properly made and the sign complied with all appropriate laws and regulations of the city. The sign administrator may, in writing, suspend or revoke a permit under provisions of this section whenever the permit is issued on the basis of a misstatement of fact or fraud. When a sign permit is denied by the sign administrator, he or she shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial.

(f) *Effect of issuance.* No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

(g) *Permit fees.* Application for permits shall be filed with the sign administrator, together with a permit fee as specified by the sign administrator, for each sign in accordance with the schedule established by the city administrator.

(h) *Sign permit appeals:*

(1) *Appeal from denial of permit.* Appeal may be taken to the board of adjustment from the sign administrator's denial of a sign permit.

(2) *Appeal from failure of sign administrator to grant permit within thirty (30) days.* The sign administrator's failure to either formally grant or deny a sign application within thirty (30) days of the date an application meeting the requirements of this article is filed shall be grounds for appeal to the board of adjustment under the terms of this chapter.

(i) *Notice of change of sign owner or user.* Whenever there is a change in the sign user, owner, or owner of the property on which the sign is located, the new sign user, owner or new property owner shall forthwith notify the sign administrator of the change. No new sign permit is required, unless the sign is altered or relocated (or existed as a nonconforming use prior to November 24, 1980).

(j) *Inspection.* The person erecting, altering or relocating a sign shall notify the sign administrator upon completion of the work for which permits are required.

(1) *Inspections.* All signs shall be subject to a final inspection by the sign administrator or shall require a certificate of compliance from a licensed sign installer.

(2) *Maintenance.* Every sign in the city, including but not limited to those signs for which permits or for which no permits or permit fees are required, shall be maintained in good structural condition at all times. All signs, including those exempted, shall be kept neatly painted, including all metal parts and supports by which these conditions are deteriorating. The sign administrator shall inspect and have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety.

(3) *Signs declared unlawful.* The sign administrator may declare any sign unlawful if it endangers public safety by reasons of inadequate maintenance, dilapidation or abandonment. Any such declaration shall state the reasons of the sign administrator for stating that the sign constitutes a safety hazard to the general public.

Any sign owned, kept, displayed or maintained by any person with the city, the ownership keeping a display which is unlawful pursuant to the provisions of this article, is hereby declared to be in violation of this article. The sign administrator may declare any such sign to be unlawful, and such declaration shall state in writing the reason or reasons why such sign and the keeping, owning, maintenance, construction and display or operation thereof, is unlawful under the terms of this article.

Sec. 27-705. - Signs permitted in zoning districts of city.

(a) *Residential zones.* Within any residential zone, signs or residential nameplates are permitted as follows:

(1) For each single-family home or duplex house, one (1) residential nameplate not exceeding a combined sign area of two (2) square feet for each occupancy. The nameplate shall not be subject to the permit requirements of this article. Commercial nameplates shall not be permitted in residential zones;

(2) For multiple-family uses, rooming and boarding houses, one (1) identification sign for each developed parcel, not exceeding twelve (12) square feet in sign area;

(3) Identification signs, bulletin boards, and other similar structures for governmental agencies which may be regulated by the city are subject to approval thereof by the sign administrator;

(4) All signs, except for neighborhood identification signs provided in subsections (6) and (7) below, shall be placed flat against a building or designed as part of an architectural feature thereof;

(5) No sign shall block any means of egress or any window;

(6) For a neighborhood or tract, two (2) identification signs per tract entrance. A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood, tract, or developer's name and logo. No sign or structure shall exceed thirty-two (32) square feet in size nor be over eight (8) feet in height as established from the street grade and must be located a minimum of five (5) feet behind all property lines.

(7) For each developed parcel within a residential zone, one (1) neighborhood watch sign may be posted for each street frontage. The total area of all neighborhood watch signs on a developed parcel will not exceed sixteen (16) square feet in sign area.

(b) *Residential professional and public zones.* Within these zones, signs are permitted as follows:

(1) One (1) identification sign or commercial nameplate for each developed parcel not to exceed a total of thirty-two (32) square feet in sign area for all displays;

(2) Signs shall be placed flat against a building or designed as part of an architectural feature thereof. Signs may also be detached if they do not exceed a height of eight (8) feet. Detached signs must be located a minimum of five (5) feet behind all property lines;

(3) No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with;

(4) Each occupancy within the developed parcel may have an individual nameplate not exceeding four (4) square feet;

(5) When a developed parcel fronts on more than one (1) public right-of-way or street, excluding alleys and serviceways, the above provisions of subsection (b) shall apply to each frontage.

(6) For each developed parcel within a residential professional or public zone, one (1) neighborhood watch sign may be posted for each street frontage. The total area of all neighborhood watch signs on a developed parcel will not exceed sixteen (16) square feet in sign area.

(c) *Community commercial, neighborhood commercial, highway commercial, controlled industrial, heavy industrial, Central Business District.*

(1) *Freestanding signs.*

	Number of Signs Permitted	Sign Area Permitted	Maximum Square Footage Per Sign	Maximum Height	Minimum Setbacks from all Property Lines
Freestanding Signs	One (1) per street frontage**	3 square feet per lineal foot of street frontage	175 square feet per side	30 feet	5 feet*
Freestanding Signs Central Business District Only	One (1) per street frontage**	3 square feet per lineal foot of street frontage	175 square feet per side	30 feet	0 feet for sign face

* If the bottom of the sign face is twelve (12) feet or higher above the established grade, then the sign support structure may be located up to one (1) foot behind the property line.

** Where a developed property abuts more than 300 lineal feet of street frontage, one (1) additional free-standing may be erected for each additional 300 feet of street frontage. Where a developed parcel has frontage on more than one (1) public right-of-way or street, excluding alleys, driveways, and service ways the provisions of this subsection shall apply to each street frontage, as follows:

Street Frontage	Number of Signs Permitted
0—599 feet	1 free-standing sign
600—900 feet	2 free-standing signs
901—1200 feet	3 free-standing signs
Over 1200 feet	3 free-standing signs, plus 1 additional sign for each 300 lineal street frontage feet over 1200 frontage feet

a. *Distance between signs.* For properties where more than one (1) freestanding sign is permitted, the distance between freestanding signs shall be a minimum of one hundred fifty (150) feet;

b. *Sign height.* No free-standing sign shall exceed the height of thirty (30) feet except free-standing signs in the highway commercial zone and within the interstate right-of-way which shall not exceed the height of fifty (50) feet.

1. If a free-standing sign projects over a private vehicular driveway or parking lot aisle, the minimum clearance of seventeen (17) feet shall be maintained between the bottom of the sign edge and the established grade of the site;

2. Rotating freestanding signs shall have a minimum clearance of nine (9) feet between the bottom of the sign edge and established grade of the site. Rotating, free-standing signs shall maintain no more than six (6) revolutions per minute.

c. *Sign location.* For any off-premises signs located within six hundred sixty (660) feet of an interstate or state controlled highway, street, or road right-of-way, a copy of the Montana Department of Transportation (MDT) permit shall be required and submitted with the city permit application in accordance with Section 18.6.211, Administrative Rules of Montana (ARM).

(2) *Wall, canopy, or projecting signs.*

a. Wall, canopy, projecting signs, roof signs or any combination thereof, indicating the name and nature of the occupancy for each occupancy located on a property is permitted, provided that they do not exceed the maximum square footage permitted.

	Sign Area Permitted	Minimum Height	Minimum Setbacks from all Property Lines
Wall Sign	3 square feet per lineal foot of building frontage	N/A	0 feet
Canopy or Projecting Signs	3 square feet per lineal foot of building frontage	9 feet from approved grade	0 feet
Canopy or Projecting Signs Central Business District Only	3 square feet per lineal foot of building frontage	9 feet from approved grade	Maximum projection of 2/3 of the sidewalk*
Under Awning or Canopy Signs for Buildings with Awnings or Canopies over the Right-of-Way Central Business District Only	3 square feet per lineal foot of building frontage	8 feet from approved grade	Maximum Projection of 2/3 of the sidewalk*
Roof Sign One permitted in lieu of a wall sign	3 square feet per lineal foot of building frontage*	N/A	N/A

*An encroachment permit shall be obtained from the city engineering department for any projecting or canopy sign that encroaches into the public right-of-way

** Primary entrance signs shall indicate only the name of the occupancy. The allowable sign area shall be reduced for each wall sign installed over any primary public entrance.

b. Roof signs shall not extend above the highest plane of the roof.

1. The supports, anchors, or braces for the roof sign shall be enclosed so that they are not visible from the street or other public or private property.

2. Signs shall be similar to a wall sign or projecting sign, and designed to look like part of the building or roof structure, rather than something suspended from or standing on the building.

(3) *Electronic message display signs.*

a. Limitations on electronic message displays.

1. An electronic message display (EMD) may only be used in conjunction with an immediately adjacent wall sign or as part of a free standing sign and shall not be displayed on its own. The EMD shall not be larger than forty (40) percent of the total square footage of the permanent graphic portion of the sign when compared as separate components. For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter inclusive of any physical separation between the two (2) components.

2. Only one (1) electronic message display (EMD) freestanding sign per developed parcel or one (1) EMD wall sign per street frontage may be allowed. Sign(s) must be included in the total number of signs allowed not in addition to the number of signs allowed.

3. An electronic message display (EMD) wall sign may only be used in conjunction with an immediately adjacent permanent graphic sign and not alone. EMD signs that are not enclosed within the primary wall sign will be required to have a frame to visually diminish the black box effect of the EMD. The frame shall be no less than eight (8) inches in width and no greater than eighty (80) percent of the EMD cabinet depth or exceed fifty (50) percent of the EMD area. The required frame area for EMD wall signs shall not count towards the maximum allowable sign area. The maximum height of an EMD wall sign shall be forty (40) feet from the building wall grade. EMD wall signs shall not be placed less than two (2) feet from the top of the wall it is installed on.

4. An electronic message display (EMD) may be allowed provided it does not flash, scintillate, blink, show motion borders or traveling lights or display video (unless specifically permitted in special sign districts).

b. Size of free standing electronic message displays.

Street Type	Maximum Portion of Allowable Sign Area*	Maximum Total EMD Sign Size*
Principal Arterial	40%	100 square feet
Minor Arterial	40%	40 square feet
Collector	40%	40 square feet
Commercial Local Access	40%	40 square feet

* - Maximum Portion of Allowable Sign Area or Maximum Total EMD sign size whichever is less

c. Size of electronic message display wall signs.

Street Type	Maximum Total EMD Sign Area*
Principal Arterial	80 square feet
Minor Arterial	50 square feet
Collector	50 square feet
Commercial Local Access	50 square feet

* - Maximum Portion of Allowable Sign Area or Maximum Total EMD sign size whichever is less

d. Electronic message displays (EMDs) must be equipped with an automatic image dimming capability (ambient light monitors). This feature must be enabled at all times, allowing the display to automatically adjust brightness based on ambient light conditions. The sign must be operated at a brightness level no greater than the manufacturer's recommended levels.

e. The following conditions apply to all EMD sign permits. Failure to comply shall result in the sign ceasing operation until compliance occurs.

1. That the sign shall at all times be operated in accordance with city codes and that the owner or operator shall provide proof of such conformance within 24-hours of a request by the city;

2. That a city inspector may access the property upon twenty-four (24) hours notice to the owner, operator or permittee so that the city may verify that the EMD has the automatic image dimming capability engaged. In the event of a citizen complaint regarding the EMD brightness, the owner, operator or permittee may be required by the city inspector to manually reduce the brightness to a lower setting;

3. That whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign and the sign's operation manual shall be

available to city staff upon twenty-four (24) hours notice to the owner, operator or permittee.

f. Sign permit applications to install an EMD must include a certification from the owner or operator that the sign shall at all times be operated in compliance with the conditions set out in city code. The owner, operator or permittee shall immediately provide proof of such conformance upon request of the city.

(d) *Historic District zone.*

(1) *Statement of special purpose.* This special code acknowledges the unique visual concerns associated with the Billings Townsite Historic District as defined in section 6-1103, and recognizes the benefits of restoring the district's visual appearance of prosperity, cohesiveness, and historic integrity, while continuing to promote business advertising variety, individuality, and growth.

(2) *Signs permitted in historic district.* Within the Billings Townsite Historic District, signs are permitted as follows:

a. Signs and sign lettering within the Billings Townsite Historic District shall be designed and installed to compliment the architectural style.

b. No sign will be permitted to obscure or cover any significant architectural detail or decorative element of the existing building.

c. Only signs that advertise an activity, business, product or service conducted or available on the premises on which the sign is located, shall be allowed within the Billings Townsite Historic District.

d. No new roof signs shall be permitted.

e. Excluding window signs, one additional sign type per business is allowed, except for business with entrances on more than one street, in which case one sign type per street entrance is allowed.

f. No off-premise signs are permitted.

g. The size of signs in the historic district is limited to fifty (50) percent of that allowed in this article.

h. Once the copy of an existing sign is changed it must come into compliance with the special provisions of the historic sign district and the existing sign code.

Sec. 27-706. - Special circumstance signs.

(a) *Service station or convenience (gasoline) store signs.* Regardless of which zoning district a service station or convenience (gasoline) store is located within, such uses shall be permitted the following signs:

(1) One (1) free-standing sign indicating only the name and nature of the occupancy for each developed parcel not to exceed three (3) square feet of sign area for each lineal foot of street frontage abutting the developed portion of the parcel, provided that:

a. Signs will be permitted as follows:

Frontage Feet	Signs
0—600	1 free-standing sign
601—900	2 free-standing signs

901—1200	3 free-standing signs
Over 1200	3 free-standing signs plus, 1 additional sign for each 300 lineal street frontage feet over 1200 frontage feet

b. Where a developed parcel is permitted to have more than one (1) free-standing sign under this article, the distance between the free-standing signs on each parcel shall be not less than one hundred fifty (150) frontage feet;

c. The sign must be located five (5) feet behind all property lines except:

(i) If the bottom of the structure is twelve (12) feet or higher above the establish grade, then the sign structure may be located up to one (1) foot behind the property line; or

(ii) If the sign is in the Central Business District, then the sign structure can be located up to the property line.

d. No free-standing sign shall exceed the height of thirty (30) feet except free standing signs in the highway commercial zone which shall not exceed the height of fifty (50) feet. No signs shall exceed one hundred seventy-five (175) square feet in sign area. One (1) measured side of the display shall compose the square footage;

e. No rotating free-standing sign shall rotate at a rate faster than six (6) revolutions per minute or have a minimum clearance lower than nine (9) feet between the bottom of the sign and the ground;

f. When a developed parcel fronts on more than one (1) public right-of-way or street, excluding alleys and serviceways, the above provisions of subsection a. shall apply to each frontage.

(2) One (1) wall or one (1) canopy sign and four (4) architectural blade signs indicating only the name and nature of the occupancy for each occupancy within the developed parcel as follows:

a. No sign shall exceed a total area of three (3) square feet of sign area for each lineal foot of building frontage of each occupancy except buildings over two (2) stories shall be allowed an additional one (1) square foot of copy for each lineal foot of building frontage of each occupancy;

b. If such occupancy is on a corner, one (1) wall sign or one (1) canopy sign will be permitted for each frontage face;

c. A permitted wall sign(s) can be transferred from one wall to another wall provided the number of signs remain within the permitted number of signs and within allowable sign area;

d. No wall or canopy signs shall project into the public right-of-way, except:

(i) In the Central Business District, wall signs may project eighteen (18) inches over the right-of-way, subject to a minimum height limit of nine (9) feet from the sidewalk; and

(ii) In the Central Business District, canopy signs may project up to two (2) feet to a vertical line from the curb face over the right-of-way.

e. If the building includes a canopy, each tenant will be permitted one (1) under canopy sign. Any signs attached to the underside of a canopy shall be perpendicular to the wall face of building and shall not have a copy area greater than four (4) square feet or have a clearance lower than of eight (8) feet from the sidewalk.

(3) A maximum of four (4) wall signs may be located on or incorporated within the pump island canopy structure, whether attached or detached from the main structure/building. Such signs shall not

project above the top of the canopy structure, shall not exceed a maximum area of twenty (20) square feet for each sign face, and each sign shall be limited in length to a maximum of fifty (50) percent of the long dimension of the canopy on which the sign is located. This section shall not prohibit the placement of trademark symbols on individual gasoline pumps.

(4) One (1) poster/price sign structure shall be permitted and shall not exceed four (4) feet in width and six (6) feet in height from the ground level. Such poster type signs shall be located at an approved site. Such signs may be used for price or special message advertising.

(5) Temporary signs shall be permitted pursuant to section 27-706(e).

(6) Electronic message display signs may be permitted pursuant to subsection 27-705(c)(3).

(b) *Off-premise/billboard signs.*

(1) Purpose and intent: The purpose of this section is to regulate the impact of billboards on the community; to improve the appearance of I-90, Main Street, Highway 3, 27th Street and entryways; to enhance the urban design of the greater downtown area and the west end; to insure compatibility between billboards and adjacent land uses; and to limit the impact that billboards have on sign clutter in the community. The city recognizes that billboards are a necessary and appropriate advertising medium, and that there are acceptable and viable locations for billboards within the community.

It is the intent of this subsection to address the following specific concerns regarding the impact of billboards upon the community:

a. The citizens of Billings, and others visiting or traveling through the city are very concerned about the urban design and visual integrity of the city.

b. Billboards may be often incongruous with the city's natural setting and features due to their large-scale figures, numbers, letters, and colors.

c. A billboard may dominate the view from vehicles and interfere with the occupants' enjoyment of the city's natural setting and features.

d. A high concentration of billboards may create traffic safety problems and distract attention away from public safety signs.

e. Billboards of excessive size or height should be downsized within a reasonable period of time.

f. Billboards are incompatible with residential uses.

g. The I-90, Highway 3, Main Street, 27th Street, other entryways, and Shiloh Road are major entryways to the city which are of particular importance in terms of urban design and public perception to citizens, visitors, and tourists.

h. The downtown area defined in the Downtown Framework Plan is an area in which urban design significantly influences the health and vitality of the total community.

(2) No off-premise/billboard sign shall be constructed or erected in any district after the date of the enactment of this subsection 27-706(b) [Ord. No. 99-5107, enacted Nov. 22, 1999]. For each non-conforming off-premise/billboard sign face removed a conforming off-premise/billboard sign face may be erected. Therefore, if a proposed conforming off-premise/billboard sign face will replace an existing non-conforming off-premise/billboard sign face within the city limits, then such proposed off-premise/billboard sign face shall comply with all of the applicable regulations contained herein.

When all non-conforming off-premise/billboard signs within the city have been removed pursuant to this section, then additional off-premise/billboard signs may be constructed in accordance with the regulations contained herein.

(3) Location standards: All billboards shall be located in accordance with the following standards:

a. Zoning districts:

1. Billboards shall be permitted as an allowed use in Highway Commercial (HC), Controlled Industrial (CI), and Heavy Industrial (HI) zoning districts.

2. Billboards shall be permitted as an allowed use in Community Commercial (CC) zoning district provided that the structure is two hundred (200) feet or more from a residential zoning district.

3. A special review shall be required for all billboards to be located in a CC zone if the structure is less than two hundred (200) feet but greater than one hundred-fifty (150) feet from a residential zoning district.

4. Billboards shall be permitted in Central Business District (CBD) upon approval of a special review.

5. No new billboards shall be permitted on, directed to, or within two hundred (200) feet of the following corridors:

i. 27th Street from I-90 to Airport Road (excluding 27th Street North from Montana Avenue to 6th Avenue North).

ii. Highway 3 (Airport Road) from Alkali Creek Road west to the city limits.

iii. Shiloh Road from I-90 to Rimrock Road.

iv. Yellowstone River.

v. Any historic district registered on the National Register of Historic Places.

b. Locations standards:

1. Billboards shall be set back 20 feet from the front property line.

2. No billboard shall be placed on the roof of any building or structure.

c. Spacing standards:

1. Billboards shall be required to have the following spacing requirements:

i. Billboards located in CC shall have a minimum spacing of a 1,000-foot radius from any other off-premise structure.

ii. Billboards located in HC shall have a minimum spacing of a 600-foot radius from any other off-premise structure.

iii. Billboards located in CI and HI shall have a minimum spacing of six hundred (600) linear feet from any other off-premise structure.

2. No billboard shall be placed within one hundred fifty (150) feet of any residential zone.

(4) Area, height, face, and pole standards: All billboards shall conform to the following standards:

a. Sign area: New billboards faces and supporting framework shall not exceed the following sign areas:

1. New billboards shall be a maximum of two hundred fifty (250) square feet.

2. New billboards located within the Interstate Corridor shall not exceed four hundred eighty (480) square feet.

b. Height:

1. The maximum overall height shall be thirty-five (35) feet above the road grade to which the billboard reads.

2. The minimum distance between grade and the bottom of the billboard shall be fifteen (15) feet.

c. Faces:

1. There shall be no more than a total of two (2) faces per supporting structure.

2. All structures must be single face, back-to-back, or "v" type of construction.

d. Pole construction: All structures must be of single pole construction.

(5) Lighting: Lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.

(6) Maintenance and discontinuance:

a. Maintenance:

1. All sign supports, braces, guys and anchors, shall be kept in good repair. Faces of all signs shall be kept neatly painted or posted at all times. The city shall notify the sign owner or its agent, in writing, of any sign that is not in proper state of repair. If corrective action is not taken within (30) days of written notice, the city official may order the removal of the sign.

2. Off-premise/billboards signs that are damaged or destroyed by more than fifty (50) percent of the value of the sign structure shall not be reconstructed and shall be removed.

3. All areas around the sign structure shall be kept litter and weed free.

b. Discontinuance: The city may order the removal of any billboard, without compensation, upon which the advertising or other message has been discontinued for more than sixty (60) days continuous days. The owner shall either advertise upon or remove said billboard within thirty (30) days of written notification by the city.

(7) Special review requirements for off-premise/billboard signs in CC and CBD. The following criteria will be used in reviewing the proposed structure:

a. That the location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections.

b. That the signs in the CBD will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.

c. That the sign will not obstruct views of users of adjacent buildings to side yards. This requirement does not include views of distant vistas.

d. That the sign cannot be seen from churches, schools, the Yellowstone River or any city, county, or state park or if it can be seen it must be located at two hundred fifty (250) feet from the boundaries of such places.

e. That the height of signs located in undeveloped areas (no buildings within 300-foot radius) shall not exceed twenty-six (26) feet above grade. The minimum clearance of a sign shall never be less than fifteen (15) feet.

f. That the sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.

(8) Off-premise/billboard electronic displays may be allowed on any off-premise/billboard sign face provided it conforms to all of the standards and requirements of the city sign code including the limitation on replacement of nonconforming off-premise billboard signs in subsection 27-706(b)(2) and the maintenance and repair of nonconforming off-premise/billboard signs in subsection 27-706(b)(6). An off-premise/billboard electronic display may be used as the only sign area on an off-premise/billboard sign face. An off-premise/billboard electronic display shall not change from one still image to another still image more than once every six (6) seconds. An off-premise/billboard electronic display shall not include any other visual effects including but not

limited to animation, motion pictures, video, holograms, moving parts or the illusion of movement and shall not include any audible sound.

(c) *Shopping center or mall signs.*

(1) One (1) free-standing sign indicating only the name and nature of the occupancy for each developed parcel not to exceed three (3) square feet of sign area for each lineal foot of street frontage abutting the developed portion of the parcel, provided that:

a. Signs will be permitted as follows:

Frontage Feet	Signs
0— 600	1 free-standing sign
601— 900	2 free-standing signs
901—1200	3 free-standing signs
Over 1200	3 free-standing signs plus, 1 additional sign for each 300 lineal street frontage feet over 1200 frontage feet

b. Where a developed parcel is permitted to have more than one (1) free-standing sign under this article, the distance between the free-standing signs on each parcel shall be not less than one hundred fifty (150) frontage feet;

c. The sign must be located five (5) feet behind all property lines except:

(i) If the bottom of the structure is twelve (12) feet or higher above the establish grade, then the sign structure may be located up to one (1) foot behind the property line; or

(ii) If the sign is in the Central Business District, then the sign structure can be located up to the property line.

d. No free-standing sign shall exceed the height of thirty (30) feet except freestanding signs in the highway commercial zone which shall not exceed the height of fifty (50) feet. No signs shall exceed four hundred (400) square feet in sign area. One (1) measured side of the display shall compose the square footage;

e. If a free-standing sign projects over a private vehicular driveway or parking lot aisle, the minimum clearance between the bottom of the sign and the ground shall be seventeen (17) feet;

f. No rotating free-standing sign shall rotate at a rate faster than six (6) revolutions per minute or have a minimum clearance lower than nine (9) feet between the bottom of the sign and the ground;

g. When a developed parcel fronts on more than one (1) public right-of-way or street, excluding alleys and serviceways, the above provisions of subsection (c) shall apply to each frontage.

(2) One (1) wall or one (1) canopy sign and four (4) architectural blade signs indicating only the name and nature of the occupancy for each occupancy within the developed parcel as follows:

a. No sign shall exceed a total area of three (3) square feet of copy for each lineal foot of building frontage of each occupancy except buildings over two (2) stories shall be allowed an additional one (1) square foot of copy for each lineal foot of building frontage of each occupancy;

b. If such occupancy is on a corner, one (1) wall sign or one (1) canopy sign will be permitted for each frontage face;

c. A permitted wall sign(s) can be transferred from one wall to another wall provided the number of signs remain within the permitted number of signs and within allowable sign area;

d. No wall or canopy signs shall project into the public right-of-way, except:

(i) In the Central Business District, wall signs may project eighteen (18) inches over the right-of-way, subject to a minimum height limit of nine (9) feet from the sidewalk; and

(ii) In the Central Business District, canopy signs may project up to two (2) feet to a vertical line from the curb face over the right-of-way.

e. If the building includes a canopy, each tenant will be permitted one (1) under canopy sign. Any signs attached to the underside of a canopy shall be perpendicular to the wall face of building and shall not have a copy area greater than four (4) square feet or have a clearance lower than eight (8) feet from the sidewalk.

(3) Interior mall signs shall be regulated by the mall association or owner.

(4) Electronic message display signs may be permitted pursuant to subsection 27-705(c)(3). A shopping center that has frontage on more than one (1) public right-of-way may have one (1) electronic message display (EMD) free standing sign on each public right-of-way frontage.

(d) *Medical corridor and South 27th Street corridor signs.*

(1) Statement of special purpose.

a. Medical corridor. The Billings Medical Corridor Permit Zoning District as set forth in article 27-900 (the "medical corridor") is a unique, distinct and separately identifiable area of the city. Over time, a majority of the medical corridor has developed a campus environment that is separate and distinct from the surrounding area. The large scale buildings, the complexities of the medical campuses, the needs and abilities of those seeking medical and emergency services, and the diversification of services offered within the medical corridor create a need for flexibility in establishing clear way-finding and informational signage. Accordingly, this special medical corridor sign code is adopted to facilitate, enhance, encourage and promote the following purposes:

1. To facilitate and foster complementary uses servicing the healthcare community, including hospitals, clinics, medical office buildings, laboratories, and related or supporting uses;

2. To promote a unique, attractive and distinctive healthcare campus environment with limited retail uses;

3. To encourage creativity and continuity in design, quality, and the character of new signage;

4. To anticipate and recognize the needs of patients and visitors in the medical corridor;

5. To safeguard and enhance property values, and to protect public and private investment in the medical corridor;

6. To promote those qualities in the visual environment which bring economic value to the community;

7. To encourage the design of signs that are in harmony with the principal activities and structures that they serve and that are compatible with the overall healthcare campus environment;

8. To alleviate the burdens of complex compliance and enforcement responsibilities; and

9. To promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the medical corridor.

The medical corridor is primarily occupied by regional healthcare providers that draw patients and visitors from a multi-state region. The medical corridor sign code recognizes that patients and visitors to the medical corridor need to be able to easily and conveniently locate, identify, and find their way to hospitals, medical groups, clinics, medial departments, laboratories, physicians, and other healthcare points of interest.

The primary purpose of the medical corridor is healthcare, with very limited retail uses. Accordingly, the medical corridor sign code recognizes that the primary purpose of signs in the medical corridor is not for retail purposes, yet retains historical restrictions for retail establishments within the medical corridor.

The caliber of the development of the medical campuses within the medical corridor over time has demonstrated a commitment to maintaining architecturally sound and aesthetically pleasing signage, as well as uniform appearance of signage within parcels under common ownership. Healthcare and healthcare providers are constantly evolving and changing. One of the express purposes of the medical corridor sign code is to provide healthcare providers with flexibility with respect to both way-finding and informational signage.

b. South 27 th Street corridor. This section acknowledges the architectural visual concerns associated with the South 27 th Street corridor zoning district as set forth in article 27-800. This section further recognizes the needs and benefits of limited sign standards that will adequately serve the uses in this zoning district and those who utilize their services, and at the same time, recognizes the need to protect the remaining residential areas within, adjacent and surrounding these zoning districts from the intrusion of unsightly, excessive and confusing sign usage.

(2) Healthcare purposes sign definition. As used within this section, the term healthcare purposes sign shall mean any sign located in the medical corridor (excluding prohibited signs) that:

a. Identifies a hospital, clinic, medical building, healthcare facility, emergency room, trauma center, healthcare provider or ancillary healthcare service (as defined herein below), and/or associated parking areas located in the medical corridor; or

b. Provides direction to a hospital, clinic, medical building, healthcare facility, emergency room, trauma center, healthcare provider or ancillary healthcare service, and/or associated parking areas located in the medical corridor.

For the purposes of this definition, the phrase "ancillary healthcare service" shall not include restaurants, hotels, motels, churches, and gas stations.

(3) Except as provided in subsection (4), within the medical corridor and the South 27 th Street corridor, signs are permitted per developed parcel as follows:

a. Two (2) monument type signs, provided the two (2) monument signs are located on separate public street frontages and located at least one hundred (100) lineal frontage feet apart, measured along property line, as follows:

1. One (1) main identification free-standing sign not exceeding forty (40) square feet in sign area nor be over twelve (12) feet in height;

2. One (1) secondary identification free-standing sign not exceeding thirty-two (32) square feet in sign area nor be over eight (8) feet in height.

b. One (1) identification wall sign placed flat against a building or designed as part of an architectural feature for each public street frontage for each developed parcel not to exceed fifty (50) square feet in sign area.

c. Free-standing directory signs shall not exceed eight (8) square feet in sign area nor be over five (5) feet in height. Wall directory signs shall not exceed eight (8) square feet in sign area.

(4) Healthcare purposes signs permitted.

a. Except for those signs specifically prohibited by subsection (5), all healthcare purposes signs shall be permitted in all portions of the medical corridor except for the area west of North 30th Street.

b. Emergency room and trauma center signs. All emergency room and trauma center signs shall be permitted in the medical corridor as healthcare purposes signs.

(5) Prohibited signs and lighting. The following signs and lighting shall be prohibited in the medical corridor:

a. Strobe lights;

b. Searchlights;

c. Balloon signs;

d. Portable signs;

e. Flashing neon signs;

f. Third party signs;

g. Billboards;

h. Flashing incandescent lamps;

i. Vehicles used as signs (provided that this provision shall not be construed as prohibiting the identification of a healthcare services entity or provider);

j. Signs projecting into rights-of-way;

k. Window signs;

l. Signs exceeding twenty (20) feet in height;

m. Signs exceeding one hundred seventy-five (175) square feet of area;

n. Signs which by coloring, shape, wording or location resemble or conflict with traffic control signs or devices;

o. Signs that create a safety hazard for pedestrian or vehicular traffic;

p. Signs attached to or placed on a motor vehicle or trailer parked on public or private property, provided that this provision shall not be construed as prohibiting the identification of a firm or its product on a vehicle operating during the normal course of business;

q. Any electronic reader board sign or animated sign that is otherwise prohibited by the city sign code.

r. Wall signs which, individually or collectively, cover more than twenty-five (25) percent of the surface area of any wall. The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows.

(6) Electronic message display signs may be permitted pursuant to subsection 27-705(c)(3).

(e) *Church, school and other institutional use signs.* Regardless of which zoning district a church, school or other institutional use, including fraternal organizations, are located within, such uses shall be permitted the following signs:

(1) One (1) free-standing monument announcement sign or bulletin board not to exceed five (5) feet in height, or eight (8) feet in length, inclusive of supporting structure; and

(2) Two (2) wall signs placed flat against a building or designed as a part of an architectural feature not to exceed thirty-two (32) square feet per sign. Additional signs may be authorized by special review of the city council.

(3) Electronic message displays may be allowed provided they do not flash, scintillate, blink, show motion borders or traveling lights or display video. One (1) electronic message display (EMD) as part of a free-standing monument sign or a wall sign may be permitted provided the EMD does not exceed fifty (50) percent of the sign area for a free-standing sign or ten (10) square feet for a wall sign. An EMD may only be used in conjunction with an immediately adjacent wall sign or as part of a free standing sign and shall not be displayed on its own. An EMD wall sign must be placed near the primary public entrance. The maximum height of an EMD wall sign shall be twelve (12) feet from the building wall grade. EMD wall signs shall not be placed less than two (2) feet from the top of the wall it is installed on.

(f) *Temporary signs.*

(1) *Permits required.* It shall be unlawful for any owner or person entitled to possession of any property or business, or their authorized representatives, to erect, construct, move, or display a temporary sign or cause the same to be done, without first obtaining a temporary sign permit from the sign administrator. A temporary sign permit may be issued:

a. To new businesses or to existing businesses which are relocating and shall be limited in use to one time for no longer than sixty (60) days; or

b. To existing businesses for the purpose of advertising and shall be limited to a maximum of thirty (30) consecutive days per calendar year. Such thirty-day period may be split into no more than two (2) separate periods of fifteen (15) consecutive days each.

All temporary signs, other than over-street banners, shall be located on private property. Any temporary signs located on public rights-of-way shall be subject to removal by the sign administrator without notice.

(2) *Application for permits.* Application for a temporary sign permit shall be made to the sign administrator by the owner or person entitled to possession of the property or business on which the temporary sign is to be located and shall be upon the form prescribed by the city administrator. All information required by the sign administrator to assure compliance with all laws and regulations of the city shall accompany the application, including:

a. Name and address of the owner of the temporary sign;

b. Name and address of the owner or person in possession of the business or premises on which the temporary sign is to be located and the length of time that the business has existed at such location;

c. Clear and legible drawings or photo with description definitely showing the proposed location of the temporary sign which is the subject of the permit and of all other existing signs on the premises.

(3) *Permit fees.* The application for the temporary sign permit shall be filed with the sign administrator, together with a permit fee in the amount set forth in the fee schedule established by the city administrator.

(4) *Issuance—Denial.* The sign administrator shall issue a temporary sign permit for the erection or display of a temporary sign within the city when he has determined that the applicant has met all requirements of this section and all other applicable laws of the city. The sign administrator shall establish area/height allowance and shall specify where the temporary sign is to be located, taking into consideration clear vision and setback requirements. The sign administrator shall give the applicant a validation sticker indicating the expiration date of the permit. The applicant must immediately affix the sticker to the side of the temporary sign in a clearly visible location. No

temporary sign may be displayed unless the validation sticker is in place and the sign is located in the position specified by the sign administrator. In no event shall a permit or sticker be valid for more than sixty (60) consecutive days.

(5) *Temporary sign logs.* All persons, firms, partnerships, corporations or businesses leasing or renting temporary signs shall maintain a temporary sign log and shall record therein in clear and legible ink: The location where and date that each of their temporary signs is installed; the names of the person and business to whom a temporary sign permit was issued for each sign; and the date that each temporary sign is removed. The original copy of each month's log shall be personally delivered to the sign administrator on the last working day of each month or shall be sent to the sign administrator through the United States mail, postmarked no later than the first day of the following month. Said log shall be open to the inspection of the sign administrator at all reasonable times.

(6) *Permits not required.*

a. The following temporary signs are allowed without permits:

1. Signs which identify the location of rummage and garage sales;

2. Signs which advertise the activities of a nonprofit organization;

3. Political posters (see section 27-707(b)(16));

4. Signs which advertise property for sale, lease or rent (see section 27-707(b)(19));

b. Such temporary signs allowed shall:

1. Be removed after thirty (30) days of use (see exceptions for political or campaign signs 27-707(b)(16));

2. Not exceed one (1) sign per property frontage.

c. No temporary sign shall cause unsafe ingress or egress or otherwise create traffic visibility problems.

(7) *Size and placement limitations.* Temporary signs shall only be allowed to a maximum height of eight (8) feet with allowable square footage not exceeding thirty-two (32) square feet on each side of the display. Measuring one (1) side of the display shall determine the square footage for purposes of computation. In addition, temporary signs shall be located at least one hundred fifty (150) feet apart and a minimum of five (5) feet behind all property lines.

(8) *Penalty.* A violation of this section is designated as a municipal infraction, and punishable by civil penalties as specified in section 18-1304.

Sec. 27-707. - Exceptions and exemptions.

The following operations shall not be considered as creating a sign insofar as requiring the issuance of sign permit or permissibility in a district, but the signs must be in conformance with this article, ordinances and regulations of the city, and all other building, structural and electrical laws:

(a) *Permit exceptions:*

(1) Changing of the advertising copy or message on an existing approved painted or printed sign, marquee, changeable copy sign or a similar approved sign whether electrical, illuminated, electronic changing message center or nonilluminated painted message which are all specifically designed for the use of replaceable copy;

(2) Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of or a change of a plastic face will be included as an exempt operation;

(3) Changes in the content of show window displays and permitted temporary signs;

(4) Changing sign—Automatic with no identification of ownership.

(b) *Exempt signs:*

(1) *Banner and balloon signs.* Banner and balloon signs are allowed as follows:

a. *Banner signs (public right-of-way):* Banner signs may be suspended across public right-of-way subject to the following conditions:

1. A banner sign application, which has been signed and approved by the owners of all private property to which the sign will be affixed, shall be submitted.

2. The banner sign application must be submitted to and approved by the city sign administrator prior to placement of the banner sign.

3. Message and symbols are limited to public service messages with no commercial advertising of any nature appearing on the banner. This shall not preclude the identification of an event sponsor provided that such identification shall not occupy more than fifteen (15) percent of the area of the banner.

4. The maximum allowable size of a banner sign is three (3) feet by twenty (20) feet.

5. The maximum time during which any banner sign may be displayed is thirty (30) days.

6. The city may require the applicant to indemnify the city and to provide insurance covering any liability that may occur as a result of placement of the sign.

7. Application for a banner sign may not be submitted earlier than six (6) months prior to the date when the sign will first be displayed.

b. *Banner signs (private property):* Banner signs may be securely attached to a structure, the wall of a building or canopy as follows:

1. Two (2) banner signs for two (2) periods in a calendar year not exceeding thirty (30) consecutive days per period at any business location;

2. Banner signs shall not exceed thirty-two (32) square feet in sign area; and

3. Banner signs shall not direct attention to a business commodity, service or entertainment not related to the premise at which the sign is located.

c. Balloon signs are allowed in all zones except residential and residential professional as follows:

1. One (1) balloon sign for a total period not to exceed three (3) days in any one-month period at any business location;

2. No balloon sign and structure shall exceed the height of thirty (30) feet;

3. No balloon sign and structure shall be greater in volume than four thousand five hundred (4,500) cubic feet; and

4. Balloon signs are permitted on rooftops provided balloon signs and balloon structures are securely anchored to the rooftop.

(2) *Bench signs.* Bench signs on benches, controlled or authorized by the Billings MET. Indemnification clause or proof of liability insurance may be required by the city;

(3) *Construction signs.* One (1) building construction sign per construction project not exceeding thirty-two (32) square feet in sign area in residential districts or sixty-four (64) square feet in sign area in all other districts, provided that such signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed five (5) days after issuance of an occupancy certificate or completion of construction and prior to occupancy;

(4) *Directional or instructional signs.* Signs which provide direction or instruction and are located entirely on the property to which they pertain and do not exceed four (4) square feet in sign

area, signs identifying rest rooms, public telephones, walkways, or signs providing direction such a [as] parking lot entrance and exit signs and those of similar nature. Signs shall not cause visual obstructions to traffic;

(5) *Flags, or pennants.* The flags, emblems or insignia of any nation, political subdivision, corporate flag, corporation, or any other entity or business;

(6) *Garage sale signs.* Garage sale signs not exceeding four (4) square feet in sign area;

(7) *Governmental regulatory signs.* Governmental regulatory signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of a public officer in the performance of his or her public duty;

(8) *Historical landmark signs.* Signs identifying structures or landmarks which have been designated as a historical landmark locally or nationally and not located in the historical district. Each landmark or structure is permitted one monument sign, attached or detached, not greater than four (4) square feet in sign area for the attached sign, eight (8) feet in sign area for the detached sign, and not exceeding eight (8) feet in height;

(9) *Holiday decorations or seasonal signs.* Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one (1) year. Such signs may be of any type, number, area, height, illumination or animation; and shall be set back ten (10) feet from all boundary lines of the lot, provided that a clear area be maintained to a height of seventy-two (72) inches, within fifty-five (55) feet of the intersection of two (2) streets, a railroad and a street and a street and driveway, as measured from the property line;

(10) *House numbers, residential name plates and commercial addresses.* House numbers, residential name plates and commercial addresses not exceeding two (2) square feet in area for each residential building;

(11) *Incidental signs.* Up to two (2) incidental signs may be attached to a free standing sign structure or to a building wall, but may not be attached perpendicular to the wall. Such signs are restricted to trading stamps, credit cards excepted, official notices of services required by law, or trade affiliations. The area of each sign may not exceed five (5) square feet; the total area of all such signs may not exceed ten (10) square feet and will be subtracted from the allowable sign area;

(12) *Interior signs.* Signs located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court or entrance of any theater, that are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specifications as set out in this article;

(13) *Memorial signs, plaques, symbols or insignia signs.* Memorial signs, plaques, religious symbols, tablets, identification emblems of religious orders or historical agencies, provided that no such memorial sign, symbol, plaque, tablet or identification emblem shall exceed four (4) square feet in sign area, and provided further that all such memorial signs, symbols, plaques, tablets, and identification emblems shall be placed flat against a building. Names of buildings and date of erection when cut into any masonry surface or inlaid so as to be part of the building are also allowed;

(14) *Notice bulletin boards.* Notice bulletin boards not over twenty-four (24) square feet in area for medical, public, charitable or religious institutions where the same are the primary use located on the premises;

(15) *No-trespassing* or *no-dumping signs.* No-trespassing or no-dumping signs not to exceed one and one-half (1½) square feet in area per sign and not exceeding four (4) in number per lot,

except that special permission may be obtained from the sign administrator for additional signs under proven special circumstances;

(16) *Political or campaign signs.* Political or campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:

a. Such signs may be erected not earlier than forty-five (45) days prior to the primary or special election and shall be removed within fifteen (15) days following the general or special election. If there is no primary election scheduled, then such signs may not be erected earlier than forty-five (45) days prior to the general election. After the primary election, signs pertaining to any candidate or ballot issue not on the general or special election ballot shall be removed within fifteen (15) days after the primary election, unless the candidate is conducting a write-in campaign. This provision does not prohibit a successful primary candidate from erecting additional signs after the primary election or an unopposed candidate at the primary from erecting signs prior to or immediately after the primary election.

b. In any zone, each parcel of land is permitted to display political signs provided that, in total, such signs do not exceed thirty-two (32) square feet in aggregate area and, if detached, do not exceed six (6) feet in height. Signs over thirty (30) inches in height shall comply with the clear vision standards as required by section 27-615 "Visibility at Intersections". Such sign shall not be erected in such a manner as to constitute a roof sign. Notwithstanding the provisions of this subsection, a sign may be placed upon any legally existing sign structure, but not so as to cover an already existing current sign.

c. No political sign shall be located within or over the public right-of-way or on a utility pole.

d. No political sign shall be placed, installed, or erected without the permission of the private property owner.

(17) *Public service signs (notices).* Official notices or other public service information posted by public officers or employees in the performance of their duties;

(18) *Public signs.* Signs required or specifically authorized for a public purpose by any law, statute or ordinance; which may be of any type, number area, height above grade, location, illumination, or animation required by the law, statute or ordinance under which the signs are erected;

(19) *Real estate signs.* One (1) real estate sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies, is not directly illuminated, does not exceed six (6) square feet in sign area in residential zones and twelve (12) square feet in commercial zones, and is removed within seven (7) days after the sale, rental or lease has been accomplished. "Open house" signs must be placed on private property and shall not be placed on or project over a public right-of-way;

(20) *Subdivision development signs.* Two (2) subdivision development signs per subdivision development project not exceeding thirty-two (32) square feet in sign area in residential districts or sixty-four (64) square feet in sign area in all other districts. This off-site sign may contain advertising in connection with the name of the subdivision, development firm, building contractor, real estate sales firm, and may refer to materials, appliances, supplies and building trades used in construction of the dwelling units, or services provided by the developer. The sign shall be removed six (6) months after the last lot is constructed upon;

(21) *Symbols or insignia signs.* Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such symbol, plaque, or identification emblem shall exceed four (4) square feet in area, and provided further that all such symbols, plaques and identification emblems shall be placed flat against a building;

(22) *Warning signs.* Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary, to be removed upon subsidence of danger;

(23) *Window signs.* A sign installed inside a window for purposes of viewing outside the premises.

(24) *Neighborhood watch signs.* Neighborhood watch signs may be posted on property within residential, residential professional and public zoning districts provided that the total area of all neighborhood watch signs on a developed parcel do not exceed sixteen (16) square feet in sign area. Neighborhood watch signs shall be posted on private property and may be placed flat against the wall of a building or detached if they do not exceed eight (8) feet in height and are placed one (1) foot behind all property lines. A detached neighborhood watch sign must not exceed thirty-six (36) inches in height if it is placed within a clear vision area at the intersection of streets, streets and alleys or streets and driveways. Please see sections 27-615 and 27-618 of the unified zoning regulations for the definition and illustration of clear vision areas at intersections.

Sec. 27-708. - Prohibited signs and sign structures.

The following types of signs and sign structures are expressly prohibited in all districts, except as otherwise provided by this article.

(1) *Animated and intensely lighted signs:* No signs shall be permitted which are animated by means of flashing, scintillating, blinking, traveling lights or displaying video or any other means not providing constant illumination (unless specifically permitted in special sign districts). Electronic message displays may be allowed provided they do not flash, scintillate, blink, show motion borders or traveling lights or display video.

(2) *Abandoned signs:* Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located.

(3) *Parking of advertising vehicles prohibited:* No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so that it is visible from the public right-of-way and which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle, or company vehicle signs.

(4) *Swinging signs:* Signs installed on an arm or spar, that is not, in addition, permanently fastened to an adjacent wall or upright pole. See section 27-709(i).

(5) *Unclassified signs:* The following signs are also prohibited, which:

a. Bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter which is untruthful;

b. Are painted on or attached to any fence or any wall which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;

c. Operate or employ visible moving parts or any portion of which moves, or give the illusion of motion except as permitted in this article;

d. Emit audible sound, odor or visible matter; or

e. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

(6) *Unsightly visible frames, or angle iron:* Visible angle iron frames or structures to support projecting signs.

Sec. 27-709. - Construction specifications.

(a) *Compliance with building code.* All signs shall comply with the appropriate detailed provisions of the city building code relating to design, structural members and connections. Signs shall also comply with the provisions of the applicable electrical code and the additional construction standards hereinafter set forth in this section.

(b) *Construction of signs, auxiliary specifications:*

(1) *Identification and marking.* Each sign hereafter erected or remodeled shall bear, in a permanent position thereon, a clearly legible identification plate stating the name and address of the owner of the sign, and the person responsible for its construction, erection and the date of erection.

(2) *Obstruction to exits.* No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

(3) *Obstruction to ventilation.* No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provision of the building or fire prevention codes.

(4) *Clearance from high voltage power lines.* Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electrical Code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than twenty-four (24) inches horizontally or vertically from any conductor or public utility guy wire.

(5) *Drainage.* The roofs of all marquees exceeding forty (40) square feet shall be properly guttered and connected with downspouts to storm sewers so that water will not drip or flow into public sidewalks or streets.

(c) *Free-standing signs; materials.* All free-standing sign structures or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Such structures or poles shall be fabricated only from painted steel or such other materials as may be approved by the building code of the city.

(d) *Electric signs.* The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or replaced. All signs shall meet all electrical requirements for that portion directly illuminated. All electric signs shall have a disconnecting switch located in accordance with the provisions of the safety code, including a disconnecting switch on the outside of the sign.

(e) *Glass.* When glass is used for sign letters or transparent panels, it shall be at least double strength thickness for sign areas up to and including three hundred (300) square inches. When glass is used for sign letters or transparent panels for sign areas in excess of three hundred (300) square inches, at least one-quarter inch wire glass shall be used and the maximum span between supports shall be four (4) feet.

(f) *Strength of parapet wall.* A parapet wall must be designed for and have sufficient strength to support any sign which is attached thereto.

(g) *Supports and braces.* Metal supports or braces shall be adequate for wind loadings (see subsection (h)). Wire or cable supports shall have a safety factor of four (4). All metal, wire cable supports and braces and all bolts used to attach sign to bracket or brackets and signs to the supporting building or structure shall be of galvanized or of an equivalent material. There shall be no visible angle irons, or unsightly supports. All such sign supports shall be an integral part of the sign design. There shall be a pole cover on all free-standing signs unless the pole is an integral part of the sign.

(h) *Wind loads.* All signs, except those attached flat against the wall of a building shall be constructed to withstand wind loads as prescribed in the most current edition of the Uniform Building Code.

(i) *Sign anchoring.* No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

Sec. 27-710. - Removal and disposition of signs.

(a) *Maintenance and repair.* Every sign including but not limited to those signs for which permits or for which no permits or permit fees are required, shall be maintained in a safe, presentable and good structural material condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. The sign administrator shall require compliance with all standards of this article. If the sign is not made to comply with adequate safety standards, the sign administrator shall require its removal in accordance with this section.

(b) *Abandoned signs.* Except as otherwise provided in this article, any sign which is located on property which becomes vacant and unoccupied for a period of three (3) months or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.

(c) *Dangerous or defective signs.* No person shall maintain or permit to be maintained on any premises owned or controlled by such person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises.

(d) *Unlawful signs.* No person shall erect on any premises owned or controlled by such person any sign which does not comply with the provisions of this article.

(e) *Street improvement projects.* Any sign projecting over a public right-of-way on November 24, 1980 which was subject to removal or relocation at the owner's expense, pursuant to a permit or other ordinance of the city, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this article if, as the result of, or after completion of a street improvement project, the sign does not or would not comply with the provisions of this article.

(f) *Removal of signs by the sign administrator.* The sign administrator shall cause to be removed any sign that endangers the public safety such as an abandoned, dangerous, or materially, electrically or structurally defective sign or a sign for which no permit has been issued. The sign administrator shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten (10) days, the sign shall be removed in accordance with the provisions of this section.

All notices mailed by the sign administrator shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail.

For all other signs, the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If known, or with reasonable care should be known, the notice shall be mailed to or delivered to the owner of the sign and the occupant of the property.

Any person having an interest in the sign or the property may appeal the determination of the sign administrator ordering removal or compliance by filing a written notice of appeal with the board of adjustment.

The sign administrator may without notice cause immediate removal of a dangerous or defective sign or a temporary sign or a temporary sign not exhibiting a current validation sticker.

Temporary signs are specifically excluded from the foregoing notice requirements. Violators of ordinances pertaining to temporary signs may immediately be cited without advance notice.

For the purpose of removal, signs shall also include all sign structures.

Sec. 27-711. - Legal nonconforming signs.

(a) *Notification of nonconformity.* After November 24, 1980, the sign administrator shall, as soon as practicable, survey the city for signs which do not conform to the requirements of this article. Upon determination that a sign is nonconforming, the sign administrator shall use reasonable efforts to notify, in writing, the user or owner of the property on which the sign is located of the following: (i) the sign's nonconformity; and (ii) whether the sign is eligible for characterization either as legal nonconforming or unlawful. Failing determination of the sign owner, user or owner of the property on which the sign is located, the notice may be affixed in a conspicuous place to the sign or to the business premises with which the sign is associated.

(b) *Signs eligible for characterization as "nonconforming."* Any sign located within the city limits on November 24, 1980, or located in an area annexed to the city thereafter, which does not conform with the provisions of this article, is eligible for characterization as a "nonconforming" sign and is permitted, provided it also meets the following requirements:

(1) The sign was covered by a sign permit or variance on November 24, 1980 if one (1) was required under applicable law; or

(2) If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on November 24, 1980.

(c) *Loss of legal nonconforming status.* A legal nonconforming sign shall immediately lose its legal nonconforming designation if:

(1) The sign is altered in any way in structure or copy except for changeable copy signs and normal maintenance;

(2) The sign is relocated;

(3) The sign is replaced; or comes under the classification of a temporary sign as defined by this article;

(4) On the happening of any one of (1), (2), or (3), the sign shall be immediately brought into compliance with this article with a new permit secured therefor, or shall be removed.

(d) *Maintenance and repair.* Nothing in this section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provision of this article regarding safety, maintenance and repair of signs, contained in this article, provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more nonconforming or the sign may lose its legal nonconforming status.

Sec. 27-712. - Special signs and sign districts.

(a) *Signs for special events.* Temporary signs, not in excess of four (4) square feet in area, may be erected as participation in public parades, public events or public celebrations for a period not to exceed ten (10) days, provided, however, the erection of such signs shall be approved by the sign administrator.

(b) *Nonexempt signs for direction or instruction.* Signs in excess of eight (8) square feet in area which provide traffic direction or instruction to the public shall be allowed in any zone, provided such signs are located entirely on the property to which they pertain. In addition, the sign administrator may authorize the placing of directional signs at appropriate street intersections or other locations for the convenience of the motoring public; such signs shall pertain to places of general interest such as schools, hospitals, public buildings, airports, fairgrounds and other similar public service facilities.

(c) *Special sign districts.* Merchants occupying sixty (60) percent or more of the street frontage in feet of properties on both sides of the street in any defined area may petition the city for the formation of a special sign district. This might be done for such reasons as to create an area with a particular ethnic atmosphere, to simulate an historic period, theatre or entertainment area, or other similar purpose. A group of property owners or persons in the right of possession will be chosen by the merchants to represent them. The group shall not exceed ten (10) members and shall comprise the governing body

of the sign district. This body will draw to the criteria for signs in the district and submit such criteria to counsel for approval. The council will instruct the city clerk to notify all owners or persons in the right of possession within the boundaries of such district ten (10) days prior to the hearing, after which the council may approve the special sign district or may veto it. The veto can only be effected by a three quarters vote of the council. If the criteria for the special sign district are approved and become effective, the city shall publish them as regulations of a sign district in the same manner as a code of the city.

Sec. 27-713. - Reserved.

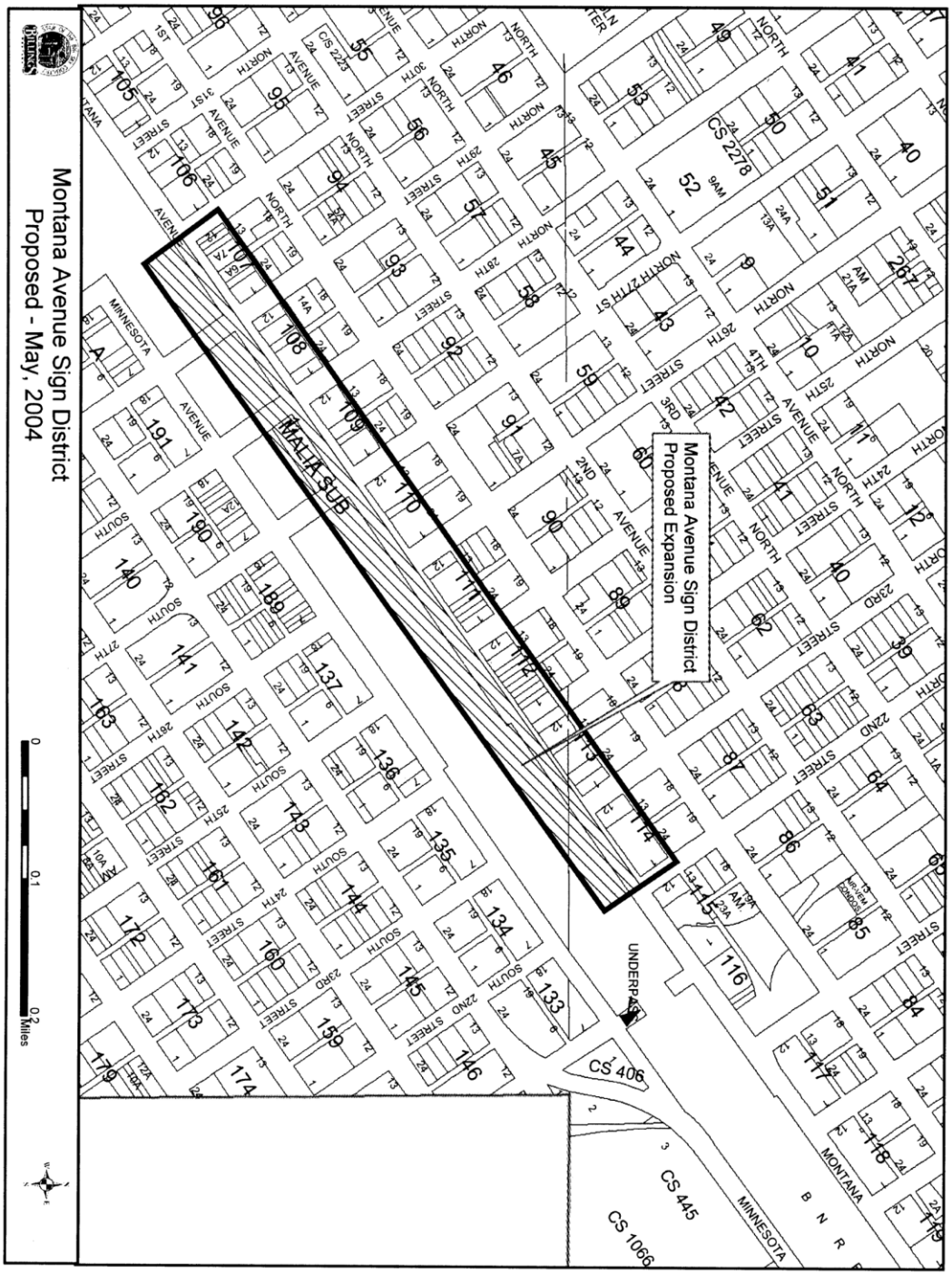
Secs. 27-714—27-729. - Reserved.

Sec. 27-730. - Montana Avenue sign district created.

Pursuant to section 27-712(c) of the Unified Zoning Regulations, the Montana Avenue sign district is hereby created.

Sec. 27-731. - District boundaries.

The Montana Avenue sign district extends from the centerline of North 22 nd Street to the centerline of North 30 th Street along Montana Avenue. The district extends from Montana Avenue north to the alley along any side street and from Montana Avenue south to the railroad tracks along any side street. (See attached map).



Montana Avenue Sign District

Sec. 27-732. - Purpose.

Due to the unique character of the historic district located on Montana Avenue, these regulations are designed to encourage the preservation, revitalization, and enhancement of the district through the use of appropriate signage. These regulations also encourage compatibility of the signage with the historic character of the district.

This district shall not regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; flags of any nation, government, or fraternal organization; barber poles; religious symbols; or any display or construction not defined herein as a sign.

Thus, the primary intent of this district shall be to regulate signs of a commercial nature intended to be viewed from vehicular or pedestrian public right-of-way.

Sec. 27-733. - Definitions.

Words and phrases used in this division have the meanings set forth in this section.

Animated sign: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Area of sign: The entire area of a sign including the area within a perimeter which forms the outside shape including the frame, forming an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. The frame of a sign may be excluded ~~frame of a sign may be excluded~~ from the area where such frame conveys no message and is constructed or affixed for aesthetic reasons beyond the necessary supports.

For computing the area of any wall or canopy sign which consists of letters mounted or painted on a wall or canopy, the area of the smallest rectangular figure which can encompass all of the letters.

Awning or canopy sign: Any sign that is a part of or attached to any awning, or canopy over a door, entrance, window, or outdoor service area, which does not extend horizontally beyond the limits of the canopy.

Banner sign: Any sign (other than an official flag) made of cloth, paper, or fabric of any kind, which is used to attract attention, whether or not imprinted with words or characters.

Billboard/third party advertiser: A sign that advertises products or services not sold or distributed on the premises on which the sign is located.

Building marker: Any sign indicating the name of a building, date, or other incidental information about its construction. A sign that is cut into a masonry surface or made of bronze or other permanent material.

Building frontage: The linear length of a building facing the public access or right-of-way.

Copy: The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Ghost signs: Faded painted advertisements painted prior to 1935.

Lighting: Flashing action (animation). Neon and incandescent lamps may flash in the following ways.

(1) *Alternating.* One (1) section comes on as another goes off.

(2) *Scintillating.* Random sections go on and off with part of the lighting on at all times.

(3) *Chasing.* one (1) section comes on at a time and is followed by one section going off at a time. Part of the sign is on at all times.

(4) *Sweeping (filling).* The lighting sections individually go on until all of the sections are on, then the entire group goes off and then the process is repeated.

(5) *On-off action.* Not allowed. Lighting that goes all on and then all off.

Nonconforming sign: A sign that was erected legally but does not comply with subsequently enacted sign restrictions and regulations.

Parcel: A single tract or parcel of land, no matter how legally described whether by metes and bounds, certificate of survey, and/or by lot or lots and block designation as in a recorded plat, that at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street over an easement approved by the city engineer.

Primary public entrance: An entrance to a business which is open to the public during its normal and customary hours of operations and the entrance is used as the primary ingress and egress to the business by the public.

Projecting sign: A sign, other than a flat wall sign, which is attached to and projects from a building, wall, or other structure not specifically designed to support the sign. Supports shall be covered in a neat and orderly fashion.

Public right-of-way width: The perpendicular distance across a public street measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the city engineer shall determine the public right-of-way width.

Pylon/ground sign: Any sign supported by structures or supports that are placed on or anchored in, the ground that are independent from any building or structure, including monument signs.

Sign height: The vertical distance measured from the highest point of the sign to the crown of the adjacent street.

Street: A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, or however otherwise designated which has been dedicated to or acquired for public use and extends the full width between right-of-way lines.

Sec. 27-734. - Montana Avenue sign review committee.

(a) *Organization and duties.* The Montana Avenue sign review committee (committee) will consist of seven (7) committee members. Four (4) of the members shall be property owners or merchants of the Montana Avenue sign district, one (1) architect or design professional with a background in historic preservation, one (1) sign professional, and the city sign administrator. All members shall be voting members except for the city sign administrator. The committee is responsible for the review and approval of all sign permit applications within the Montana Avenue sign district.

The terms for each member, except the sign administrator, will serve two-year terms. Three (3) members of the initial committee will serve three-year terms, in order to stagger the terms of the committee members.

Any person interested in serving on the committee shall make application to the Montana Avenue Property Owners. The property owners will then forward the applications and their recommendation to the mayor of the City of Billings. The mayor will then make the necessary appointments to the committee to fill any vacancies.

(b) *Proceedings.* The committee shall schedule two (2) regular meetings, along with special meetings that may also be called by the chairperson. The chairperson may cancel the regularly scheduled meetings if no matters are pending for the committee's consideration. All meetings shall be open to the public.

The committee, at the first meeting, shall establish by-laws that will establish procedures for selecting a chairperson, terms of the officers, meeting days, and other necessary functions of the committee.

The committee shall keep minutes of its proceedings, showing the vote of each member, or if absent or failure to vote, indicating such fact, and shall keep records of its official actions, all of which shall be a public record and shall be filed in the office of the Yellowstone County board of planning. The official minutes of the committee shall become effective immediately, unless otherwise directed by the committee. The city

sign administrator in coordination with the committee shall designate a secretary of the committee and shall be the custodian of all records of the meetings, finding, conclusions and order of the committee.

(c) *Powers and duties.* The committee shall have the following powers:

The committee will review the sign application for compliance with the guidelines set forth and for compatibility with the structure and the district. The permit application will be evaluated on a point system. All signs shall be required to conform to specific standards as outlined in this division.

(d) *Decisions and appeals.* The concurring vote of four (4) members of the committee shall be necessary to decide in favor of an application in order for the applicant to receive a sign permit. Any person aggrieved by any decision of the committee may appeal the decision by presentation to the City of Billings city board of adjustment as outlined in section 27-1505 of the Unified Zoning Regulations.

Sec. - 27-735. - General sign criteria.

In the Montana Avenue sign district all signs must receive approval by the sign committee. A set of both absolute and relative criteria has been established which gives the assurance that the signs erected are compatible with the nature and character of this district and to encourage creativity that is not permitted under traditional sign regulations.

An applicant must meet all the absolute criteria to qualify for a permit. In addition the applicant must also attain a minimum of at least seventy (70) percent of the maximum points possible, in order to obtain a sign permit, in the relative category.

Sec. 27-736. - Specific criteria.

(a) The absolute criteria must be satisfied before approval can be granted. This includes sign type, number, size, and location. Each of the applicable absolute criteria must be answered yes before approval can be granted.

(b) Relative criteria are assessed using a "point" system. Each sign must achieve a specified minimum percentage of these criteria. A score above the minimum percentage may be used to receive extra points. The absolute criteria are designed to reduce the negative impacts, while the relative criteria focus on the actual design of a sign including, but not limited to: compatibility with the building's architecture, the design compatibility with the era of the district, building, color, location on the building, materials used, lighting, size, and dimensions, and creativeness of design. The design of a sign is evaluated against the relative criteria and scored on a point chart.

(c) A sign shall be evaluated as follows:

(1) *Absolute criteria.* Each of the absolute criteria is answered yes, no, or not applicable. A "no" answer to any applicable absolute criteria will automatically exclude the application, as proposed, from further consideration at that time. Modifications will need to be made to correct any problems before further consideration will be given to the sign proposal.

(2) *Relative criteria.* The signage plan is evaluated against each applicable relative criterion and assigned a "score." A sign may receive a score of 0 to 10, with 10 being the highest. The numerical score is assigned based on the following (Only 0, 5, and 10 are defined as points of reference):

10 = For an excellent job of implementing the criteria or for doing the best job possible, given the constraints and opportunities of the site.

5 = For an adequate job of implementing the criterion.

0 = For no effort or failure to implement the criterion.

Sec. 27-737. - Permitting procedure.

All sign applications shall be submitted to the City of Billings sign administrator. Deadline dates for the application will be the first and third Monday of each month. At the time the application is submitted, the

sign administrator will review the application for completeness. If the application is not complete, it will be returned to the applicant. The complete application then will be forwarded to the Montana Avenue sign review committee.

(1) It will be the responsibility of the city sign administrator to process permit requests under this system in the following manner:

a. An applicant will submit his/her application for a sign permit. An application will contain, but not be limited to the following information:

1. A completed sign permit application form;

2. A dimensioned site plan showing the sign location (if applicable);

3. Building elevation drawings showing the location of all existing signs and the location of the sign being applied for;

4. A scaled drawing of the sign including: sign design, types of material, colors, style of lettering, etc.

b. The sign administrator will, at that time, review the application for completeness. If the application is incomplete, it will be returned to the applicant.

c. Upon receipt of a complete application, the sign administrator will notify the applicant of the meeting date, time, and location with the Montana Avenue sign review committee.

d. The review will result in approval, disapproval, or approval with modifications. Once approval has been granted the sign administrator will issue the permit upon receipt of payment.

e. A sign permit application will be valid for one hundred twenty (120) days. The application may be extended for one (1) additional sixty-calendar-day period. The request for extension must be in writing and received five (5) business days prior to the expiration of the sign permit.

f. A permit that has expired, or granted an extension and then expired, will be required to go through the review process again, however, the fee will be one-half (½) of the full permit fee.

Sec. 27-738. - Sign types permitted. The following sign types are permitted.

Sign Type	Sign Area	Sign Height	Number of Signs
Building Signs • Awning sign • Canopy sign • Marquee sign • Projecting sign • Roof sign • Under awning/canopy sign • Wall sign • Window sign	• 1½ square feet of signage per lineal foot of building measured along the street frontage for corner lot buildings, up to a maximum of 200 square feet. • 3 square feet of signage per lineal foot of building measured along the street frontage for interior lot buildings, up to a maximum of 75 square feet.	N/A	• One sign per street frontage and one sign per public entrance. Signage on an awning or canopy will count as one (1) sign. • Window signs are not included in the total number of signs allowed. However, the area of window signs installed shall be counted as part of the total allowable sign area. • Signage placed upon an awning or canopy will count as one (1) sign for that awning or canopy regardless of the number of sides of the awning or canopy that have signage. • Signage placed on the only valance of multiple awnings that is related to a specific business may count as one (1) sign upon approval of the Montana Avenue Sign Committee.
Ghost Signs	N/A provided the sign was created prior to 1935	N/A;	N/A

Pylon/Ground Sign	A maximum of 50 square feet	Maximum 20 feet	One (1) per street frontage. If a parcel has two (2) signs, and a 150-foot separation, measured along the property line, between signs is required.

Sec. 27-739. - Pylon/ground signs—Absolute criteria.

(a) Point chart for pylon signs—Absolute criteria:

ABSOLUTE CRITERION	Is the Criterion Applicable? Yes No	Is the Criterion Complied With Yes No
Sign size (area)		
Sign height		
Number of signs		
Distance between signs		
Clearance between sign and ground		
Clear vision		

A proposal must receive a "yes" answer to all applicable criteria in order to qualify for approval.

(b) Sign size (area): What is the area of the sign in square feet?

Pylon/ground signs may not exceed 50 square feet in area.

	Sign Area	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(c) Sign Height: Does the sign comply with the height limit set forth by this article?

Pylon Sign: The maximum height of a pylon sign shall not exceed twenty (20) feet.

	Sign Height	Criterion Complied With Yes	No
Montana Avenue Sign Committee			

Applicant			

(d) Number of signs: Does the number of pylon signs comply with the requirements of this section?

Pylon/ground signs: Each developed parcel shall be permitted one (1) pylon sign per street frontage.

	Number of Signs	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(e) Distance between Signs: What is the distance between the two- (2) pylon signs shown on the site plan?

Pylon Signs: Where a developed parcel is permitted to have more than one (1) pylon sign under this article, the distance between the pylon signs on each parcel shall be no less than one hundred fifty (150) frontage feet measured along the property lines.

	Distance Between Signs	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(f) Pylon sign setback/sign clearance from the ground: Does the pylon sign meet the required setback from the property line and/or clearance from the ground?

Pylon Signs: A five-foot minimum setback from the property line to the leading edge of the sign shall be required. The leading edge of a sign may be placed on the property line provided there is a distance of twelve (12) feet from grade to the bottom of the sign. A sign shall not project over the public right-of-way.

	Sign Setback/Clearance	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(g) Clear Vision: Does this pylon sign meet the clear vision requirements of Section 27-618 of the Unified Zoning Regulations?

	Clear Vision	Criterion Complied With Yes	No

Montana Avenue Sign Committee			
Applicant			

Sec. 27-740. - Point chart for building signs-Absolute criteria.

ABSOLUTE CRITERION	Is the Criterion Applicable? Yes No	Is the Criterion Complied With Yes No
Sign type		
Sign size (area)		
Number of signs		
Distance between signs		
Clearance between sign and ground		
Clear vision		

(a) Sign type: Does the sign comply with the permitted building signs?

The following are the types of signs that may be attached to a building:

Wall signs

Awning signs

Canopy signs

Under-canopy signs

Roof signs

Projecting signs

Window signs (signs placed on the exterior or interior of the window)

Marquee signs (may be used only on theaters)

	Sign Type	Criterion Complied With Yes	No
Montana Avenue Sign Committee			

Applicant			

(b) Sign size (area): What is the total area in square feet of all building signs?

Building signs: The total square footage of all signs placed on the building shall not exceed one and one-half (1½) square feet in sign area for each lineal foot of building frontage for buildings on corner lots, not to exceed a total of two hundred (200) square feet. (i.e. A building that is twenty-five (25) feet wide may have a total of thirty-seven and one-half (37.5) square feet of signage.)

For buildings on interior lots the total square footage of all signs placed on the building shall not exceed three (3) square feet in sign area for each lineal foot of building frontage, not to exceed a maximum of seventy-five (75) square feet.

A window sign may not cover more than 25% of the area of a window in which the sign is placed.

The area of an awning sign placed on the slope portion of the awning, the sign may not exceed twenty-five (25) percent of the sloped area of the awning. Awning must be made of fabrics that represent the historic material. Awnings made of glossy vinyl coated material are not allowed.

	Sign Area	Criterion Complied With	
		Yes	No
Montana Avenue Sign Committee			
Applicant			

(c) Number of signs: Does the number of signs comply with the requirements of this section?

Building signs: There may be one (1) sign per street frontage and one (1) sign per public entrance. (Note: Window signs do not count towards the total number of building signs allowed; however, the area of all window signs shall be included in the total square footage of building signs permitted for a development.)

Signage placed upon an awning or canopy will count as one (1) sign for that awning or canopy regardless of the number of sides of the awning or canopy have signage.

Signage placed on the only valance of multiple awnings that is related to a specific business may count as one sign upon the approval of the Montana Avenue sign committee.

	Number of signs	Criterion Complied With	
		Yes	No
Montana Avenue Sign Committee			
Applicant			

(d) Distance from the vertical edge of building: How far from the vertical edge of the building is the projecting sign?

Projecting signs shall be at least five (5) feet, measured horizontally, from the vertical edge of the building. This does not apply to building on corner lots.

	Distance From Vertical Edge of Building	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(e) Projection from wall: How far from the wall does the sign project from the face of the building?

Wall signs may not extend more than twelve (12) inches from the face of the building.

Projecting signs, awnings, and canopies shall not extend more than two-thirds (2/3) the distance of the width of the sidewalk.

	Projection From Wall	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(f) Sign Clearance: Does the sign comply with the required clearance for awning and canopy signs from the ground?

Awning and canopies must be at least eight (8) feet above the ground.

The vertical height limit for signage placed upon a canopy is twenty-four (24) inches.

Signage placed on a valance of an awning may not exceed twelve (12) inches in height.

	Sign Clearance	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(g) Sign location/placement: Is the sign placed in a permitted location on the building, awning, and/or canopy?

Permitted signs may be transferred from one wall to another wall provided the number of signs remains within the allowed number of signs permitted and within the allowable sign area.

Signage may be placed on the valance of an awning. Signage on the end of an awning may only be located on the valance. Signage may also be placed on the sloped portion of an awning.

Projecting signs must be setback from the edge of the building at least five (5) feet.

Signs shall not cover any architectural features of the building.

	Sign Location/Placement	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(h) Roof signs: Was a roof sign previously on the building? Is documentation provided?

Roof signs shall be permitted only if the sign is historically correct to the specific building. Documentation must be provided.

	Roof Signs	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

(i) Ghost signs: Is the ghost sign, which was created prior to 1935, being stabilized or being restored?

Ghost signs that were created prior to prior to 1935 shall be permitted. These signs will not count toward the allowable square footage or allowable number of signs. Ghost signs are encouraged provided they meet the following conditions:

(1) Ghost signs shall be permitted to fade, to be stabilized, or restored to the original condition.

(2) Any ghost sign that is changed, or any post-1935 ghost sign that is restored or changed shall comply with the Montana Avenue sign district regulations.

	Number of Signs	Criterion Complied With Yes	No
Montana Avenue Sign Committee			
Applicant			

Sec. 27-741. - Point chart for all signs—Relative criterion.

A score of seventy (70) percent of all applicable relative criteria is required.

(To be completed by the Montana Avenue sign district review committee)

Each applicable criterion is to be evaluated on a scale of one (1) to ten (10). Each project is required to obtain a score of at least seventy (70) percent of the total maximum points. For example, a sign does not use neon or lighting, the maximum number of points for the remaining criteria is seventy (70). The application would be required to obtain at least forty-nine (49) points for approval.

RELATIVE CRITERION	Is the Criterion Applicable Yes No	Awarded Score 0—10	Points Earned
Sign scale			
Compatibility with building architecture			
Color			
Sign materials			
Sign design/creativity			
Historical significance			
Use of Neon			
Lighting			
Placement of sign			
TOTAL			

(a) Sign Scale: The scale of the sign (size, bulk, and height) should be appropriate for the building upon which they are placed and the area in which they are located. The size and shape of a sign should be proportionate with the scale of the structure.

Sign Scale	
Montana Avenue Sign Committee	Recommended Score
Applicant	Requested Score

Points *Scale of Sign*

10 Achieves the highest possible compatibility in sign size, bulk, and height with respect to building characteristics and architectural features. Maximum effort was made to be harmonious with adjacent, existing signs and structures.

5 Makes an effort to be compatible or harmonious in sign size, bulk, and height with the building characteristics and architectural features, as well adjacent signs and structures.

0 No effort is made for the compatibility of sign size, bulk, or height.

(b) Compatibility with the building architecture: The sign is designed to compliment and to be compatible with the architecture of the building. The sign should not obscure architectural features. The sign design should be integrated with the design of the building.

Compatibility With the Building Architecture	
Montana Avenue Sign Committee	Recommended Score
Applicant	Requested Score

Points *Compatibility With Building Architecture*

10 Achieves the highest possible compatibility and harmony in sign design with respect to the architectural features. The design of the sign is integrated with the design of the building.

5 Makes an effort to be compatible or harmonious with respect to the architectural features of the building.

0 No effort is made in the design with respect to the architectural features.

(c) Sign color: The color palette of the sign should be sensitive to and reflect the historic character of both the building and the district. Bright, more modern colors are discouraged as these colors are typically not historic in nature and are not compatible with the district.

Sign Color	
Montana Avenue Sign Committee	Recommended Score
Applicant	Requested Score

Points *Sign Color*

10 Achieves the highest possible use of color with respect to the building characteristics and architectural features. Maximum effort was made to be harmonious with adjacent, existing signs and structures.

5 Makes an effort to be compatible or harmonious in the use of color with respect to the building characteristics and architectural features, as well adjacent signs and structures.

0 No effort is made for the compatibility of sign size, bulk, or height.

(d) Sign materials: The material used in the manufacturing of the sign should either be materials traditional to the time period of the structure, such as wood, stone, metal, neon, or a modern material that effectively simulates the original materials.

Sign Materials	
Montana Avenue Sign Committee	Recommended Score
Applicant	Requested Score

Points *Sign Materials*

10 Achieves use of materials that is most appropriate in terms of compatibility with the historic character of sign and the building. Maximum effort was made to use historic materials or modern materials that effectively simulate historic materials.

5 Makes an effort to use historic materials or modern materials that effectively simulate historic materials.

0 No effort is made to use historic materials or modern materials that effectively simulate historic materials.

(e) Sign design/creativity: Creativity and innovation in design is encouraged. The design, however, should be compatible with the character of the Montana Avenue sign district. The use of symbols and logos is encouraged when used in place of words to identify the use, such as an ice cream cone for an ice cream shop or the logo of a business in lieu of the name on an awning. The sign design should reflect the historic character of the district.

Sign Design/Creativity	
Montana Avenue Sign Committee	Recommended Score

Applicant	Requested Score

Points *Sign Design/Creativity*

10 Achieves a design that is either historic in nature or compatible with the character of the business, district and the building. Maximum effort was made to create an innovative and compatible design.

5 Makes an effort to create an innovative and compatible design.

0 No effort to be innovative or creative in sign design.

(f) Historical significance: The design and context of the sign is historically significant to the structure. This would include the use of signs, verified by documentation, that either are existing historic signs (i.e. The Rex) or signs that recreate the original building signs with minor modifications, such as a change in the business name or text.

Historical Significance	
Montana Avenue Sign Committee	Recommended Score

Applicant	Requested Score

Points *Historic Significance*

10 Achieves a design with historical significance through the use of an existing historic sign or a reproduction of a historic sign.

5 Makes an effort to use historic signage or elements of a historic sign in the creation of a new sign.

0 No effort is made for the use of historically significant signage.

(g) Use of neon: The use of neon is encouraged when done in a manner that is historic in nature, compatible, or complementary to the character of the district and adjacent signage. The use of neon should be incorporated into the design of the sign.

Use of Neon	
Montana Avenue Sign Committee	Recommended Score

Applicant	Requested Score

Points *Neon*

10 Achieves a use of neon that is historic in nature, compatible, or complementary to the character of the district and adjacent signage. Maximum effort was made to use neon in a manner appropriate to the character of the district, building, and adjacent signage.

5 Makes an effort to use neon in a historical, compatible, or complementary manner.

0 No effort is made to use neon in a matter that is historic, compatible, or complementary to the character of the district or the structure.

(h) Use of lighting: The use of lighting should be sensitive to the character of the district. Direct lighting through the use of fixtures such as goose neck lamps is encouraged. Back lighted solid letters or stained glass is encouraged. The use of back lighted, molded plastic faces is discouraged. Installation must comply with the applicable electrical codes. All raceways, exposed conduits and supports will be painted to match or compliment the building.

(1) Neon tubing used in graphics and outlining of signs 60-milliamp maximum.

(2) Incandescent lamps. Exposed up to 20-watt, used in graphics and outlining of signs, awnings and structures. Exterior lighting used to light signs or other objects that shall not exceed one hundred fifty (150) watts and should be concealed in a reflector or fixture that relates to the historical area theme or the building architecture.

(3) Fluorescent. Up to eight hundred (800) MA may be used behind glass or to interior illumination acrylic letter faces on opaque backgrounds.

(4) Downlighting. Shielded reflector or recessed incandescent, mercury vapor or metal halide up to one hundred fifty (150) watts.

(5) Building lighting. The fixtures used will be disguised in an enclosure that will represent some architectural detail from the building. The fixtures shall not project more than 3' from the building surface.

(6) Flashing action (animation). Neon and incandescent lamps may flash in the following ways.

a. Alternating. One section comes on as another goes off.

b. Scintillating. Random sections go on and off with part of the lighting on at all times.

c. Chasing. One section comes on at a time and is followed by one section going off at a time. Part of the sign is on at all times.

d. Sweeping (filling). The lighting sections individually go on until all of the sections are on, then the entire group goes off and then the process is repeated.

e. On-off action—not allowed. Lighting that goes all on and then all off.

Use of Lighting	
Montana Avenue Sign Committee	Recommended Score

Applicant	Requested Score

Points *Lighting*

10 Achieves a use of lighting that enhances the signage and the building's architecture. Maximum effort was made to use lighting in a manner that emphasizes the continuity of the structure's surface and creates a more intimate ambiance on the street.

5 Makes an effort to use lighting in a manner that compliments and enhances not only the sign but also the structure and the district.

0 No effort is made to use lighting as tool to enhance the sign or the structure.

(i) Use of sign placement: Appropriate sign placement enhances the structure and district. Signs should not be placed over significant architectural building features. Sign placement can be used to decrease sign clutter, create visibility for the business and direct pedestrian and automobile traffic effectively.

Use of Sign Placement	
Montana Avenue Sign Committee	Recommended Score

Applicant	Requested Score

Points *Sign Placement*

10 Achieves placement of signage that enhances the building's features and compliments adjacent signage. Maximum effort was made to place the new sign in a manner that displays the message effectively; and

5 Makes an effort to use historic materials or modern materials that effectively simulate historic materials.

0 No effort is made to use historic materials or modern materials that effectively simulate historic materials.

Sec. 27-742. - Nonconforming sign.

Any sign located within this district prior to the formation of the Montana Avenue sign district that does not conform with the provisions of this district is eligible for characterization as a "nonconforming" sign and is permitted, provided it also meets the following requirements:

(1) The sign was covered by a sign permit or variance prior to formation of this district, if one was required under applicable law; or

(2) If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with the applicable laws in force at the time of the sign's installation.

Any sign, which is altered in any way, except for normal maintenance, shall be required to comply with these regulations.

Sec. 27-743. - Signs prohibited. The following signs are prohibited.

(1) New billboards, off-premise/third party signs.

(2) Portable signs.

(3) Electronic message centers.

(4) Changeable copy signs, except for the use on a theater marquee.

(5) Rotating signs.

(6) Intermittent or flashing lights.

(7) Above peak roof signs unless a roof sign had previously been on the building.

(8) Streamers and pennants.

Sec. 27-744. - Temporary signs.

(a) *Banner signs (public right-of-way).*

(1) Banners may be placed upon light standards to announce district wide events or exhibits at the Western Heritage Center.

(2) Banners may not exceed twenty (20) square feet in area.

(3) Fifteen (15) percent of the sign area may advertise the event sponsor.

(4) Banners may not be stretched across the public rights-of-way.

(b) *Banners (private property).*

(1) Each business shall be permitted to display one (1) banner not to exceed thirty-two (32) square feet in area for one (1) five-day period per calendar year.

(2) The banner may only advertise a product or service sold on the premises.

(c) *Sandwich board (A-frame) signs.*

(1) One sandwich board sign shall be permitted per public entrance.

(2) All requirements of Section 22-407.1 and 22-407.2 of the Billings Municipal City Code (BMCC) must be met.

(3) Sandwich boards must be securely anchored to the ground.

(4) Sandwich boards may only be displayed during regular business hours.

Sec. 27-745. - Penalties.

Violations of this article are designated as municipal infractions, and punishable by civil penalties as specified in section 18-1304.

ARTICLE 27-800. - SOUTH 27TH STREET CORRIDOR ZONING DISTRICT

Sec. 27-801. - Intent.

The South 27th Street Corridor provides a major entrance from Interstate 90 into the Central Business District, major medical facilities, college campuses and Logan International Airport. This corridor is, very often, the first impression a visitor has when visiting the City of Billings.

The intent of the South 27th Street Corridor Zoning District is to promote attractive, high quality development within this corridor (see below Map 1) that will provide an appealing image of the City of Billings to the traveling public and community.

OBJECTIVES

(a) To promote creativity in design, quality and character of new development;

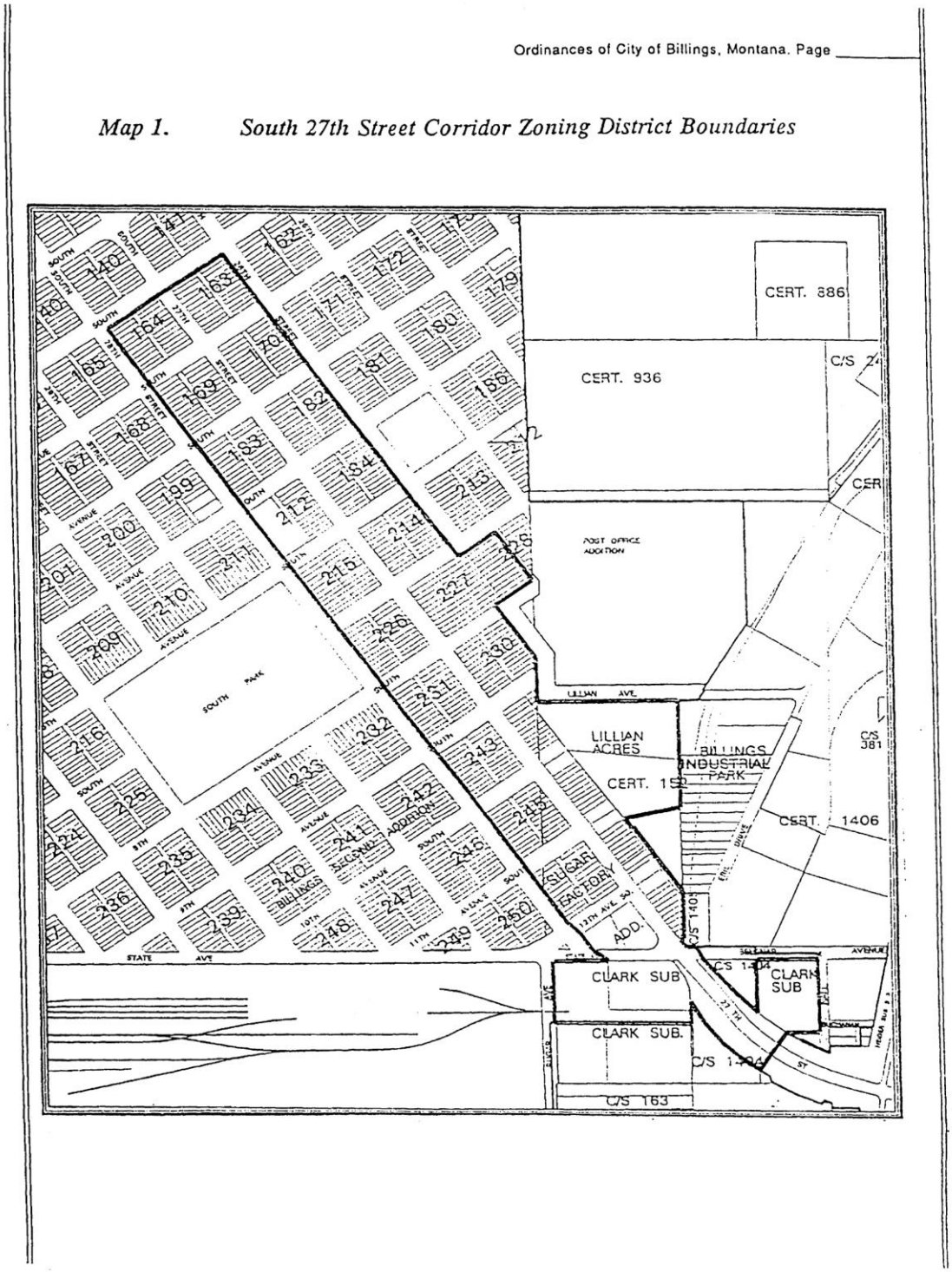
(b) To promote a unique, attractive water-conserving landscaped corridor;

(c) To promote compatible land use transitions with high sensitivity towards existing and future residential uses;

(d) To promote and assist in the orderly development of vacant land within the South 27th Street Corridor; and

(e) To promote development patterns which are in harmony with the goals and objectives of the South Side Neighborhood Plan and the 1990 Yellowstone County Comprehensive Plan.

Map 1. South 27th Street Corridor Zoning District Boundaries



Map 1

Sec. 27-802. - Administration.

Uses which are allowed by right or through special review approval in the South 27th Street Corridor zoning district are listed in BMCC section 27-306.

Upon submission of the building plans to the City of Billings building division, the planning department will review the submitted plans for conformance with the supplemental requirements as outlined in the following sections of this chapter.

Sec. 27-803. - Definitions.

Terms not specifically defined in this section shall use the same meaning as defined in BMCC section 27-201.

Avenues: Rights-of-way which run through or are located adjacent to the South 27th Street Corridor zoning district, most of which run perpendicular to South 27th Street, such as 2nd Avenue South through 12th Avenue South. This term shall also include State, Lillian and Belknap Avenues.

Sec. 27-804. - Site development.

Improvements (i.e. building standards, utilities, public facilities, drainage, parking, street access, etc.) not specifically addressed in this section, shall comply with all applicable ordinances of the Billings, Montana City Code (BMCC).

Sec. 27-805. - Landscaping.

(a) *Landscaping along street frontage.* A minimum fifteen (15) foot wide landscaping strip is required along all streets and avenues between the exterior property line(s) and any parking lot development.

There shall be five (5) canopy trees required per one hundred (100) feet of street frontage. The placement of these required trees within the required street/avenue bufferyard and the actual landscaping design shall be at the discretion of the developer, as approved by the Planning Department.

(b) *Minimum landscaping requirements.* All areas not developed with either approved parking lot material or structures shall be landscaped. Appropriate landscaping material shall include turf, shrubs, trees, flower beds, vines or other live plant cover and shall make up at least ninety (90) percent of the required landscaping. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones or similar inorganic material.

A minimum of twenty (20) percent of the total lot area shall be landscaped with appropriate landscaping material.

All commercial uses abutting residential uses, including those located across an alley, shall install (in addition to the required twenty (20) percent landscaping) a fifteen (15) foot landscaped bufferyard between the commercial development property line and the residential property line. The landscaped strip shall contain a minimum of ten (10) canopy or evergreen trees per one hundred (100) lineal feet. The bufferyard shall also include a sight obscuring fence or wall that is architecturally compatible in color and design, with the commercial building. The fence or wall shall be a minimum of six (6) feet in height. Chain link or other wire fencing material is prohibited.

(c) *Tree conservation.* All existing mature/healthy trees, located within the landscaping setback requirements, shall not be destroyed and will be incorporated into the landscaping requirements, wherever possible.

(d) *Supplemental landscaping standards.* All landscaped areas shall be irrigated and maintained. The responsibility for the maintenance of the landscaping shall lie with the property owner(s), his/her successor(s) and/or their agent(s). All landscaping elements shall be permanently maintained in good growing condition and kept free of weeds, debris and litter, and whenever necessary, replaced with new plant materials to ensure continued compliance with this section. In addition, all walls and fences shall also be maintained in good condition and, when necessary, be repaired or replaced.

Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

All landscaped areas must comply with the clear vision standards for intersections and driveways as established in BMCC section 27-615. This section regulates the allowed height and placement of fences, walls, signs, landscaping materials, in addition to other objects located within the clear vision triangle(s).

Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.

It is recommended that the developer work with the city parks department, a local greenhouse operator, landscape architect or other qualified professional to determine the species of trees that are suitable for each situation. The use of native, drought-tolerant plant material is strongly encouraged. The planting of the trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

A list of recommended plants can be obtained from the planning department.

Sec. 27-806. - Site lighting.

All exterior lighting shall be installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets, walkways or onto adjacent property.

The exterior lighting shall be designed, located and mounted at heights no greater than:

(1) Twelve (12) feet above grade for noncutoff lights; or

(2) Thirty (30) feet above grade for cutoff or semi-cutoff lights.

Exterior lighting adjacent to residential uses shall be directed away from the residential use and public streets.

All exterior lighting shall be designed and located so that the maximum illumination measured in footcandles at the property line shall not exceed three-tenths (0.3) footcandle for non-directional lights and one and five-tenths (1.5) footcandles for directional lights.

Sec. 27-807. - Street access.

Property with access onto South 27th Street or South 28th Street will be allowed one (1) drive approach per three hundred (300) feet of frontage or one (1) drive approach per development not to exceed three (3) drive approaches per block. The use of reciprocal approaches is encouraged.

Property with access onto South 26th Street and Avenues, will be allowed one (1) drive approach per one hundred forty (140) feet of frontage or one (1) drive approach per development not to exceed four (4) drive approaches per block.

Access is encouraged onto the Avenues whenever possible in order to limit curb cuts on South 27th Street and South 28th Street. In addition, access shall be determined by standards found in the Billings, Montana City Code or in County regulations, whichever is applicable.

Access onto South 27th Street shall be approved by the Montana Department of Transportation.

Sec. 27-808. - Outside storage.

In order to maintain the visual integrity of the South 27th Street Corridor, any use requiring outside storage of material, equipment or business related supplies must obtain approval through the Special Review process as detailed in BMCC section 27-1503 ~~or 27-1509~~.

Solid waste storage facilities shall be located within an area enclosed with a sight obscuring fence or wall that is architecturally compatible in color and design with the building. Chain link or other type of wire fencing is prohibited. The City of Billings public works department shall approve the solid waste storage

facility for minimum opening, accessibility, and other criteria deemed necessary for the removal of solid waste from the site.

Sec. 27-809. - Building design.

All buildings shall be completed on all sides with an acceptable finishing material. The following materials shall be considered acceptable: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e. Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable material.

Roofs shall be finished with material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs or other architectural facades are encouraged whenever possible.

Sec. 27-810. - Setback requirements.

All setbacks shall be measured from the appropriate property line.

Parking lots shall be setback a minimum of fifteen (15) feet from any street(s) and/or avenue(s) property line(s).

Minimum setbacks for all structures are as follows:

Front	20 feet
Side adjacent to street	15 feet
Side	10 feet
Side adjacent to residential use	15 feet
Rear with alley	0 feet
Rear without alley	20 feet

Arterial setbacks as required in BMCC section 27-602 shall be applicable for all structures and required parking, if greater than above setbacks.

Sec. 27-811. - Building height.

The maximum height for all buildings shall not exceed forty-five (45) feet.

Sec. 27-812. - Reserved.

ARTICLE 27-900. - MEDICAL CORRIDOR PERMIT ZONING DISTRICT

Sec. 27-901. - Title.

This article shall be known, cited and referred to as the "Medical Corridor Permit Zoning District Regulations".

Sec. 27-902. - Purpose.

The purpose of this article is to promote the most compatible, rational pattern of land uses in the medical corridor while establishing a core area in Billings which has a concentration of facilities offering medically-related services. To that end, a permit system has been developed to best accomplish this goal for a centralized area which is also designed for compatibility with neighboring, existing land uses.

Sec. 27-903. - Criteria generally.

In the medical corridor no specific land use is automatically allowed on a particular site as is the case under traditional zoning districts. Instead, a set of both absolute and relative criteria has been established which gives greater assurance that a centralized medical area can exist and be compatible with adjacent land uses, as well as, foster a healthy growth pattern in the medical corridor. Site and development plans are required to evaluate an applicant's success or failure to address these criteria. If the criteria are met, the land use may proceed. A developer must meet all the absolute criteria to qualify for a permit. In addition, in the relative criteria category, the developer must also attain a minimum of at least seventy (70) percent of the maximum points possible in order to proceed if the proposed development is medically-related and seventy-five (75) percent if it is not medically-related to quality for a permit. (See BMCC section 27-912, "Land use relative criterion" for definitions of land use). The requirements and procedures of this newly adopted district are contained in this part.

Sec. 27-904. - Official zoning map.

In order for the changes in zoning within this district to become effective, they must be entered on the official zoning map which is located in the office of the Yellowstone County board of planning. Such map shall be the final authority as to the current zoning status of land inside the city.

Sec. 27-905. - Boundaries.

The boundaries of the Medical Corridor Permit Zoning District are described as follows:

The area in the city which is inside the boundaries described, beginning with the point of intersection of center lines of 7th Avenue North and North 27th Street; thence in a northwesterly direction along the centerline of North 27th Street to the intersection of North 27th Street and Poly Drive; thence westerly along the centerline of Poly Drive to the intersection of Poly Drive and North Broadway; thence southeasterly along the centerline of North Broadway to the intersection of North Broadway and the northern border of Lot 15, Block 2, Normal Subdivision; thence southwesterly along the northern border of Lot 15 to the alley; thence in a northwesterly direction along the centerline of the alley to Poly Drive; thence westerly along the centerline of Poly Drive to the intersection of Poly Drive and North 29th Street; thence southeasterly along the centerline of North 29th Street to the intersection of North 29th Street and Elevation Avenue; thence southwesterly along the centerline of Elevation Avenue to the intersection of Elevation Avenue and Grandview Boulevard; thence westerly along the centerline of Grandview Boulevard; to the intersection of Grandview Boulevard and Locust Street; thence southerly along the centerline of Locust Street to the intersection of Locust Street and the vacated portion of Elevation Avenue (Resolution 83-14404 vacated Elevation Street between North 30th and North 31st Streets on September 26, 1983); thence northeasterly along the centerline of the vacated portion of Elevation Avenue to the intersection of vacated Elevation Avenue and the alley between North 31st Street and North 30th Street; thence southeasterly along the centerline of the alley to the intersection of the alley and 7th Avenue North; thence northeasterly along the centerline of 7th Avenue North; to the intersection of 7th Avenue North and North 27th Street, which is the point of beginning.

Map 1. Medical Corridor Permit Zoning District

Medical Corridor Permit Zoning District

Sec. 27-906. - Medical corridor permit zoning system process.

(a) The permit zoning system process is a review of development proposals against a set of absolute and relative criteria. Permit zoning allows those land uses that can meet the criteria pertinent to a specific site.

(b) Every land use must satisfy the criteria listed in the "all development" category, as well as, any other applicable criteria from the "special requirements" categories. The specific criteria which a proposal must satisfy are dependent upon the type of land use being proposed.

(c) The absolute criteria must be satisfied before approval can be granted. These include assuming compatibility and compliance with adopted official plans, minimum engineering and public service requirements and environmental standards as outlined in this document. Each of the applicable absolute criteria must be answered yes before approval can be granted.

(d) Relative criteria are the "points" of the system. Each development must achieve a specified minimum percentage of these criteria. A score above the minimum percentage may be used to receive extra points. The absolute criteria are designed to address public service requirements and reduce negative impact of development, while the relative criteria focus on the actual design of a project including but not limited to: building layout, open space, landscaping, pedestrian circulation, and architectural design. The design of a site plan is thus evaluated against the relative criteria and scored on a point chart.

(e) The performance of a particular development plan shall be evaluated as follows:

(1) *Absolute criteria.* Each of the absolute criteria is answered yes, no, or not applicable. A "no" answer to any applicable absolute criteria will automatically exclude the plan, as proposed, from further consideration. Modifications to correct any problems would have to be made before further consideration could be given to the development proposal.

(2) *Relative criteria.* The development plan is evaluated against each applicable relative criteria and assigned a "score." The numerical score is assigned based on the following:

2 =	For an excellent job of implementing the criteria or for doing the best job possible, given the constraints and opportunities of the site.
1 =	For an adequate job of implementing the criterion.
0 =	For no effort or failure to implement the criterion.

Each relative criteria has been preassigned a "multiplier" which determines the relative importance of that criterion to the other criteria. The meaning of each multiplier is as follows:

3 =	Very important
2 =	Average importance
1 =	Minor importance

The points earned for each criterion are the product of multiplying the "score" times the "multiplier." The maximum points possible in each category are added together, as are the total points earned by the proposal. The points the proposal has earned must equal at least seventy (70) percent of the maximum points possible in order to proceed if the proposed development is medically-related and seventy-five (75) percent if it is not medically-related. The objective is to receive the maximum number of points.

Sec. 27-907. - Special requirements.

The following special requirements shall apply to any area development.

(1) *Residential developments.* The maximum density permitted shall not be allowed as a matter of right, and the actual density shall be as determined by the final plan and approved in accordance with the permit zoning process. A score of seventy-five (75) percent or more must be achieved among the relative criteria for a proposal which is not medically-related to proceed.

(2) The city shall have the right to establish general design standards, guidelines, and policies, for the purpose of implementing and interpreting the permit zoning.

Sec. 27-908. - Procedures.

(a) *Conceptual review.* This is an opportunity for applicants to discuss requirements, standards, and policies that apply to development proposals. Major problems can be identified and solved before a formal application is made. The applicant must arrange a conceptual review meeting with the zoning coordinator or his/her designee. Representatives of the building, engineering, parks and recreation, community services, city-county health, public works administration, public utilities, fire, traffic and planning departments will be sent notification of the conceptual review meeting along with copies of building and/or site plans. Should it be necessary, department representation may be reviewed and changed, subject to the city administrator's directive. Representatives from the departments will decide at the conceptual review whether any of the absolute or relative criteria are not applicable for the application in question and whether their department needs to participate at the preliminary and final review stages.

The general outline of the proposal, evidenced schematically by sketch plans, shall be submitted by the applicant and reviewed by the zoning coordinator. Following the review the zoning coordinator shall furnish the applicant with written comments regarding the application, including appropriate recommendations to inform and assist the applicant prior to preparing the formal application.

The applicant shall allow two (2) weeks from the conceptual review meeting for written staff evaluation of the conceptual review and the recommendation(s) of the zoning coordinator.

(b) *Preliminary plans.* An application for preliminary review may be filed with the zoning coordinator upon completion of the conceptual review meeting and after the recommendation of the zoning coordinator has been made. If the zoning coordinator has not made written comments within the required two (2) weeks after the conceptual review, then the applicant may submit a preliminary plan at any time thereafter. It is at this point that the applicant addresses the pertinent absolute and relative criteria. A review meeting is held between the applicant, zoning coordinator, and other departments and agencies. Adjacent property owners (including the property owners adjacent to, in the rear of and to either side, and directly across the street from and to either side of the proposal site) will be invited to attend and participate in the meeting. Adjacent property owners will be notified by the zoning coordinator by letter which includes a brief explanation of what the developer proposes to build so those persons have an opportunity to review and comment on the proposal and to attend the preliminary plan review meeting. The preliminary plan review meeting will be held within thirty days (30) days of the submittal unless the developer agrees to an extension.

Two (2) weeks from the review meeting date are allowed for the written evaluation of the preliminary plan by the appropriate departments/agencies having responsibility for review of such proposals, as determined by the zoning coordinator.

If approval is granted following the review, then preliminary approval will be valid for one hundred eighty (180) days.

Applications requiring a major subdivision, abandonment of rights-of-way or other items requiring city council action by ordinance will be subject to city council approval before the final plan approval can be granted.

If no revisions are required of the preliminary plan, then the plan shall be automatically considered as the final plan and the final plan review meeting will be waived.

(c) *Final plans.* The submittal of the final plan follows within one hundred eighty (180) days of the granting of the preliminary plan, and it will be in substantial compliance with the approved preliminary plan. The submitted final plan will not:

(1) Change the use or character of the development; or

(2) Cause changes in the development that will reduce the total points earned by more than five (5) percent or to a point below the minimum point total required for the proposed development.

A final plan review meeting will be held within thirty (30) days of the final plan submittal, between the applicant, zoning coordinator, as well as, other departments and agencies. Adjacent property owners will again be invited to attend and participate in the meeting. As with the preliminary plan review, the zoning coordinator shall notify adjacent property owners by letter of the final plan submittal, inviting their comments prior to and at the meeting. The zoning coordinator will distribute plans to the departments and agencies which participated in the conceptual and preliminary reviews for their evaluation. The applicant shall allow thirty (30) days from the date of submittal for receipt of the written staff evaluation of the final plan review.

Applicant and adjacent property owners dissatisfied with the decision of the zoning coordinator shall have the process of appeal to the city council, as outlined below in section 27-916.

Sec. 27-909. - Content of development submittal.

(a) Applications for site and building permit review are not required for the conceptual review, as this stage of the process is intended to allow the developer to meet informally with the zoning coordinator and other appropriate staff to determine if the proposal is worth pursuing before he/she has incurred any substantial expense. The conceptual review stage is also provided so that a developer can obtain initial feedback from the zoning coordinator as to what he/she and other departments may want to include in the preliminary and final plans.

(b) For the preliminary and final review process, copies of the site plan and complete building and supporting data, as determined necessary, shall be submitted to the zoning coordinator, along with the application fee which shall be set by the city administrator. In this regard, the following will be required:

(1) A legal and general description of the tracts upon which review is sought.

(2) Names and addresses of owners of real property adjacent to the project site plus legal descriptions of the adjacent properties.

(3) Statement of proposed use.

(4) A site plan at a suitable scale (no greater than 1" = 4' or no less than 1" = 50'), and indicating:

a. Suggested plans for proposed storm water drainage system sufficient to drain and dispose of all surface water accumulation within the area, indication of sanitary sewer, water, gas, electric, etc., easements, and written notifications that they have been reviewed by the city engineer and public utilities department for feasibility purposes;

b. Landscape plans including species, size and spacing of trees and shrubs;

c. Locations of all existing and proposed buildings, recreation areas, utility and service areas, fire hydrants, access drives, full width of street and adjacent drives, parking areas, storage areas, existing and proposed utility lines, and easements;

d. Location and description of all other existing and proposed site improvements including fences, walls, signs, lighting, walkways, patios, decks, and barriers;

e. A clear delineation of all areas to be paved or surfaced, including a description of surfacing material to be used;

f. The planned use of all yards;

g. Location and description of all off-site improvements and right-of-way dedication; and

h. Payment of application fees.

(5) Building plans for all structures including:

a. The size, alignment and intended use of all structures;

b. Architectural plans for proposed buildings complete with exterior finishes and including floor plans and elevations; and

c. These plans shall also indicate unit sizes, ratios of dwelling unit to total lot sizes and parking spaces.

(6) A timetable for the proposed construction project.

(7) Any other information pertinent to the particular project which, in the opinion of the zoning coordinator and/or city staff, is determined to be necessary for the review of the project (i.e., traffic accessibility study).

Sec. 27-910. - Review procedures.

The following review procedures have been established to assure that the process as outlined in this document is handled in a smooth and timely manner for a developer in the medical corridor and to protect the interests of adjacent property owners.

(1) It will be the responsibility of the zoning coordinator to process permit requests under this system in the following manner:

a. A developer will bring his/her request for a permit to the planning department.

b. The zoning coordinator shall determine the time and place of the conceptual plan review with the developer. A formal application and payment of any required fees under this system is not required at this time.

c. The zoning coordinator shall notify all departments and/or agencies regarding the conceptual review meeting. Those parties will determine whether their attendance is necessary at the future meetings.

d. Following the conceptual review the applicant shall pay required fees and prepare a formal application at the time of preliminary plan submittal.

e. The zoning coordinator shall distribute copies of building and site plans submitted at the preliminary plan review stage and the final plan stage to all departments and/or agencies who have participated in the conceptual review.

f. The zoning coordinator shall notify adjacent property owners, by certified letter, of the development proposal and afford them the opportunity to review the preliminary plan after submission to the zoning coordinator. Staff will have thirty (30) days to review the preliminary plan and adjacent property owners are encouraged to give their comments during this period prior to the preliminary plan review meeting so that the developer can be made aware of any major differences or concerns on the part of any adjacent property owners to the development proposal. Feedback during this period will also minimize any major problems for the developer and the city prior to approval of the final plan. If necessary, the zoning coordinator can arrange a separate meeting between the developer and adjacent property owners to resolve differences. Adjacent property owners will be invited to attend the preliminary plan review meeting.

g. Following the preliminary plan review meeting the zoning coordinator shall again notify adjacent property owners as outlined in this document, by letter, of the time and place of the final plan review meeting to afford them another opportunity to comment on the proposal.

Should either the developer and/or adjacent property owner be dissatisfied with the final decision, either party has the right to appeal the decision directly to the city council as outlined in BMCC section 27-916 of this document.

(2) The review may result in disapproval, approval, or approval with certain conditions of the proposed development. Approval of the preliminary plan does not constitute final approval, but rather indicates an expression of intent. The issuance of the building permit itself constitutes final approval.

(3) Activities authorized by granting of the building permit shall be initiated within six (6) months and completed within twelve (12) months after issuance of the permit, or within the approved time schedule submitted and approved for larger projects. The building official has the ability to grant a six (6) month extension under this system. Time schedules are included to assure the timely development of the area. Should the time period expire and an extension is not granted, the developer shall file a new application which will require resubmission of building and site plans and payment of fees as in the original application, as outlined in BMCC section 27-909 of this document.

Sec. 27-911. - Point chart for all development—Absolute criterion.

(To be completed by Zoning Coordinator and city staff)

ABSOLUTE CRITERION	Is the Criterion Applicable? Yes No	Is the Criterion Complied With? Yes No
Building Standards		
Utilities		
Vehicular Traffic		
Pedestrian Access		
Public Facilities		
Public Right-of-Way		
Lighting		
Drainage		
Signage		
Noise		
Parking		

A proposal must receive a "yes" answer to all applicable criteria in order to qualify for approval.

Building
Standards:
Does all construction conform to the adopted building and site development codes?

All structures to be constructed in the medical corridor shall require site approval by the Planning and Engineering Departments and building plan approval by the Building

Official before a building permit can be issued. Any structure will also require Fire Department approval of the structure's fire design.

Developer:___
___
___

Building Official:
(building plan)___
___
___

Criterion complied with: Yes __No

Planning:
(site plan)___
___
___

Criterion complied with: Yes __No

Fire Department:
(fire design)___
___
___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code, Chapter 6, "Buildings and Building Regulations": All sections except Section 6-1100.

Utilities:
Is the proposed development served by city services (water, sanitary and storm sewer) with adequate capacity or have arrangements been made for extension and augmentation?

Developer:___
___
___

Public
Utilities:___
___
___

Criterion complied with: Yes __No

Public
Works:___
___
___

Criterion complied with: Yes __No

Fire
Department:___
___
___

Criterion complied with: Yes __No

Standards:
No definite answer exists for the amount of new development which could be sustained in the medical corridor area because it depends upon the type of development proposed. Assessing the capacity of existing sewer and water lines is very difficult on a small scale basis due to a number of variables.

Large multiple family, commercial, and institutional complexes or projects would require increased capacity in order to meet the sanitation, water and fire protection needs. Property owners and developers of such complexes will be required to comply with the Public Utilities Department policy regarding fire suppression water facilities, stating that:

It is the Public Utilities Department's policy to require property annexed to the City of Billings and property rezoned or redeveloped within the corporate city limits to upgrade water lines and appurtenances and to install the proper number of fire hydrants, if necessary, in order to provide the required fire suppression water for the city's fire department. Such facilities shall be constructed by public works contractors either by special improvement district methods or by private contract and the cost of such construction will be directly assessed to the properties benefitted from the construction of said facilities.

Property owners and developers will have to include the cost of upgrading the water and sanitary sewer mains and appurtenances and installing the proper number of fire hydrants within their expected cost of development. Since the utility systems rely on system components outside the immediate development area for proper functioning, upgrading may involve more than just those facilities in the specific development site area. Any designs for the upgrading of water mains, appurtenances, and fire hydrants must have plans and specifications stamped by a Montana Registered professional engineer. Any such plans and specifications must be approved by the Public Utilities Department and the State Department of Environmental Quality.

The Billings Fire Department will determine the required fire suppression water flow.

Vehicular
Traffic:
What will be the impacts of the traffic generated by the proposed development project, and how does the developer propose to mitigate these impacts?

In assessing these impacts the developer should be as specific as possible in addressing the present and future capacity of the street system so that the city traffic engineer can evaluate the proposed development.

Developer:___
___
___

City Traffic
Engineer:___
___
___

Criterion complied with: Yes __No

Standards:
If development generates more than five hundred (500) vehicle trips a day, an accessibility study will be

required. See BMCC Section 6-1208(d). Traffic accessibility studies will also be required if the proposal includes a drive-up window or special traffic characteristics:

BMCC Section 27-604: (Fences and Hedges); and
BMCC Section 27-615: (Visibility at Intersections).

See the report entitled "Traffic Accessibility Studies" available from the Traffic Engineering Division, if there are any questions regarding whether an accessibility study is required and what its contents should be.

Pedestrian
Access:
Pedestrian access must be provided to every building in the proposed development. It may be achieved in two (2) ways: "Public," as normally required and specified in the engineering standards of the city, and/or "private," a system of pedestrian sidewalks and paths which provides to the satisfaction of the city equal or better performance than the "public" system. The developer is to assess the condition of the present city sidewalks.

Developer:

City
Engineer:

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code, Chapter 22, "Streets, Sidewalks and Other Public Places": Articles 22-200 and 22-400.

Public works department standards.

Public
Facilities:
Does the project comply with all city design standards, requirements, and specifications for the following?

-Fire equipment accessibility
-Fire protection
-Street lighting
-Streets
-Utility services
-Clear vision
-Handicapped access (public and private)
-Traffic control devices
-Trash collection
-Walks
-Curb cuts
-Arterial setbacks

Developer:

Fire Department:___

___

___

Criterion complied with: Yes __No

Planning:___

___

___

Criterion complied with: Yes __No

Public Utilities:___

___

___

Criterion complied with: Yes __No

Public Works:___

___

___

Criterion complied with: Yes __No

Building Official:___

___

___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code:

Chapter 14, "Fire Prevention and Protection": All sections.

Chapter 6, "Buildings and Building Regulations": Section 6-300, Section 6-305 and Section 6-301.

Chapter 22, "Streets, Sidewalks, and Other Public Places": All sections.

Chapter 24, "Traffic and Motor Vehicles": Sections 24-100 and 24-400.

Chapter 21, "Solid Waste": All sections.

Chapter 26, "Water and Wastewater Utilities": All sections.

Chapter 27, "Zoning": Sections 27-602 and 27-615.

Public Works Department standards.

Public Utilities Department standards.

Building Division standards.

Public Right-of-Way:
Does the proposed project require either dedication of additional right-of-way or vacation of a public right-of-way (a right-of-way is a strip of land dedicated or acquired for use as a public way)?

Developer:___

___

___

Public
Utilities:___

___

___

Criterion complied with: Yes No

Public
Works:___

___

___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code, Chapter 22, "Streets, Sidewalks and Other Public Places": Article 22-600.

Example. If an alley is vacated, any and all public utilities located therein will have to be relocated at the expense of the developer or owner as the city will not want public utilities such as sewer and water lines located within privately-owned land.

Lighting:
Is sufficient exterior lighting proposed and will it be installed so the light source sufficiently avoids spillover of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source? (This criterion does not include public street lighting which is regulated under the public facilities criterion.)

Developer:___

___

___

Public
Works:___

___

___

Criterion complied with: Yes __No

Standards:
Definitions:

Candlepower: The amount of light that will illuminate a surface one foot distant from a light source to an intensity of one footcandle. Peak candlepower is the largest amount of candlepower emitted by any lamp, light source, or luminaire.

Cutoff: The point at which all light rays emitted by a lamp, light source, or luminaire are completely eliminated at a specific angle above the ground.

Cutoff angle: The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

Cutoff-type luminaire: A luminaire with elements such as shields reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees.

Footcandle: A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one candle.

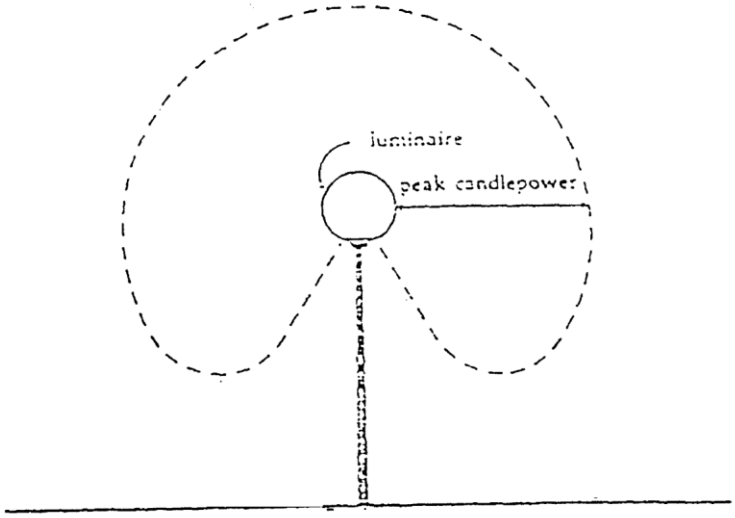
Luminaire: A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

Maximum permitted illumination: The maximum illumination measured in footcandles at the interior bufferyard line at ground level in accordance with the following standards.

The maximum height of light posts is correlated to the amount of cutoff provided. Exterior lighting must meet one of these options:

A. When a light source or luminaire has no cutoff:

Maximum permitted illumination - 0.30
Maximum permitted height of luminaire - 20 feet

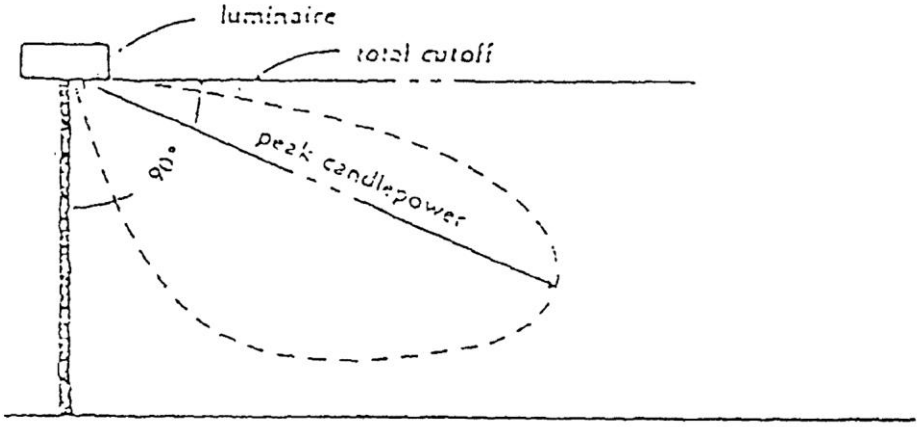


No Cutoff Luminaire

NO CUTOFF LUMINAIRE

B. When a luminaire has total cutoff of an angle equal to ninety (90) degrees, the maximum illumination and the maximum permitted luminaire height shall be:

Maximum permitted illumination - 1.0
Maximum permitted height of post - 30 feet

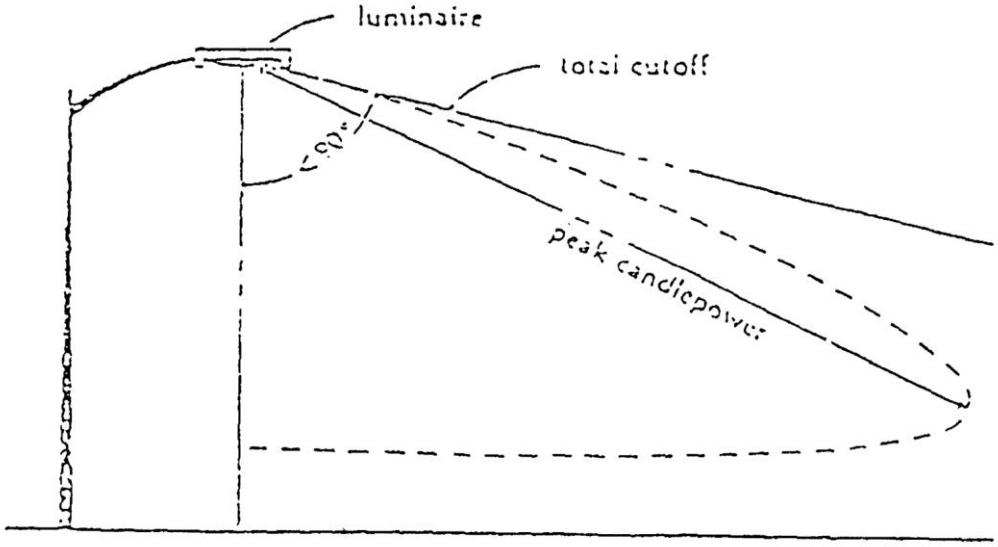


90 degree Cutoff Luminaire

90° CUTOFF LUMINAIRE

C. When a luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the maximum illumination and maximum permitted height of the luminaire shall be:

Maximum permitted illumination - 3.
Maximum permitted height of post - 40 feet



Luminaire with less than 90 degree Cutoff

LUMINAIRE WITH LESS THAN 90° CUTOFF

No flickering or flashing lights are permitted.

Light sources or luminaries are not allowed within bufferyard areas, except on pedestrian walkways.

Billings, Montana City Code, Chapter 6, "Buildings and Building Regulations": Section 6-1203(q)(5) (Lighting of parking lots).

Drainage:
The project will have the proper drainage as per city standards.

Developer:___

___

___

City
Engineer:___

___

___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code: Chapter 6, "Buildings and Building Regulations", Articles 6-200 and 6-1200.

Public works department standards.

Ordinance No. 83-4565, Section 3.

Signage:
Signs will be constructed to conform with the Sign Code. Signs shall not be mounted on a roof. There shall be no signs in a clear vision area. No moving, flashing or blinking signs shall be allowed.

Developer:___

___

___

Sign Code
Administrator:___

___

___

Criterion complied with: Yes __No

Standards:
Sign Code and all other applicable ordinances regulating signs.

Noise:
Projects will be designed to protect against noise pollution on the part of or happening to the project users.

Developer:___

___

___

Building
Official:___

___

___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code, Sections 17-101 through 17-112, "Noise."

For purposes of this criterion, the applicable district corresponding with the medical corridor will be "residential." (See Section 17-101, definition of "residential area" and BMCC section 17-104, Table I)

Examples of design methods to reduce external noise intrusion include insulation, double-glazed windows, solid core doors, and acoustical ceiling tiles.

Parking:
Projects shall meet or exceed the city standards for off-street parking and loading area requirements.

Developer:___
___
___

Building
Official:___
___
___

Criterion complied with: Yes __No

Standards:
Billings, Montana City Code, Chapter 6, "Buildings and Building Regulations": Article 6-1200.

Sec. 27-912. - Point chart for all development - Relative criterion.

(To be completed by Zoning Coordinator and city staff)

RELATIVE CRITERION	Is the Criterion Applicable? Yes No	Awarded Score 0-1-2	Multiplier	Points Earned	Maximum Points
Building Scale			3		6
Landscaping			3		6
Parking			3		6
Land Use			3		6
Density			3		6
Compatibility			3		6
Access on North 27th Street			2		4

Architectural Design			2		4
Building Materials			2		4
Removal of Dwellings			1		2
Residential Multi-Family			1		2
Transit			1		2
Multiple-Use			1		2
Pollution			1		2
TOTAL					58

Note:
All medically-related proposals must achieve a minimum score of seventy (70) percent of the applicable criterion points possible in the relative criteria rating before a project can be approved, in addition to receiving "yes" answers to all applicable absolute criteria. If the land use proposal is not medically-related, then the proposal must achieve seventy-five (75) percent of the total points possible plus a "yes" answer to all applicable absolute criteria. Thus if all the relative criteria are applicable, a project must score forty (41) points (seventy (70) percent) or forty-four (44) points (seventy-five (75) percent), depending on its land use.

Building
Scale:
The scale of a building (its height, bulk, setback, and lot coverage) is encouraged to be sensitive to the immediate environment and, when possible, compatible in appearance with the scale of neighboring buildings. Property located between North 30th Street and the alley toward North 31st Street must maintain at least a ten (10) foot minimum setback from the alley. Where access is a problem for fire equipment, the Fire Department will require built-in fire protection systems.

Developer:

Requested Score

Planning:

Recommended Score

Multiplier x3

Total Points

Final Plan
Review:

Awarded Score

Multiplier x3

Total Points

Standards
and Scoring:
For arterial setbacks see Chapter 27, "Zoning": Section 27-602.

See BMCC Sections 27-308 and 27-309 for general requirements for the Residential Multi-Family - Restricted, Residential Professional, Community Commercial, and Central Business Districts and BMCC section 27-310 for Supplemental Area, Yard and Height Restrictions.

Points	Scale of Project
2	Fifty (50) percent or less lot coverage; same maximum height and minimum yard requirements as Residential Professional zoning classification for commercial uses and Residential Multi-Family Restricted for multiple family dwellings.
1	Standards for Community Commercial zoning classification met.
0	Standards for Central Business District zoning classification met.

Landscaping:
A project is encouraged to be landscaped in such a way as to provide public open space and areas of pedestrian activity and create an aesthetically pleasing setting around buildings and parking lots, and to create buffers between the proposed development and potentially incompatible uses (e.g., between parking lots and residential area).

Developer:

Requested Score

Planning:

Recommended Score

Multiplier x3

Total Points

Final Plan Review:

___

___

Awarded Score

Multiplier x3

Total Points

Standards and Scoring:

Existing, healthy plant material may be counted for contributing toward the total plant material required. All plantings in right-of-way are subject to review and approval by the Parks Department and may be counted for up to twenty-five (25) percent required landscaping area.

Adequate maintenance must be included in the proposal to assure upkeep of all plant materials and landscaping treatments.

Appropriate plant materials are set forth in Section 27-913 and the "Plant Materials" reference document.

Understory trees may be substituted for canopy trees where it is found that canopy trees would destroy solar access on adjacent properties.

User safety is to be considered when selecting plant materials for landscaping areas heavily used at night.

The standards are applied proportionately when the total linear feet of building perimeter is over three hundred (300) feet for non-residential uses or ten (10) residential dwelling units.

Number of plant units required per three hundred (300) square feet of nonresidential use or ten (10) dwelling units:

2	Canopy;
2	Understory;
10	Shrubs.

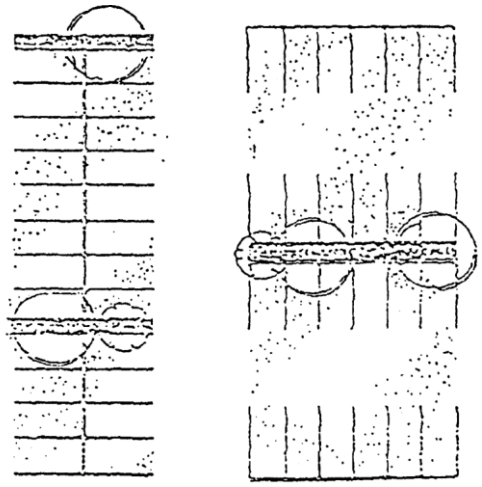
The number and type of plant units suggested per twenty-four (24) automobile spaces in an off-street parking area is shown below. The standards shall be applied proportionally to any number of spaces over twenty-four (24).

Minimum area within which recommended planting should be provided - three hundred sixty (360) square feet:

2	Canopy;
1	Understory;
4	Shrubs.

360 S.F./24 Stalls

2	Canopy
1	Understory
4	Shrubs



Stalls

Example

Points	Plant Material

2	Greater than 100% of standard.
1	Meets 100% of standard.
0	Meets less than 100% of standard or no effort made.

Note:
Lot area set aside for green areas and landscaping are not to include concrete, asphalt, cement, or gravel treatments. However, consideration to point adjustment will be given based on quality (e.g. benches, lawn areas, usable space, pedestrian plazas, and plantings).

Parking:
Parking garage construction or joint use agreements are encouraged in order to reduce the amount of land being used for parking.

Developer:

Requested Score

Building Official:

Recommended Score

Multiplier x3

Total Points

Final Plan Review:

Awarded Score

Multiplier x3

Total Points

Standards
and Scoring:
Billings, Montana City Code, Chapter 6, "Buildings and Building Regulations": Article 6-1200.

Maintain parking according to building code occupancy for employees (one space per employee). In addition to this, meet "Table of Minimum Standards-Off-Street Parking" (BMCC section 6-1203(j)) according to proposed land use.

Points	Parking Requirement
2	Provide 20% over minimum parking standard plus joint use agreements for at least 25% of the parking provided, or a parking garage for at least the minimum parking standard.
1	Provide 10%-20% over minimum parking standard, or provide minimum standard plus a plan to promote mass transit or carpooling (as approved by MET).
0	Less than 10% over the minimum standard met for parking.

Land Use:
The land use of the development is encouraged to be medically-related, given that the primary reason for establishing the medical corridor is to provide for a systematic development of medical services in this area and to have its development be consistent with high quality standards.

Developer:

Requested Score

Planning:

Recommended Score

Multiplier x3

Total Points

Final Plan
Review:

Awarded Score

Multiplier x3

Total Points

Standards
and Scoring:
Set forth below are general and specific land use definitions.

Generally:

Points	Land Use
2	Offices for physicians and surgeons, dentists and dental surgeons, osteopathic physicians, or chiropractors; hospitals and clinics; medical laboratories; dental laboratories; convalescent homes; health and allied services.
1	Medical support services, accessory uses.
0	All other land uses.

Specific land use definitions:

Point Value - 2

Offices of physicians and surgeons:

Clinics (operated by physician groups)
Gynecologists
Neurologists
Nuclear medicine and radio-therapists
Obstetrics
Oculists
Offices of physicians and surgeons
Opthamologists
Pathologists
Psychiatrists
Psychoanalysts
Radiologists

Offices of dentists and dental surgeons

Offices of osteopathic physicians

Offices of chiropractors

Hospitals:

Hospitals for humans
Hospital-operated clinics
Nurses' training schools

Medical laboratories:

Laboratories (not manufacturing) for biological, bacteriological, chemist, medical, x-ray (picture and treatment)
Pathological laboratories
Research laboratories (medically-related)

Dental laboratories

Denturists

Convalescent homes:

Convalescent homes
Nursing homes
Rest homes

Health and allied services:

Birth control clinics
Blood banks
Clinics, not operated by hospitals or physician groups
Dieticians and diet centers
Group health associations
Medical photography
Mental health centers
Nursing services
Occupational therapeutist
Optometrists
Out-patient treatment clinics for alcoholism and drug abuse
Physiotherapy
Psychiatric clinics
Podiatrists
Prosthesists
Orthopedic Supply
Audiologists
Psychotherapists
Rehabilitation centers (therapy and treatment)
Speech defect clinics

Point Value - 1

Medical support services:

Day care centers
Group homes
Medically-related office space
Medical educational facilities
Out-patient medical and surgical support services
Pharmacies

Accessory uses and uses incidental to any of the above uses:

Cafeteria
Churches, chapels, houses of worship
Heliport (no bulk-fuel storage will be allowed)
Hotels, motels
Mortuaries
Off-street parking garages and lots
Recreational facilities
Restaurant (without beer/wine or all beverage liquor license)
Restaurant (affiliated with hotel or motel, without beer/wine or all beverage liquor license)

Point Value - 0

All other land uses.

Density:
Increased density of dwelling units is encouraged in order to provide increased housing opportunities close to the hospitals, Central Business District and near major employers and Montana State University - Billings.

Developer:

___
___

Requested Score

Planning:

___
___

Recommended Score

Multiplier x3

Total Points

Final Plan Review:

___
___

Awarded Score

Multiplier x3

Total Points

Standards and Scoring:	*Minimum Lot Size*	*Number of Units*
	2,500 square feet	1
	4,000 square feet	2
	5,000 square feet	3
	6,000 square feet	4
	(500 square feet)	(each additional unit)

Points	Density
2	21% or more units than the standard
1	Up to 20% more units than the standard
0	Fewer units than the standard

Compatibility:
All efforts toward promoting neighborhood compatibility are encouraged, such as:

1. Having resolved all differences between proposed development and the affected neighborhood;
2. Keeping the development compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design; scale, bulk and building height, disposition and orientation of buildings on the lot, and visual integrity;
3. Having conflicts between the proposed development and the surrounding land uses effectively mitigated; and
4. Designing the project so that any additional traffic generated does not have significant adverse impact on surrounding development, and the street system.

Developer:

Requested Score

Planning:

Recommended Score

Multiplier x3

Total Points

Final Plan Review:

Awarded Score

Multiplier x3

Total Points

Standards and Scoring:

Compatibility has been stressed throughout this document. The reason for that is the desire to protect the residents in the area and to preserve the neighborhood-type setting now enjoyed. Past construction activity has threatened that quality, and this chapter is an attempt to instead enhance the area.

Again, it is recognized that the primary purpose for the corridor is to serve as a central location for medically-related services and products, with all other land uses being secondary in importance. However, the permit zoning system will allow the city to have more control over the area's development than in the past in order to protect both the existing residences and the area to the immediate west of the medical corridor from encroachment by unsightly or inappropriate land uses. At the same time, the city will be able to encourage development which will be beneficial to the entire community in terms of design, health care, and economic return.

Protection of the remaining areas of single-family residences must be assured through communication between the developers and the property owners, and through design. In particular, compatibility is sought for the homes south of 11th Avenue North on North 30th Street, between 12th and 10th Avenues North on North Broadway, and the areas of homes south of 11th Avenue North on North 29th Street. It is these areas which are most in need of compatible, sensitive development around their environs.

Points	Compatibility Effort
2	Developer met with adjacent property owners on own accord in effort to keep differences to a minimum and achieved high degree of compatibility with immediate environment.

1	Developer either met with adjacent property owners on own accord to assure compatibility or achieved high degree of architectural compatibility.
0	No effort made.

Access on North 27th Street:
If the project is proposed on property adjacent to North 27th Street, it is encouraged that limited access be provided on North 27th Street and, where applicable, side streets be used for accessibility.

Developer:
___
___

Requested Score

City Traffic Engineer:
___
___

Recommended Score

Multiplier x2

Total Points

Final Plan Review:
___
___

Awarded Score

Multiplier x2

Total Points

Standards and Scoring:
Billings, Montana City Code; Chapter 6, "Buildings and Building Regulations," Section 6-1208 (Curb Cut Regulations).

If property abuts an avenue, access to the site is to be provided by a curb into the avenue rather than North 27th Street.

The minimum standards from the Curb Cut Ordinance shall be met, as well as the American Association of State Highway and Transportation Officials' standards for site distance.

Points	Access
2	0 access on North 27th Street if avenue is available; otherwise 1 access when frontage is only along North 27th Street; shared access between two properties with property widths of 60 feet or less.
1	1 access for property with 60 feet or less frontage; 2 accesses for any single property tract or business establishment in excess of 60 feet frontage when distance between curb cuts exceeds minimum standard of 25 feet.
0	2 accesses for property or business establishment in excess of 60 feet frontage with 25 feet distance between curb cuts; no effort to use avenue for access when possible to do so.

Architectural
Design:
Development design is encouraged to be either compatible in design with the neighboring properties or promote harmonious transitions in scale and character in areas between different land uses. Design should thus be appropriate to the site and function of the project and should promote interior energy conservation measures.

Developer:

Requested Score

Building
Official:

Recommended Score

Multiplier x2

Total Points

Planning:

Recommended Score

Multiplier x2

Total Points

Final Plan Review: ___

___

Awarded Score

Multiplier x2

Total Points

Standards and Scoring:

Examples of design features promoting energy conservation include double-glazed windows, thickness or density of walls and doors, insulation, and sealing around windows and doors.

Examples of compatibility are use of similar building materials, closeness in scale with neighboring structures, color or style similarities.

Solar collectors are to be designed as harmoniously as possible with the natural features of the building or property.

Billings, Montana City Code, Chapter 6, "Buildings and Building Regulations": All appropriate sections.

Points	Scale of Project
2	Either achieves highest possible compatibility in design with surrounding area or provides for maximum level of effort to be harmonious with adjacent, differing land uses, plus incorporating interior energy conservation measures.
1	Makes an effort to be compatible or harmonious and incorporates interior energy conservation measures.
0	No effort made in design or interior energy conservation.

Building Materials:

The use of building materials for structures and fences which are compatible with the surrounding environment is encouraged.

Developer:

Requested Score

Building Official:

Recommended Score

Multiplier x2

Total Points

Planning:

Recommended Score

Multiplier x2

Total Points

Final Plan Review:

Awarded Score

Multiplier x2

Total Points

Standards and Scoring:
The use of materials such as wood, brick, or siding which have subdued colors and help blend the building into the landscape is encouraged.

Loud, obnoxious colors, untreated block, and plain metal buildings visible from streets are discouraged.

Points	Materials Used

2	When feasible, building materials are natural; colors are otherwise subdued; exceptional effort made to be compatible with neighboring building materials.
1	Colors are subdued and building materials are generally compatible.
0	Loud colors, untreated block, plain metal buildings visible from street, and incompatible materials with surroundings.

Removal of Dwellings:
The removal of existing dwellings more than forty-five (45) days prior to the start of construction is discouraged. In addition to this, the proper abandonment of existing utility services is required, unless services will be reused.

Developer: ___

___

Requested Score

Building Official: ___

___

Recommended Score

Multiplier x1

Total Points

Final Plan Review: ___

___

Awarded Score

Multiplier x1

Total Points

Standards and Scoring:
Billings, Montana, Chapter 6, "Buildings and Building Regulations": Article 6-1000.

A cash bond will be deposited with the City in order to ensure the meeting of the deadlines when either "2" or "1" point(s) are sought. The City Administrator will set the terms and conditions of the bond.

Points	Removal of Dwellings
2	Dwelling to be removed less than 30 days prior to project start-up date.
1	Dwelling to be removed 45 to 30 days prior to project start-up date.
0	Dwelling to be removed over 45 days in advance of project start-up date.

Residential Multi-Family:
Residential multiple family development is encouraged in the southern portion of the medical corridor area and along the west side of North 30th Street.

Developer:

Requested Score

Planning:

Recommended Score

Multiplier x1

Total Points

Final Plan Review:

Awarded Score

Multiplier x1

Total Points

Standards
and Scoring:
1990 Yellowstone County Comprehensive Plan.

Points	Location of Proposed Multi-Family Development
2	Between 9th Avenue North and 7th Avenue North; or along the west side of North 30th Street between 9th Avenue North and Grandview Boulevard.
1	Between 11th Avenue North and 9th Avenue North.
0	North of 11th Avenue North.

Transit:
Developments are encouraged to promote the use of MET by residents, employees and patrons.

Developer:

Requested Score

MET Transit:

Recommended Score

Multiplier x1

Total Points

Final Plan
Review:

Awarded Score

Multiplier x1

Total Points

Standards
and Scoring:

MET Transit Bus Shelter Specifications.
Billings, Montana City Code, Chapter 7, "Businesses and Business Regulations": Article 7-1000.

Upon the developer's request, staff will establish criteria for awarding one (1) or two (2) points for each specific development. These criteria may include, but are not limited to, such items as providing funding for bus shelters, benches, shelter maintenance agreements, subsidized bus passes or fares for development users, schedule displays, and advertising.

The developer can then secure the one (1) or two (2) points by agreeing to comply with the criteria. If the developer does not agree that the criteria are appropriate for the specific development, the criteria established can be appealed to the City Council.

No effort made will result in a zero score.

Multiple-Use
Development:
A development which provides facilities for more than one function is encouraged. Examples of such developments are an office building with child care facilities for employees and a building offering ground floor commercial/office space, as well as, multiple family units on the upper floors.

Developer:

Requested Score

Planning:

;

Recommended Score

Multiplier x1

Total Points

Final Plan
Review:

Awarded Score

Multiplier x1

Total Points

Standards
and Scoring:
Billings, Montana City Code:

Chapter 6, "Building and Building Regulations," Article 6-1200.

1990 Yellowstone County Comprehensive Plan.

Uses being proposed in a development should be uses which are allowed within the existing zoning categories of either Residential Professional or Neighborhood Commercial.

Points	Number of Uses
2	3 or more
1	2
0	1

Pollution:
Developments are encouraged to be designed so that odor and air quality are controlled at its source or by the structure from which it is emitted so it does not constitute a nuisance.

Developer:

Requested Score

City Engineer:

Recommended Score

Multiplier x1

Total Points

Final Plan Review:

Standards and Scoring:
If determined that the proposed development will adversely affect air quality, the city can refer the proposal to the County Air Pollution Control Board.

Awarded Score

Multiplier x1

Total Points

Points	Mechanism
2	Maximum protection from generating air and odor pollution will be given.
1	Adequate protection from generating air and odor pollution will be given.
0	Minimal effort to be made to protect from possibility of generating air and odor pollution.

Sec. 27-913. - Plant materials for landscaping and bufferyards.

(a) *Rules and regulations.* The city administrator shall promulgate and publish rules and regulations which will be on file at the parks, recreation, and public lands department specifying the plant materials and standards which must be met in order to satisfy the requirements of landscaping and bufferyards. The rules and regulations will be used to determine which plant materials will satisfy the requirements of this chapter. The plant materials are listed by type: Conifers and evergreen trees, evergreen shrubs, deciduous trees, deciduous shrubs, ground covers, and vines.

Although the rules and regulations will not generally specify the location or spacing of plant material required, all plant materials shall be installed to maximize achieving the purpose(s) for which the planting is required. In the case of bufferyard planting, this means that plant material shall be located so as to achieve the maximum level of protection to the less intense use.

(b) *Minimum plant size.* Unless otherwise specifically indicated elsewhere in this chapter, all plant materials shall meet the minimum size standards set forth in Table 1.

TABLE 1.

	Minimum Size	
Plant Material Type	Planting in Bufferyards Abutting Vacant Lands	All Other Plantings
Canopy tree:		
Single stem	1½ inch caliper	2½ inch caliper
Multi-stem clump	6 feet (height)	10 feet (height)
Understory tree	4 feet (height)	1½ inch caliper
Evergreen tree	3 feet (height)	5 feet (height)

Shrub:		
Deciduous	15 inch (height)	24 inch (height)
Evergreen	12 inch (height)	18 inch (height)

(c) *Existing plant material.* Existing, healthy plant material may be counted as contributing to the total plant material required by this regulation.

Sec. 27-914. - Review chart—All criteria.

A.	Absolute Criteria:	Complied With
	1. Building Standards	Yes ____No ____N/A
	2. Utilities	Yes ____No ____N/A
	3. Vehicular Traffic	Yes ____No ____N/A
	4. Pedestrian Access	Yes ____No ____N/A
	5. Public Facilities	Yes ____No ____N/A
	6. Public Right-of-Way	Yes ____No ____N/A
	7. Lighting	Yes ____No ____N/A
	8. Drainage	Yes ____No ____N/A
	9. Signage	Yes ____No ____N/A
	10. Noise	Yes ____No ____N/A
	11. Parking	Yes ____No ____N/A

A proposal must receive a "Yes" answer to all of the above criteria, if applicable, in order to be considered for approval.

Does the proposal qualify for a permit based on the above criteria? Yes No

B.	Relative Criteria	Points Earned
	1. Building Scale	
	2. Landscaping	
	3. Parking	
	4. Land Use	
	5. Density	
	6. Compatibility	
	7. Access on North 27th Street	
	8. Architectural Design	
	9. Building Materials	
	10. Removal of Dwellings	
	11. Residential Multi-Family	
	12. Transit	
	13. Multiple-Use	
	14. Pollution	
	TOTAL	

Minimum Points Required. Seventy (70) percent of total applicable points possible for medically-related land use proposal; seventy-five (75) percent of total applicable points possible for nonmedical-related land use proposal.

Proposal (has ____)(has not ____) attained minimum points required to total applicable points.

Proposal qualifies for a permit. Yes ____No

Sec. 27-915. - Existing development.

(a) Should an existing development propose to externally remodel fifty (50) percent or more of the building, have an addition put on in excess of ten (10) percent of the existing building, change its use, or create

some nonbuilding improvements (e.g., parking lots, fences), then certain provisions shall be complied with. The property will have to comply with all of the applicable absolute criteria and address four (4) of the relative criteria of the permit system before a permit is issued by the zoning coordinator.

(b) Existing developments which involve the external remodeling of less than fifty (50) percent of the building or an addition of ten (10) percent or less onto an existing building must comply with the absolute criteria. The relative criteria will not be addressed by these projects. However, if the existing development is a single-family dwelling or a duplex now meeting and proposed to continue meeting the standards of the residential 6,000 (R-60) zoning category, then it will not need to go through this permit procedure for remodeling, additions, or fences. When these conditions are met, the building permit shall be issued for these development types.

(c) Internal remodeling projects (which are not changing the use of the building) will be exempt from this chapter and will go through the regular building permit process.

(d) Parking lots for existing developments which are proposed to add ten (10) or fewer spaces for off-street parking will go through this section's process. All other parking lots will go through the entire permit zoning procedure.

Relative Criterion	Awarded Score	Multiplier	Points Earned	Maximum Points
Building Scale		3		6
Landscaping		3		6
Architectural Design		2		4
Building Materials		2		4
Total Maximum Points				20

(e) All building permit applications for existing development must receive a "yes" to all applicable absolute criteria plus achieve a minimum score of seventy-five (75) percent among the applicable relative criteria before a project can be approved and a building permit issued. Thus if all four (4) criteria apply, the applicant must achieve at least fifteen (15) points before a permit is issued. The zoning coordinator will notify the applicant of the awarded scores. Depending upon the scope of the project it is suggested that the zoning coordinator "fast track" this process and allow no more than two (2) weeks for departmental review of the preliminary plan BMCC section 27-908(B) and one (1) week for review of the final plan BMCC section 27-908(C). A conceptual review BMCC section 27-908(A) is not required for this section but is highly recommended. The same notification procedures will be used as is outlined in BMCC section 27-908 for contacting department representatives and adjacent property owners.

Sec. 27-916. - Appeal process relating to issuance of denial of permit.

(a) *Generally.* The following outlines the appeal process which can be exercised by either a developer who is denied a permit or an adjacent property owner who wishes to protest or appeal the city staff decision to grant a permit for a particular development.

(b) *Developer appeal.* Should a permit be denied, a developer will receive a written explanation from the zoning coordinator as to the reasons for the denial within two (2) weeks of the final plan's submittal. The developer than has fourteen (14) days from the date on the letter in which to file a request for

appeal before the city council. The petition requesting an appeal and a copy of the zoning coordinator's letter giving the reason(s) for the denial of the permit shall be filed with the city clerk and shall be placed on the city council agenda within thirty (30) days after receipt of the petition. The city council will review the petition and vote (by simple majority) whether an appeal may be filed for their consideration. If permission to appeal is not granted, then the zoning coordinator's denial of the permit stands. Should permission be given to hear an appeal, then the developer will have thirty (30) days in which to file a written appeal with the city clerk. It shall include a copy of the zoning coordinator's explanation for denial of the permit, and the developer's reasons why the permit should be issued. A copy of this appeal must be sent to the zoning coordinator.

The city clerk shall then place the item on the city council agenda. The city clerk shall notify all adjacent property owners as outlined in this document, by letter, of the time and place of the city council meeting so that they may appear and comment on the appeal.

(c) *Adjacent property owner appeal.* Once the zoning coordinator decides to grant a permit, the zoning coordinator must notify all adjacent property owners (including all lands directly opposite the site) by letter and inform them that they have fourteen (14) days from the date of the letter to submit a request of an appeal of the decision to the city council. If a request for appeal is not submitted for council consideration, then the decision of the zoning coordinator stands. If the property owners want to submit a petition requesting an appeal, it shall be filed along with the zoning coordinator's letter with the city clerk, and the clerk shall place the petition on the city council agenda within thirty (30) days. Should the council agree to hear the appeal, then the property owners filing the request must submit, in writing, reasons why adjacent property owners feel the permit should not be granted. The filing must take place within thirty (30) days of the granting of permission by the city council to hear the appeal and shall be filed with the city clerk.

If the affected property owners do not appeal the decision to grant the permit within the fourteen (14) day period, they have waived their right to appeal and the zoning coordinator shall then issue a permit for the proposed development. If a request for an appeal is filed, a copy must be sent to the zoning coordinator by the city clerk, and any issuance of a permit shall be delayed until the city council can resolve the matter.

ARTICLE 27-1000. - INTERCHANGE/ENTRYWAY ZONING DISTRICTS

Sec. 27-1001. - Intent.

The intent of the Interchange/Entryway zoning districts is to promote attractive, high quality development, to provide an appealing image of the City of Billings, to the travelling public and also the community. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and protecting environmentally sensitive areas, including the Yellowstone River Corridor.

Objectives

(a) Promote a unique, attractive physical landscape through topographic variations, water areas, native vegetation and scenic vistas;

(b) Create and preserve open space;

(c) Preserve and enhance unique qualities of the total environment;

(d) Encourage creativity in design;

(e) Provide for harmonious land design and quality site planning, which will produce a more desirable and attractive environment;

(f) Reduce the level of adverse impacts from the transportation system on adjoining lands;

(g) Promote development patterns in harmony with the goals and objectives of the 1990 Yellowstone County Comprehensive Plan; and

(h) Promote compatible land use transitions with a sensitivity toward existing residential uses.

Sec. 27-1002. - Application and approval process.

All plans and applications for development and signs shall be submitted to the city-county planning department. All applications must be submitted in person and signed by the property owner, lessee, the contract purchaser or the authorized agent of the property owner.

Planning department approval is to ensure compliance with the zoning regulations. This does not in anyway construe approval by any other city ~~or county~~ department. A building permit and planning department approval are required prior to construction.

Each application shall include, but not be limited to the following information:

(1) The name and address of the property owner;

(2) The name and address of the applicant;

(3) The legal description of the parcel;

(4) A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;

(5) A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;

(6) Complete elevation drawings drawn to scale including the dimensions and height of the structure; and

(7) Signage plan specifications and location. (This applies to applications for signs only.)

Within fifteen (15) working days following the submittal of a complete application, the planning director or his/her designee shall issue planning department approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying all areas of noncompliance with this chapter.

Sec. 27-1003. - Definitions.

Terms not specifically defined in this chapter shall use the same meanings as they are defined in BMCC section 27-201. The standard dictionary meaning shall be applied to terms not otherwise defined.

Sec. 27-1004. - Zoning districts.

(a) *Entryway light commercial zone (ELC)* The purpose of the entryway light commercial zone is to provide limited entryway commercial convenience facilities, serving the nearby community.

(1) *Permitted uses:* The following uses shall be less than three thousand (3,000) square feet gross floor area (GFA):

Accessory uses and structures associated with a permitted principal structure

Apparel and accessory stores

Bakeries, retail

Banking and financial institutions

Barber and beauty shops

Book and stationery stores

Coin-operated laundry and dry-cleaning pick up station

Convenience stores, with or without gas sales

Food stores

General merchandise stores

Hardware stores

Home furniture and furnishing stores

Mailing, photocopying, blueprinting and duplicating services

Newsstands

Offices

Paint stores

Pharmacies

Photo-finishing labs

Restaurants without the sale of alcoholic beverages

Shoe repair shops

Watch, clock and jewelry repair

(2) *Special review uses:* Any of the above-permitted uses greater than three thousand (3,000) square feet GFA

Car washes

Commercial recreation uses only as listed below:

Arcades

Batting cages

Boat Rentals

Bowling alleys

Canoe and kayak rentals

Day camps

Driving ranges

Golf courses

Handball courts

Ice skating rinks

Miniature golf

Parks

Playing fields

Racquetball courts

Riding stables

Roller skating rinks

Schools and camps for sports instruction

Swimming pools

Tennis courts

Waterslides

Gravel and/or sand extraction

Mixed use developments which include residential uses

Other retail uses similar in nature to those listed above

Restaurants with the sale of alcoholic beverages for on-premise consumption

(b) *Entryway general commercial zone (EGC).* The purpose of the entryway general commercial zone is to provide a specialized classification for hotels, restaurants and other tourist-related facilities near major highway interchanges.

(1) *Permitted uses:*

Accessory uses and structures associated with a permitted principal structure

Apparel and accessory stores

Automobile and truck sales (new and used)

Automobile rental agencies

Automotive service stations

Bakeries, retail

Banking and financial institutions

Barber and beauty shops

Book and stationery stores;

Broadcasting studios, radio and television

Car washes;

Coin-operated laundry and dry-cleaning pick up station

Commercial recreation uses only as listed below:

Arcades

Batting cages

Boat rentals

Bowling alleys

Canoe and kayak rentals

Day camps

Driving ranges

Golf courses

Handball courts

Ice skating rinks

Miniature golf

Parks

Playing fields

Racquetball courts

Riding stables

Roller skating rinks

Schools and camps for sports instruction

Swimming pools

Tennis courts

Waterslides

Convenience stores, with or without gas sales

Food stores

General merchandise stores

Hardware stores

Home furniture and furnishing stores

Hotels/Motels

Laundry and dry-cleaning establishments

Mailing, photocopying, blueprinting and duplicating services

Newsstands

Offices

Paint stores

Pharmacies

Photo-finishing labs

Recreational vehicle sales and service

Restaurants without the sale of alcoholic beverages

Retail nurseries, lawn and garden supply stores

Shoe repair shops

Signs, computer controlled variable message

Theaters (Indoor)

Tire sales

Watch, clock and jewelry repair

Wholesale uses not to exceed three thousand (3,000) square feet gross floor area (GFA)

(3) *Special review uses*

Campgrounds

Commercial Recreation uses only listed as below:

Go-cart tracks

Rodeos

Roping arenas

Gravel and/or sand extraction

Mixed use developments which include residential uses

Other retail uses similar in nature to those listed above

Restaurants with the sale of alcoholic beverages for on-premise consumption

Truck stops

Veterinary clinics

a. Boarding

b. Outpatient Only

Wholesale uses not to exceed ten thousand (10,000) square feet gross floor area (GFA)

Zoos

(c) *Entryway mixed use zone (EMU)* The purpose of the entryway mixed use zone is to provide for commercial recreation development and a mixture of low intensity residential and low intensity commercial/office use. This zone allows for low impact commercial and residential development that will have minimal adverse effect on adjacent natural resources and existing uses.

(1) *Permitted uses:*

Accessory uses and structures associated with a permitted principal structure

Campgrounds

Commercial recreation uses only listed as below:

Batting cages

Boat rentals

Canoe and kayak rentals

Day camps

Driving ranges

Golf courses

Handball courts

Ice skating rinks

Miniature golf

Parks

Playing fields

Racquetball courts

Riding stables

Schools and camps for sports instruction

Swimming pools

Tennis courts

Mixed use developments (incorporating Office/Commercial uses permitted in the EGC zone and residential uses)

Residential, Single-family

Residential, Multi-family

Restaurants without the sale of alcoholic beverages for on-premise consumption

(2) *Special review uses:*

Commercial Recreation uses only listed as below:

Go-cart tracks

Rodeos

Roping arenas

Gravel and/or extraction

Restaurants with the sale of alcoholic beverages for on-premise consumption

(d) *Entryway Light Industrial (ELI).* The purpose of the Entryway Light Industrial zone is to provide large lots located directly accessible to arterial and other transportation systems for warehousing and light manufacturing and allow for limited commercial facilities for the adjacent community and interstate travelers.

(1) *Permitted uses:*

Accessory uses and structures associated with a permitted principal structure

Automotive service stations

Auto repair

Auto supply stores

Bakery, wholesale

Broadcast studios, radio and television

Bus terminal operation with or without maintenance facilities

Car washes

Coin-operated laundry and dry cleaning with pick up station

Convenience stores, with or without gas sales

Cabinet and furniture manufacture

Engineering, physical and biological research laboratories

Funeral homes, mortuaries, and crematories

General warehousing and compartmentalized storage under 250,000 square feet

GFA

Heavy equipment sales and service

Hotels/motels

Laundry and dry-cleaning establishments

Light manufacturing:

Computer and office equipment (SIC-357)

Household audio and video equipment and audio recording (SIC-365)

Communication equipment (SIC-366)

Electronic components and accessories (SIC-367)

Measuring, analyzing and controlling instruments, photographic, medical and optical goods, watches, clocks (SIC-38)

Mailing, photocopying, blueprinting and duplicating services

Mobile Home Sales

Offices; professional, private, government

Photo-finishing labs

Recreational vehicle sales and service

Restaurants without the sale of alcoholic beverages

Retail Uses allowed in the entryway general commercial

Retail nurseries, lawn and garden supply stores

Tire sales

Truck stops

Trucking terminal with or without maintenance facilities

US Postal services with or without terminal facilities

Vet clinics

Wholesale trade (except SIC-5093)

(2) *Special review uses:*

Gravel and/or sand extraction

Mixed use developments

Passenger and freight terminals

Restaurants with the sale of alcoholic beverages for on-premise consumption

Wood container manufacturing

Wood building and mobile home manufacturing

Miscellaneous wood products manufacturing

Retail over 250,000 GFA

Warehousing over 250,000 GFA

Sec. 27-1005. - Development standards.

Minimum lot area for all non-residential development shall be twenty-thousand (20,000) square feet in the ELC, EGC, EMU and ELI zoning districts.

Residential developments shall meet the minimum lot area, setbacks, lot coverage and height limits of the Residential 9,600 (R-9,600) zoning district for single family projects or for the Residential Multi-Family - Restricted (RMF-R) zoning district for multiple-family developments, as listed in BMCC section 27-308.

Minimum building setback from property line:

	ELC	EGC	EMU	ELI
*Adjacent to Interstate right-of-way	25 feet	25 feet	25 feet	25 feet
*Adjacent to any other right-of-way	25 feet	25 feet	25 feet	25 feet
Adjacent to a residential zone	25 feet	25 feet	25 feet	25 feet
Adjacent to a non-residential zone	10 feet	10 feet	10 feet	10 feet
Structure Height	30 feet	40 feet	30 feet	40 feet
Maximum Lot Coverage	50%	50%	50%	50%

*All arterial setbacks as outlined in BMCC section 27-602 must be maintained.

Setback areas not occupied by required bufferyards may be used for, but not limited to the following: display area, driveways and non-required parking.

All current City ~~and County~~ codes shall apply, including but not be limited to the following: building, zoning, site development, parking and drainage regulations that are not directly addressed in this chapter. Where requirements are addressed in one or more regulations, the most stringent shall apply.

Traffic accessibility studies Current traffic accessibility study requirements in the subdivision and site development regulations shall apply, in addition to those requirements outlined below.

The following uses shall be required to submit traffic accessibility studies:

Drive-through services

Truck stops

Sec. 27-1006. - Landscaping standards.

(a) *Definitions:*

(1) *Canopy tree:* A species of tree which normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy tress shall be two and one-half (2½) inches in caliper.

(2) *Evergreen tree or shrub:* A tree or shrub of a species which normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height.

(b) *Street Frontage Landscaping.* All commercial zones are required to place a bufferyard (landscaping strip) adjacent to and along the length of all rights-of-way, excluding driveways. Rights-of-way include the following: ditches adjacent to streets, principal arterial streets, minor arterial streets, collector streets, local streets and US Interstate 90.

The developer shall have the option of bufferyard widths (see options below). Placement and landscaping design shall be at the discretion of the developer. It is recommended that a design professional or local nursery be contacted for assistance with the development of the landscape design.

Bufferyard Requirements The developer shall have the option of one (1) of the following three (3) bufferyards. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

Number of trees and shrubs required per one hundred (100) feet of frontage:

(1) Twenty-five (25) foot wide bufferyard

Five (5) Canopy or evergreen trees

Ten (10) Shrubs

(2) Twenty (20) foot wide bufferyard

Ten (10) Canopy or evergreen trees

Fifteen (15) Shrubs

(3) Fifteen (15) foot wide bufferyard

Fifteen (15) Canopy or evergreen trees

Twenty (20) Shrubs

The following criteria shall also apply to the bufferyards.

(1) The landscape strip shall be contoured. Berming shall be one (1) foot of rise to four (4) feet of run with a minimum of three (3) feet in height. Depressions shall be no lower than the existing grade of the site.

(2) All landscaped areas shall contain ground cover such as sod, shrubs, flower beds or organic materials. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones or similar material.

(3) All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter.

(c) *Off-street parking lot landscaping.* Landscaping shall be provided within all parking areas. The following requirements shall apply:

(1) A minimum of twenty (20) square feet of landscaped area shall be provided for each parking space.

(2) Two (2) canopy and/or evergreen trees and five (5) shrubs shall be required for every nine (9) parking spaces.

(3) All landscaped areas shall contain ground cover such as sod, shrubs, flower beds or organic materials. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones or similar material.

(4) The minimum width and/or length of any parking lot landscaped area shall be five (5) feet.

(5) Internal parking lot landscaping provided shall be proportionately dispersed, at the developers discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred (100) feet. Landscaped areas provided shall be in a scale proportionate to parking lot.

(6) Any development that has parking abutting a required bufferyard, may extend the width of that bufferyard a minimum of five (5) feet and include the additional required parking landscaping plant material. The minimum bufferyard width and landscaping material is required in addition to the parking landscaping.

(7) All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter.

(d) *Protection of landscaped areas.* Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.

(e) *Commercial uses abutting residential uses.* All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten (10) feet wide and shall contain ten (10) evergreen and/or canopy trees and ten (10) shrubs per one hundred (100) lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building, shall be required on the property line. The fence height shall be a minimum of six (6) feet. Chain link or other wire fencing material is prohibited.

(f) *Recommended tree types.* It is recommended that the developer work with the City Parks Department, a local greenhouse operator, landscape architect or other design professional to determine the species of trees that are most suitable for each situation. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards and canopy trees are encouraged for parking areas, however, the planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

A list of recommended native plant material shall be available at the Planning Department.

(g) *Fractions in the calculation of number of trees and shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest whole number.

Sec. 27-1007. - Building design standards.

(a) All buildings shall be completed on all sides with an acceptable finishing material. The following materials are acceptable: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e. Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.

(b) Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.

(c) Long, flat facades, having local street or interstate highway frontage, having more than one hundred (100) lineal feet are prohibited. Buildings over one hundred (100) feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight (8) feet in length. A single uninterrupted length of a facade shall not exceed one hundred (100) lineal feet. It is encouraged that each offset area contain landscaping or other similar amenities which will complement the offset area.

Sec. 27-1008. - Additional provisions for commercial uses.

(a) *Storage of merchandise.* Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six (6) feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials. Bufferyards or required landscaping shall not be used for the displaying of merchandise. Chain link or other type of wire fencing is prohibited.

(b) *Site lighting:*

(1) All outdoor lighting shall be designed, located and mounted at heights no greater than:

a. Eighteen (18) feet above grade for non-cutoff lights; and

b. Thirty-five (35) feet above grade for cutoff lights.

(2) Maximum Illumination. All outdoor lighting shall be designed and located such that the maximum illumination measured in footcandles at the property line shall not exceed three-tenths (0.3) footcandle for non-cutoff lights and one and five-tenths (1.5) footcandles for cutoff lights.

(c) *Storage of junk.* No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight obscuring fence at least six (6) feet in height. Chain link or other type of wire fencing is prohibited.

(d) *Solid waste area.* All solid waste storage facilities shall be located within an area enclosed with a sight obscuring fence or wall that is architecturally compatible in color and design with the building. Chain link or other type of wire fencing is prohibited.

Sec. 27-1009. - Signs.

(a) *Intent.* This section shall not regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government or fraternal organization; gravestones; barber poles; religious symbols; or any display or construction not defined herein as a sign.

(b) *Definitions.* Words and phrases used in this section are defined in this section. Principles for computing sign area are outlined in subsection (e) of this section.

(1) *Animated sign:* Any sign that uses movement or change or lighting to depict action or create a special effect or scene.

(2) *Area of sign:* The entire area of a sign including the area within a perimeter which forms the outside shape including the frame, forming an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. The frame of a sign may be excluded from the area where such frame conveys no message and is constructed or affixed for aesthetic reasons beyond the necessary supports.

For computing the areas of any wall or canopy sign which consists of letters mounted or painted on a wall or canopy, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters. (See below subsection E for calculation of sign area.)

(3) *Banner sign:* Any sign (other than an official flag) made of cloth, paper or fabric of any kind, which is used to attract attention, whether or not imprinted with words or characters.

(4) *Beacon:* Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

(5) *Building marker:* Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

(6) *Canopy sign:* Any sign that is a part of or attached to any awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area, and which does not extend horizontally beyond the limits of the canopy.

(7) *Changeable copy sign:* A sign whose informational content can be changed or altered by manual or electric, electro-mechanical or electronic means. Changeable signs include the following types:

1. *Manually activated:* Signs whose alphabetic, pictographic or symbolic information content can be changed or altered by manual means.

2. *Electrically activated:* Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Electrically activated signs include the following two (2) types:

    a. *Fixed message electronic signs:* Signs whose basic informational content has been pre-programmed to include only certain types of information projections, such as time, temperature, predictable traffic conditions or other events subject to prior programming.

    b. *Computer controlled variable message electronic signs:* Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

(7) *Copy:* The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

(8) *Directional/informational sign:* An on-premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. The sign may contain a logo provided that the logo may not comprise more than twenty (20) percent of the total sign area.

(9) *Director:* The planning director of the county or his/her designee.

(10) *Flag:* Any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

(11) *Freestanding sign:* Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure, including monument signs.

(12) *Government sign:* Any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

(13) *Height of sign:* The vertical distance measured from the highest point of the sign to the crown of the adjacent street, not including the interstate highway.

(14) *Lot:* Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer or ownership.

(15) *Maintenance:* For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the structure of the sign.

(16) *Monument sign:* A sign mounted directly to the ground with maximum height not to exceed six (6) feet.

(17) *Nonconforming sign:* A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.

(18) *Portable sign:* Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

(19) *Principal building:* A structure accommodating the principal use to which the property is devoted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

(20) *Projecting sign:* A sign, other than a flat wall sign, which is attached to and projects from a building, wall or other structure not specifically designed to support the sign. Supports shall be covered in a neat and orderly fashion. Guy wire support is prohibited.

(21) *Roof sign, above-peak:* Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

(22) *Roof sign, integral:* Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

(23) *Setback:* The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

(24) *Sign:* Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

(25) *Street:* A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated which has been dedicated to or acquired for public use and which extends the full width between right-of-way lines.

(25) *Street frontage:* The length of the property line of any one (1) premises along each public right-of-way it borders excluding alleys, serviceways and the interstate highway.

(26) *Suspended sign:* A sign that is suspended from the underside of a horizontal place surface and is supported by such surface.

(27) *Temporary sign:* A non-permanent sign erected and maintained for a specific limited period of time.

(28) *Wall sign:* Any sign attached parallel to, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface. Wall signs shall not exceed twenty-two (22) inches in depth measured from the face on the wall on which the sign is mounted.

(29) *Wind-driven sign:* Any sign consisting of one (1) or a series of two (2) or more banners, flags, pennants, ribbons, spinners, streamers or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

(30) *Window sign:* Any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(c) *Signs prohibited.* All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the following section are prohibited. Such signs include, but are not limited to:

(1) Beacons;

(2) Wind-driven sign, except flags as defined in this section;

(3) Strings of lights not permanently mounted to a rigid background, except those exempt under the following section;

(4) Inflatable signs and tethered balloons;

(5) Portable signs;

(6) Animated signs;

(7) Above-peak roof signs;

(8) Banner signs;

(9) Abandoned signs;

(10) Snipe signs or signs attached to trees, telephone poles, public benches, streetlights or placed on any public property or public right-of-way; and

(11) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said signs (this does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business).

(d) *Signs not requiring permits.* The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this section:

1. Construction signs of sixteen (16) square feet or less;

2. Special event or holiday lights or decorations;

3. Nameplates of two (2) square feet or less;

4. Public signs or notices, or any sign relating to an emergency;

5. Real estate signs; (see below subsection I, 2)

6. Political signs; (see below subsection I, 4)

7. Interior signs not visible from the exterior of the building; and

8. Directional signs not to exceed twelve (12) square feet in area or six (6) feet in height.

(e) *Calculation of sign area.* The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

(f) *Maintenance.* All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced.

(g) *Lighting.* Unless otherwise prohibited by this section, all signs may be illuminated.

(h) *Changeable copy.* Unless otherwise specified by this section, any sign herein allowed may use manual, or fixed message electronic sign.

Computer controlled variable message electronic signs shall be permitted provided that the bottom of the reader board is ten (10) feet above the crown of the adjacent road. Computer controlled variable message electronic signs shall not be permitted in the entryway light commercial (ELC) and the entryway mixed use (EMU) zones.

(i) *Signs permitted in residential districts:*

(1) One (1) non-illuminated sign for each street frontage of a construction project, not to exceed forty-eight (48) square feet in sign area. Such signs may be erected thirty (30) days prior to beginning of construction and shall be removed thirty (30) days following completion of construction.

(2) One (1) non-illuminated real estate sign per lot or premises not to exceed sixteen (16) square feet in sign area for residential properties and thirty-two (32) square feet for commercial properties. Such signs must be removed fifteen (15) days following sale, rental or lease of the real estate involved.

(3) One (1) non-illuminated attached building nameplate per occupancy, not to exceed two (2) square feet in sign area.

(4) One (1) non-illuminated political sign not to exceed sixteen (16) square feet in sign area. Such signs shall not be erected more than forty-five (45) days prior to the election or referendum concerned and shall be removed ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

(5) One (1) subdivision sign per street frontage not to exceed forty-eight (48) square feet in sign area in each location.

(6) One (1) identification sign per entrance to apartment or condominium complex, not to exceed thirty-six (36) square feet in sign area.

(j) *Signs permitted in commercial districts:*

(1) All signs permitted in residential districts as listed in above subsection I.

(2) The total square footage of all signs located on the property, including, but not limited to freestanding, wall, projecting, integrated roof, canopy, under-canopy and directional signs, shall not exceed three (3) square feet in sign area for each lineal foot of property frontage. This frontage shall be calculated using local streets, not the interstate highway.

(3) One (1) freestanding sign within the interchange/entryway zoning district may be installed to a height of forty (40) feet and may be a maximum of three hundred-fifty (350) square feet if the principal purpose of such signs is to address interstate traffic. The sign must be oriented perpendicularly to the interstate so the sign is visible to the interstate traveller. In addition, the property must be adjacent to the interstate right-of-way.

(4) Freestanding signs which do not address interstate traffic may be installed to a maximum height of twenty-four (24) feet and may have a maximum size of one hundred-fifty (150) square feet.

(5) The setback for the leading edge of freestanding signs shall be a minimum of ten (10) feet.

(6) No sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway directional/informational signs.

(7) One (1) freestanding sign per frontage, including the interstate highway, shall be allowed. Where a street frontage exceeds five hundred (500) feet, one (1) additional freestanding sign may be allowed per five hundred (500) foot increment. Freestanding signs shall have a minimum distance

of one hundred-fifty (150) feet between signs. The total square footage of all freestanding signs shall not exceed the total allowable square footage for freestanding signs.

(8) Wall signs shall not exceed twenty (20) percent of the square footage of the wall area upon which they are installed. Electric awning and canopy signs shall not exceed twenty (20) percent of the square footage of the wall area upon which they are installed. The combination of wall signs, electric awning, canopy signs and projecting signs shall not exceed twenty (20) percent of the allowed wall sign area.

(9) Integrated roof signs may be used instead of wall signs. The integrated roof sign size shall not exceed the allowable size for a wall sign. Integrated roof signs shall be constructed so as to conceal all structures and fastenings. The height of the sign shall not exceed the roof to which it is attached.

(10) Projecting signs may be used instead of any wall or freestanding signs provided they do not project beyond the property line and maintain a clearance of ten (10) feet over sidewalk and fourteen (14) feet over any parking lot, driveway or crown of the street, whichever is higher. Projecting sign size shall not exceed the allowable size for a wall sign.

(11) One (1) under-canopy sign for each separate occupancy or separate entrance not to exceed eight (8) square feet in sign area. Under-canopy signs must have a minimum clearance of nine (9) feet from the sidewalk.

(12) Window signs shall not cover more than thirty (30) percent of the window area.

(13) On-site directional signs as required.

(k) *Shopping center signs:*

(1) Shopping centers shall be allowed one (1) freestanding sign directory sign per frontage. The sign shall not exceed one hundred-fifty (150) square feet plus five (5) percent of the one hundred-fifty (150) square feet per tenant. Maximum sign size shall not exceed three hundred-fifty (350) square feet.

(2) Shopping centers signs shall not exceed the maximum allowable freestanding signage.

(3) Shopping center signs cannot be used if the Common Signage Plan is used.

(l) *Common signage plan:*

(1) *Common signage plan.* If the owners of two (2) or more contiguous or adjacent (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one building (excluding accessory buildings) or multiple use buildings file with the planning director for such lot(s) a common signage plan conforming with the provisions of this section, a twenty-five (25) percent increase in the maximum total sign area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.

(2) *Provisions of common signage plan.* The common signage plan shall contain all of the following information:

a. An accurate plot plan of the lot, at such scale as the Planning Director may reasonably require;

b. Location of buildings, parking lots, driveways, clear vision triangles and landscaped areas on such lot;

c. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this chapter; and

d. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not.

e. Window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window) and need not specify the exact dimension or nature of every window sign.

The common signage plan shall also specify standards of consistency among all signs on the lots affected by the plan with regard to:

a. Color scheme;

b. Letter or graphic style;

c. Lighting;

d. Location of each sign on the building(s);

e. Material; and

f. Sign proportions.

(3) *Limit on number of freestanding signs under common signage plan.* The common signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs. Where street frontage exceeds five hundred (500) feet, one additional freestanding sign may be allowed per five hundred (500) foot increment.

(4) *Other provisions of the common signage plan.* The common signage plan may contain other restrictions as the owners of the lots may reasonably determine.

(5) *Consent.* Common signage plan shall be signed by all owners or their authorized agents in such form as the Planning Director shall require.

(6) *Procedures.* Common signage plan shall be included in any development plan, site plan, planned development or other official plan required by the city or county for the proposed development and shall be processed simultaneously with such other plan.

(7) *Amendment.* Common signage plan may be amended by filing a new common signage plan that conforms with all requirements of the chapter then in effect.

(8) *Existing signs not conforming to common signage plan.* If any new or amended common signage plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within five (5) years, all signs not conforming to the proposed amended plan or to the requirements of this section effective on the date of submission.

(9) *Binding effect.* After approval of a common signage plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and such may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of this section and common signage plan, the section shall control.

(10) *Dissolution of common signage plan.* If the signatories of a common signage plan wish to dissolve the common signage plan, written notice must be submitted to the planning director. All signs on the property for which the common signage plan was dissolved must bring all signs into conformance with this section within thirty (30) days of the date written notice was submitted to the planning director.

(m) *Nonconforming signs.* Existing signs which do not conform to the specific provisions of this section may be eligible for the designation "legal nonconforming" provided that:

(1) The planning director determines such signs are properly maintained and do not in any way endanger the public;

(2) The sign was installed in conformance with a valid permit or variance or complied with all applicable laws on the date of adoption of this section; and

(3) The sign owner registers the sign with the planning director within six (6) months of the adoption of this section. If the owner fails to register the nonconforming sign with the planning director, the sign then must be brought into compliance with this section within thirty (30) days.

A legal nonconforming sign may lose this designation if:

(1) The sign is relocated or replaced; or

(2) The structure or size of this sign is altered in any way except toward compliance with this section. This does not refer to change of copy or normal maintenance.

The legal nonconforming sign is subject to all requirements of this section regarding, safety, maintenance, and repair. However, if the sign suffers more than fifty (50) percent damage or deterioration, as based on appraisal, it must be brought into conformance with this section or removed.

(n) *Construction specifications:*

(1) All signs shall be installed in compliance with the Uniform Building Code (UBC) and the National Electric Code (NEC).

(2) All signs shall be inspected by the City of Billings building division for compliance with all applicable codes. (Including, but not limited to structure, wind load, and electrical hook-up.)

(3) All electrical freestanding signs must have underground electrical service to such signs.

Sec. 27-1010. - Special review process.

Special reviews shall follow the procedure as outlined in BMCC sections 27-1503 ~~(City) and 27-1509 (County)~~.

Sec. 27-1011. - Variances.

Variances from this chapter shall follow the process outlined in BMCC sections 27-1506 ~~(City) and 27-1511 (County)~~.

ARTICLE 27-1100. - LANDSCAPING

Sec. 27-1101. - Purpose.

The purpose of this article is to provide landscaping and performance standards which:

(a) Enhance and promote a unique image for the Billings urban area.

(b) Protect the public health, safety and welfare by:

(1) Increasing parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds;

(2) Minimizing noise, air, water and visual pollution;

(3) Screening and buffering incompatible land uses;

(4) Reducing the amount of reflected glare and heat absorbed in and around developments;

(5) Breaking up large expanses of parking lots;

(6) Preserving property values and neighborhood characteristics by lessening the impacts of potentially incompatible uses; and

(7) Providing screening from wind.

(c) Conserve water resources by:

(1) Promoting the use of xeriscaping and drought-tolerant native plantings; and

(2) Promoting the utilization of stormwater detention as an irrigation source.

(d) Ensure that landscaping is an integral part of the site design and development process.

Sec. 27-1102. - Scope.

Development which satisfies one of the following criteria shall be exempt from this section:

(a) Single or two-family developments where each unit is located on an individual lot;

(b) Submitted or approved plans, building permits and/or development existing prior to the effective date of this chapter shall comply with the regulations which were in effect at the time of approval; or

(c) Development located within one of the following zoning classifications:

(1) Central business district (C.B.D.) zone.

(2) Entryway light commercial (E.L.C.) zone.

(3) Entryway general commercial (E.G.C.) zone.

(4) Entryway mixed use (E.M.U.) zone.

(5) Heavy industrial (H.I.) zone.

(6) Medical corridor permit zoning district.

(7) Planned development (P.D.) zone.

(8) South 27th Street Corridor zoning district.

The provisions of this article shall apply to development which meets one of the following and is not exempt under above subsection (c):

(a) All new development which has not applied for a building permit before the effective date of this chapter; or

(b) Existing development in which the gross floor area (GFA) or the number of parking stalls is increased by twenty-five (25) percent.

Sec. 27-1103. - Administrative relief.

Administrative relief is provided to add flexibility in the application of the landscaping regulations in this section when a standard is inapplicable or inappropriate to a specific use or design proposal. However, the granting of administrative relief should not always mean that a requirement is reduced without compensation. For example, the granting of a reduced bufferyard depth should be compensated by the planting of additional trees, shrubs or other plants.

A written request for administrative relief shall be submitted to the planning director or his/her designee either before or in conjunction with the building permit review process. The written request shall include a justification in terms of the findings necessary to grant administrative relief. The written request shall close with a section for the planning department's use which will include a block for the decision of approval/denial, the planning director or his/her designee's signature, and decision date. The written request with decision shall be attached to the plan or retained in the applicable file, as appropriate. An example of this written request shall be available from the planning department.

The planning director or his/her designee must make all of the following findings in order to grant administrative relief:

(a) The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same general area and such conditions will not allow a reasonable use of the property in its current zone in absence of relief;

(b) The intent of the landscaping section and the specific regulation in question is preserved; and

(c) The granting of the administrative relief will not result in an adverse impact upon surrounding properties.

The planning director or his/her designee shall render a decision on the request within five (5) working days of receipt of the request and all required information. An appeal of the planning director's decision may be made to the board of adjustment with jurisdiction over the property, within ten (10) days after the decision. At this time, the appeal will be put on the agenda for the next board of adjustment meeting which allows for the required public notice.

Policies:

(1) The planning department recognizes that the specific landscape requirements in this section cannot and do not anticipate all possible landscape situations. In addition, the planning department recognizes that there may be landscape proposals which conform to the purpose, intent and objectives of the landscape regulations, but were not anticipated in the specific regulations. Therefore, the planning department may grant administrative relief in the event of these situations and proposals.

(2) The planning department recognizes that a proposed development of a relatively small commercial or industrial lot which was created prior to the current landscape requirements may present unusual difficulties in complying with the current requirements.

The planning department shall attempt to balance the reasonable use of such lot with the provision of required landscaping. This balance will be affected by the site's characteristics, as well as, the proposed development plan.

The planning department also recognizes that to allow reasonable development there should be an upper limit to the amount of a site that is required to be landscaped. As a general guideline for relatively small commercial or industrial lots (such as one (1) acre or less), the requirements should not exceed twenty-five (25) percent of a site.

The reasonable development of a site may require the granting of administrative relief to some of the requirements. Although all of the categories of landscape requirements are considered important, the planning department generally assigns the following priorities for compliance with the landscape requirements:

First, adjacent residential uses should be buffered,

Second, an attractive appearance of the project should be provided along adjacent streets by landscaped setbacks and trees,

Third, the parking areas and building elevations which form major public views of the project should be visually softened and enhanced by trees and other plantings.

Compliance with the requirements, such as the third priority above, should not be "forced" into a site design. For both visual effect and ease of maintenance, relatively few, but larger landscaped areas, which are integrated with the other elements of the site design, are generally encouraged. In addition, relatively numerous and smaller landscaped areas, which are not integrated with the other elements of the site design, are generally discouraged.

Sec. 27-1104. - Definitions.

Berm: An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise levels.

Bufferyard: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen uses from one another.

Caliper: A standard for trunk measurement of nursery stock that is measured from a specified distance above the ground.

Commercial uses: Land uses which are allowed by right or through the special review process in the Residential Professional, Neighborhood Commercial, Community Commercial, or Highway Commercial zones, as listed in BMCC section 27-306 of the Zoning Regulations.

Coniferous: A plant with foliage that persists and remains green year-round.

Deciduous: A plant with foliage that is shed annually.

Development: The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure or any use or extension of the use of the land.

Dripline: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Drought avoidance: The ability of a plant to withstand drought without showing signs of stress.

Drought tolerance: The ability of a plant to withstand drought without dying.

Industrial uses: Uses of land which are allowed by right or through the special review process only in the Controlled or Heavy Industrial zoning classifications, as listed in BMCC section 27-306, of the Zoning Regulations.

Landscaping material, inorganic: Nonliving material such as river rock, stone, bark chips, mulch, flower tubs, fountains, outdoor plazas or other environmental amenities as approved by the Zoning Coordinator.

Landscaping material, organic: Living vegetative material such as trees, shrubs, vines, turf, and flower beds.

Perimeter landscaping: The landscaping located appurtenant to the outer property lines, exclusive of the property line(s) which abut a public street right-of-way.

Permanent tree protection devices: Structural measures, such as retaining walls or aeration devices, that are designed to protect the tree and its root system throughout its lifetime.

Public uses: Uses of land which are considered public in nature such as parks and recreation areas, public or private schools, colleges, playgrounds, day care centers or churches, or other public buildings.

Shrub: A woody plant that usually remains low and produces shoots or stems from the base and is not usually tree-like or single stemmed.

Vegetation, native: Plant life which is indigenous to a geographic region.

Vehicular use area: The area of a site devoted to vehicular parking and driving isles.

Vine: A woody plant whose stem requires support and climbs by tendrils or twining or creeps along the ground.

Wall or fence: An artificially constructed barrier of posts connected by boards, rails, or panels, erected for the purpose of enclosing space to separate parcels of land, or to screen or enclose areas of land. This term also includes a masonry wall.

Xeriscape: Landscape methods which conserve water through the use of drought-tolerant plants and planting techniques.

Sec. 27-1105. - Required bufferyards.

(a) For developments with less than one hundred thirty thousand (130,000) square feet in lot area, the following standards shall apply:

    (1) The development shall provide a minimum of ten (10) percent of the lot area for landscaping, less the square footage of the building footprint. In addition, fifty (50) percent of this required landscaping shall be placed so that it abuts adjoining public right-of-way, excluding alleys.

    (2) A six (6) foot high sight-obscuring fence or wall shall be provided on the property line where commercial or industrial uses are adjacent or across an alley from residential uses. A continuous

hedge may be substituted for the required fence or wall, as long as it has a minimum height at installation of three (3) feet and maintains such size or reaches six (6) feet or more at maturity.

(b) For developments with one hundred thirty thousand (130,000) square feet or more in lot area, the following standards shall apply:

(1) *Street frontage landscaping* The area along any property line which abuts a public street right-of-way must be landscaped using one (1) or a combination of two (2) or more of the following four (4) options which the developer may choose.

Option 1:	20′ minimum bufferyard width
	1 tree per 40 linear feet of frontage
Option 2:	10′ minimum bufferyard width
	2 trees per 40 linear feet of frontage
Option 3:	Landscaped berm with 2′ minimum average height
	1′ rise: 4′ run maximum slope
	No minimum or maximum berm width
	1 tree per 40 linear feet of frontage
Option 4:	5′ minimum bufferyard
	1 tree per 40 linear feet of frontage
	30″ high decorative or nondecorative wall located appurtenant to the parking area. A nondecorative wall shall be covered with vines on the street side of the wall.

Placement and landscaping design shall be at the discretion of the developer, including the placement of the required trees within the required bufferyard. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

(2) *Perimeter landscaping* The exterior boundaries of the lot which do not abut a public street right-of-way shall meet the bufferyard requirements shown below, depending upon the adjacent land use. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

	Residential Uses	Commercial Uses	Industrial Uses	Public Uses
Residential Uses	A	C	D	A
Commercial Uses	C	A	B	B
Industrial Uses	D	B	A	D
Public Uses	A	B	D	A

Note: If a use does not conform with one of the above categories, the Zoning Coordinator shall determine which category best matches the use.

Bufferyard Classification Requirements:

Bufferyard A:	5′ minimum bufferyard
	1 tree per 40 linear feet
Bufferyard B:	10′ minimum bufferyard
	2 trees per 40 linear feet
Bufferyard C:	15′ minimum bufferyard
	3 trees per 40 linear feet
	6′ sight obscuring fence or wall located on the property line*
Bufferyard D:	15′ minimum bufferyard
	4 trees per 40 linear feet
	6′ sight obscuring fence or wall located on the property line*

*A continuous hedge may be substituted for the required fence or wall in Bufferyards C and D, as long as it has a minimum height at installation of three (3) feet and maintains such size or reaches six (6) feet or more at maturity.

Placement and landscaping design shall be at the discretion of the developer, including the placement of the required trees within the required bufferyard. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

(c) *Bufferyard standards for all developments.* All required bufferyards must contain a minimum of seventy-five (75) percent organic landscaping material, with a maximum of twenty-five (25) percent nonliving landscaping materials.

All required bufferyards shall be irrigated, maintained and kept free of weeds, debris and litter.

The use of coniferous trees is encouraged in the perimeter bufferyards.

Sec. 27-1106. - Off-street parking lot landscaping.

The following requirements shall be met for off-street parking lots which are not exempt from this chapter or for developments whose lot area is 130,000 square feet or more.

(a) There shall be one (1) tree provided for every ten (10) parking stalls.

(b) Depending on the number of spaces, the following square feet of landscaped area must be placed in the vehicle use areas. The required landscaped area shall be "stepped" up to the number of stalls which will be provided. For example, a parking lot with fifty-two (52) stalls shall provide no square feet for the first nine (9) parking stalls, stalls 10—25 shall provide fifteen (15) square feet per stall, stalls 26—50 shall provide eighteen (18) square feet per stall, and stalls 51—52 shall provide twenty-five (25) square feet per stall.

Number of Stalls	Required Landscaped Area
0—9	None required
10—25	15 sq. ft. per stall
26—50	18 sq. ft. per stall
51—99	25 sq. ft. per stall
100 or more	35 sq. ft. per stall

(c) No parking stall shall be more than one hundred and twenty (120) feet from a required landscaped area.

(d) The developer is encouraged to utilize landscaped terminal islands at the end of parking rows and/or divider strips between parking rows to help disperse the required landscaping throughout the entire parking lot.

(e) Parking stalls that abut a required bufferyard may increase the width of this bufferyard a minimum of five (5) feet and count this toward the required off-street parking landscaped area.

(f) Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.

(g) Clear vision areas within the off-street parking area must be established at intersections by maintaining a maximum height for shrubs and ground cover of thirty (30) inches and tree branches must be trimmed up eight (8) feet from the ground.

(h) The minimum width or length of any landscaped area shall be five (5) feet, however the recommended minimum size is eight (8) feet. All of the required landscaped areas must contain a minimum of seventy-five (75) percent living landscaping material, with a maximum of twenty-five (25) percent nonliving landscaping material. Approved sidewalks are not counted toward this percentage.

(i) Parking lots containing between 200-749 parking stalls are encouraged to divide the lot into two or more lots, separated by a landscaped strip which may be counted toward the required off-street parking landscaping area. Parking lots with more than 750 stalls are required to divide the lot into at least two parking lots with a landscaped strip separating them. The minimum width of these landscaping strips shall be ten (10) feet.

(j) A landscaped divider strip that separates either parking rows or parking lots shall be allowed to count a sidewalk located within this divider strip toward a part of the required off-street parking lot landscaping. The intent of this sidewalk is to help facilitate safe pedestrian movement. This sidewalk must meet the following criteria if it is to be counted toward the required landscaping:

(1) The sidewalk has a five (5) foot wide walking path and shall add two (2) feet for vehicle overhang, if the sidewalk abuts a parking stall.

(2) The sidewalks runs the entire length of the divider strip.

(3) The sidewalk is bordered on at least one side by landscaping, of which the sidewalk cannot account for more than fifty (50) percent of the area of the divider strip.

(k) Deciduous trees are encouraged within the parking lot.

Sec. 27-1107. - Supplemental standards.

All landscaped areas must comply with the clear vision standards for intersections as established in BMCC section 27-615 of the Zoning Regulations. These sections regulate the allowed height and placement of fences, walls, signs, landscaping materials, in addition to other objects.

Chain link or wire fencing is prohibited where a sight obscuring fence is required in a bufferyard.

All landscaping shall be located so that it does not interfere with utilities, easements or fire hydrants.

Where appropriate, the use of porous pavement and/or specially designed brick or block should be considered to increase on-site water retention for plant material and groundwater supplies and to reduce problems associated with runoff.

All solid waste storage facilities shall be enclosed on three (3) sides by a sight obscuring fence or wall and by a sight obscuring gate on the remaining side. This requirement shall exclude up to two (2) recycling centers for general public access which are set up in the parking lot of commercially zoned properties.

Any permitted outside storage of merchandise shall be enclosed by a sight obscuring fence or wall. Exceptions to this requirement are temporary promotional displays, vehicle sales lots and plant materials that are located appurtenant to an approved building.

Sec. 27-1108. - Landscaping plan requirements.

A landscaping plan must be approved by the planning director or his/her designee before the issuance of a building permit. The developer is encouraged to work with a local landscape architect, nurseryman or design professional to make the landscaping an integral part of the overall site design by using site-specific materials which are:

(a) Appropriate to the conditions in which they are planted;

(b) Have noninvasive growth habits;

(c) Encourage low maintenance, high quality design; and

(d) Be otherwise consistent with the intent of this chapter.

A list of recommended plants can be obtained from the Planning Department or the Montana State University Extension Service.

The landscaping plan should contain the following elements:

(a) Scale: ¼″=1′0″ to 1″=40′

(b) Property lines, easements and public rights-of-way, including clear vision triangles.

(c) Buildings or structures - both new and existing.

(d) Drive approaches, parking spaces, light standards, circulation and pedestrian walkways.

(e) Landscaping materials:

(1) Location and spacing of proposed plant materials.

(2) Location of existing trees or landscaping to be preserved or eliminated.

(3) Types and location of new vegetation identified by botanical and common names and listed on a plant schedule.

(4) Size of materials, in diameter and height at installation and maturity.

(5) Quantity of each planting materials to be used.

(6) Types and location of inorganic landscaping material.

(f) Location of walls, fences and refuse storage areas.

(g) Methods of protecting the landscaped areas.

(h) Proposed treatment of all ground surfaces (concrete or asphalt paving, pavers, turf or gravel).

Sec. 27-1109. - Landscaping material standards.

(a) Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan.

(b) Landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken six (6) inches above grade.

(1) Minimum height for shade trees shall be eight (8) feet.

(2) Minimum size for shade trees shall be a one and one-half (1½) inch caliper.

(3) Minimum size for evergreen trees shall be five (5) feet in height.

(4) Minimum size for shrubs shall be one (1) gallon container for low and medium shrubs and five (5) gallon container for tall shrubs.

(c) It is recommended that a professional horticulturist, nurseryman or design professional be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized.

Sec. 27-1110. - Installation and maintenance.

A performance bond or letter of credit for one hundred fifty (150) percent of the landscaping materials and labor costs shall be posted with the planning department to ensure the placement of the required landscaping. The property shall be inspected by the planning director or his/her designee to make sure that the required landscaping has been planted before the certificate of occupancy is signed off. The planting

of the required landscaping may be delayed until the next suitable planting season with written approval from the planning director or his/her designee.

The responsibility for the maintenance of the landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with this section. In addition, all walls and fences shall also be maintained in good condition and, when necessary, be repaired or replaced.

Sec. 27-1111. - Administration and enforcement.

The administration and enforcement of this article shall reside with the zoning coordinator as stated in BMCC sections 27-1602 and 27-1603.

~~ARTICLE 27-1200. - OFF-STREET PARKING AND LOADING STANDARDS (COUNTY ONLY)~~

~~Sec. 27-1201. - Intent.~~

~~The intent of this article is to reduce traffic congestion and the need for parking on public streets and hazards caused thereby; to provide off-street parking and off-street loading berths adequate for each type of development in terms of both quantity and location. This chapter shall only apply to property located outside the limits of the City of Billings but within the unincorporated jurisdictional area.~~

~~Sec. 27-1202. - Definitions.~~

~~For the purposes of this article, certain words and phrases are defined and shall be construed as herein set forth in this section:~~

~~(a) *Number of employees:* The largest number of employees who are on the premises during the peak working shift, as determined by zoning coordinator.~~

~~(b) *Parking lot:* A structure or an area other than a public street or alley, together with ways of ingress, egress, isles, and maneuvering and backing areas, designed or used for the temporary parking of motor vehicles serving a use permitted in the district in which such parcel is situated, and available for public use whether free, for compensation, or an accommodation for customers or clients.~~

~~(c) *Off-street parking space:* An area, other than a public street, alleyway or other public property (and exclusive of off-street loading spaces) permanently reserved or set aside for the parking of one (1) motor vehicle.~~

~~Sec. 27-1203. - Parking requirements—General.~~

~~There shall be provided at the time of erection of any building or structure or at the time of any change in occupancy of any building or structure minimum off-street parking accommodations meeting the provisions of this article.~~

~~Sec. 27-1204. - Expansion and enlargement.~~

~~Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for the expansion or enlargement in accordance with the requirements of this chapter, provided, however, that no parking space be provided in the case of enlargement or expansion is less than ten (10) percent of the parking spaces required for the enlarged facility as specified in this chapter. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing on November 6, 1973.~~

~~Sec. 27-1205. - Nonconforming uses.~~

~~Nothing in this article shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings even though nonconforming, provided that~~

all regulations herein governing the location, design, size and space standards and operation of such facilities are adhered to.

Sec. 27-1206. - Combined or mixed occupancies.

In the case of mixed uses, the total requirements for the various uses shall be computed separately. The total requirements are to be the sum of the area computed. Off-street parking facilities for one (1) use shall not be considered as a substitute for joint use.

Sec. 27-1207. - Use not specified.

In the case of a use not specifically mentioned in this chapter, the requirements for off-street parking facilities shall be determined by the zoning coordinator. Such determination shall be based upon the requirements for the most closely comparable use listed.

Sec. 27-1208. - Reduction in spaces.

Off-street parking spaces existing and actually being used for the parking of automobiles or other motor vehicles in connection with the use of an existing building shall not be reduced in number or size, during the entire life of such building or land use, below that which would be required for a new building or use of a similar type.

Sec. 27-1209. - Fractional spaces.

If the number of off-street parking spaces hereinafter required contains a fraction, such number shall be rounded up to the next highest whole number.

Sec. 27-1210. - Joint use.

The zoning coordinator may authorize the joint use or lease of off-street parking facilities for the following uses or activities under the conditions specified:

(a) Up to fifty (50) percent of the required off-street parking for primarily "nighttime" uses such as theaters, bowling alleys, bars or restaurants and related uses may be supplied by the parking requirements for primarily "daytime" uses such as banks, offices, retail uses, personal service establishments, clothing, food, furniture, manufacturing or wholesale and related uses.

(b) Subsection A of this section may be reversed so that parking for "nighttime" uses may be used for "daytime" uses.

(c) Up to fifty (50) percent of the parking facilities required by this chapter for churches or auditoriums may be supplied by the parking facilities provided for primarily "daytime" uses.

(d) Conditions required for joint use or lease. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within five hundred (500) feet of such parking facilities, in addition to which:

(1) The application shall show that there is no substantial conflict in the principal operating hours of the two (2) buildings or uses for which a joint use of off-street parking facilities is proposed.

(2) the applicant shall present to the zoning coordinator a legal agreement (lease) executed by the parties concerned for joint use or lease of off-street parking facilities. The lease must be for a minimum of ten (10) years and contain a notification requirement whereby the planning department will be informed in writing of any termination or complication experienced during the term of the lease. The legal document shall be recorded with the county clerk and recorder.

Sec. 27-1211. - Design standards — Location.

(a) Off-street parking area(s) as required by this chapter shall be located as specified herein:

(1) Single- and two-family dwellings: On the same building site with the dwelling they are required to serve.

(2) Multi-family dwellings, townhouses, retirement homes, lodging, boarding and bed and breakfast houses: Within one hundred (100) feet of the use to be served.

(3) Hospitals, sanitariums, convalescent nursing homes, rest homes, homes for the aged and asylums: Within six hundred (600) feet for employees and three hundred (300) feet for visitors.

(4) Other uses not specified above: Within four hundred (400) feet of the use they are required to serve.

(b) Where a distance is specified, such distance shall be measured in walking distance measured from the nearest point of the parking facility to the nearest point of the lot such facility is required to serve. The off-street parking shall not be located across a major arterial street except when both properties are contiguous to an intersection with traffic control lights. Off-street parking should not be located across a minor arterial or collector street from the business or residence.

(c) Off-street parking areas must be accessible by a public street or alley, and shall be owned or leased by the owner or lessee of the building or use being served by such parking. Such parking lot shall be maintained as a parking lot so long as the building and/or use served is in operation or until another suitable parking area is established for such building or use.

(d) Customer access via an alley to any commercial use on a lot which is adjacent to an alley and which abuts a residential zone shall not be permitted over that alley. Employee parking may be allowed in the alley if the alley is paved and if the parking will not conflict with the adjacent residential uses.

(e) Required parking spaces shall be located so as to preclude backing maneuvers onto any public right-of-way from any use, with the exception of single- and two-family dwellings, as defined in this Resolution/Ordinance. Required parking spaces shall not be located in any required front or side yard, except for detached single-family dwellings, townhouses and manufactured homes. See BMCC section 27-602 for Arterial Setbacks on required parking.

(f) A drive approach permit must be obtained from the county public works department prior to constructing any access.

Sec. 27-1212. - Design standards—Off-street loading spaces.

(a) Off-street loading berths shall be provided on the same lot as the use it serves and shall not be located within the required front setback.

(b) No loading berths shall be located closer than fifty (50) feet to a residentially zoned property, except when the berth area is enclosed, or screened by a six (6) foot minimum high wall or solid fence and the loading berth shall also meet the required setbacks from the adjacent residentially zoned property.

(c) Each loading berth shall be designed with access to a public street or alley and so designed as not to interfere with normal traffic movement. No loading berth shall be located in the alley if it is adjacent to a Residential zone.

(d) Each berth shall be not less than twenty (20) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height.

(e) Loading berths shall not be considered as off-street parking spaces.

(f) All or part of the required loading berths may be within buildings.

(g) Off-street loading—Retail and commercial. In any district, any building or part thereof having a gross floor area of ten thousand (10,000) square feet or more which is to be occupied by a use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one (1) off-street loading space, plus one (1) additional loading space for each twenty thousand (20,000) feet or fraction thereof of gross floor area. Such loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

(h) Off-street loading—Warehouse and wholesale. Off-street loading space for warehouse, wholesale shipping and similar facilities will be determined by the zoning coordinator or county public works director. Such loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

Sec. 27-1213. - Design standards—Size of parking spaces and aisles.

(a) The minimum width of two-way aisles shall be twenty-six (26) feet. Off-street parking spaces parallel with a wall, fence, or curb shall be a minimum of twenty-two (22) feet in length. Angle parking with one ingress/egress shall be prohibited if there is only one isle of parking.

(b) Off-street parking spaces shall have a minimum dimension of nine (9) feet in width. All other minimum dimensions will be based upon standards on file in the county public works director's office.

Sec. 27-1214. - Handicapped parking requirements.

Parking spaces shall be provided for the handicapped and shall be clearly signed or marked with a stenciled notation on the pavement designating such use. Such parking spaces shall be located closest to the handicapped accessible entrance with an accessible route provided to that entrance and approved handicapped parking signs shall be posted. The size and number of handicapped parking stalls shall comply with the current Americans with Disabilities Act (ADA) policies and rules.

Sec. 27-1215. - Construction specifications.

(a) *Surfacing.*

(1) Every off-street parking, loading and driveway area shall be paved with asphaltic or portland cement concrete, except for single-family development on individual lots.

(2) Surfacing shall be designed by accepted engineering methods, subject to the approval of the county public works director.

(b) *Drainage.* All off-street parking and loading areas shall be graded and drained so as to adequately dispose of all surface water generated by that impervious surface. Surface water shall not be drained across public sidewalks or alleys. Drainage plans for uses requiring more than ten (10) parking spaces shall be submitted to and approved by the county public works director prior to the issuance of a building permit.

(c) *Walkways.* Walkways a minimum of five (5) feet in width shall be provided between any building and adjacent parking lot. Where sidewalk curbs serve as wheel stops, an additional two (2) feet of sidewalk width is required.

(d) *Lighting.* Lighting used to illuminate a parking area shall be arranged in such a manner as to not be a hazard to passing motorists or constitute a nuisance of any kind. Where said parking area is within one hundred and fifty (150) feet of any property zoned Residential by this Resolution/Ordinance and where the parking area is directly visible by the residents within one hundred and fifty (150) feet, illuminating devices shall be shaded in a manner as to direct light away from the residential property.

(e) *Wheel stops.* Wheel stops shall be installed at least thirty (30) inches from all adjacent sidewalks, fences and walls. Such stops shall be either a concrete piece at least sixty (60) inches long and five (5) inches high and affixed securely to the parking surface, or a continuous concrete curb. This requirement may be modified, provided other design features will be equally effective in prohibiting a vehicle from obstructing a sidewalk or making contact with a walk, fence or landscaped area, and which will promote safe pedestrian access.

(f) *Traffic control devices.* Parking spaces shall be designated by pavement markings. All traffic control devices such as pavement markings, signs, rails, curbs and other similar development proposals shall be installed and completed as shown on the approved plans.

(g) *Maintenance.* Maintenance of all areas provided for off-street parking shall include repair and maintenance of drain and repair of traffic control devices, signs, lights, standards, surfacing materials, curbs and sidewalks.

(h) *Accesses.* The accesses to parking lots shall be approved by the county public works department or the Montana Department of Transportation, depending upon jurisdiction.

(i) *Improvement schedule*. All parking area improvements to include surfacing, drainage, walkways, lighting, landscaping, screening, traffic control, etc., shall be installed before occupancy of the building or use to be served by such parking. Where parking area improvements will not be completed before occupancy of the building, a performance bond or an irrevocable letter of credit will be accepted for the completion of the required improvements. The performance bond or letter of credit shall be equal to one and one half (1½) times the cost of the parking area improvements to be completed. A cost estimate for improvements not installed at the time of occupancy shall be presented to the building official for approval. Performance bonds or letters of credit will not be released until all required improvements shown on the approved plan are installed and accepted. Foreclosure proceedings shall be brought against the performance bond or irrevocable letter of credit if the required improvements have not been completed within twelve (12) months of the posting of the bond or letter of credit.

Sec. 27-1216. - Required parking and loading spaces for specific uses.

Required parking spaces shall be in conformance with the following table and where alternative standards are indicated, the greater requirement applies in conflicting computation. For uses not listed below, see BMCC section 27-1207.

Specific use	Required parking and loading spaces
Residential single-family or duplex dwelling	2 parking spaces per dwelling unit
Residential multi-family dwelling	1 parking space per one (1) bedroom dwelling unit
	1½ parking space per two (2) or more bedroom dwelling unit
Fraternity and sorority	1 parking space per two (2) sleeping rooms or 1 parking space per three (3) beds, whichever is greater
Retirement homes and housing projects for the elderly which have received a declaratory ruling from the Montana human rights commission allowing sale or lease of the units exclusively to persons sixty (60) years of age or older*	1—6 dwelling unit(s) require 0.5 parking space per dwelling unit
	7—18 dwelling units require 0.33 parking space per dwelling unit
	Over 18 dwelling units require 0.25 parking space per dwelling unit, with a minimum of 5 parking spaces
	* Conversion to apartments will require the building to meet the residential multi-family dwelling parking requirements

~~Boarding, lodging, bed and breakfast houses, and similar uses~~	~~1 parking space per dwelling or lodging unit~~
~~Motels / hotels~~	~~1 parking space per sleeping room plus ½ parking space per employee per shift~~
~~Hospitals and institutions~~	~~With less than 100 beds based upon state licensed bed count:~~
	~~1½ parking spaces for each one thousand (1,000) square feet of total area or 1.2 spaces per bed~~
	~~With over 100 beds based upon state licensed bed count:~~ ~~1.2 parking spaces per bed~~
~~Convalescent nursing homes and retirement homes~~	~~1½ parking spaces per one thousand (1,000) square feet~~
~~Day care, nursery and preschools~~	~~1 parking space per employee and 1 parking space per six (6) children~~
~~Schools: elementary and junior high (public or private)~~	~~5 parking spaces plus 1 per classroom with minimum auditorium requirements~~
~~Schools: high school, college, vocational and trade (public or private)~~	~~1 parking space per employee and 1 parking space per five (5) students~~
~~Banks, business and professional offices~~	~~1 parking space per three hundred (300) square feet of floor area~~
~~Medical and dental offices or clinics~~	~~1 parking space per two hundred (200) square feet of floor area~~
~~Libraries and museums~~	~~1 parking space per five hundred (500) square feet of floor area~~
~~Theaters, auditoriums, stadiums, sports arenas, and other similar open assemblies~~	~~1 parking space per four (4) fixed seats or 1 parking space per one hundred (100) square feet of assembly space without fixed seats~~
~~Skating rinks, dance halls, and recreation establishments~~	~~1 parking space per two hundred (200) square feet of floor area~~

~~Bowling alleys~~	~~6 parking spaces per alley~~
~~Churches, auditoriums, bingo parlors, and other similar places of assembly~~	~~1 parking space per four (4) fixed seats or 1 parking space per one hundred (100) linear inches of pew or 1 parking space per sixty-five (65) square feet of floor area used for assembly purposes~~
~~Mortuaries and funeral homes~~	~~1 parking space per four (4) seats~~
~~Private clubs and lodges~~	~~1 parking space per two hundred (200) square feet of floor area~~
~~Restaurants and bars~~	~~1 parking space per one hundred (100) square feet of floor area~~
~~Restaurants, with drive-in service~~	~~1 parking space per eighty (80) square feet of floor area, with 10 parking spaces minimum~~
~~Retail stores - less than five thousand (5,000) square feet~~	~~1 parking space per two hundred (200) square feet of floor area~~
~~Retail stores - greater than five thousand (5,000) square feet~~	~~25 parking spaces plus 1 parking space per three hundred (300) square feet in excess of five thousand (5,000) square feet~~
~~Furniture, appliance, household, and equipment sales~~	~~1 parking space per six hundred (600) square feet~~
~~Open sales area, trailer sales and rental, manufactured home sales, and garages~~	~~1 parking space per one thousand five hundred (1,500) square feet of sales area~~
~~Service stations, automobile repair and services~~	~~1 parking space per eighty (80) square feet of gross floor area, with 10 spaces minimum (pump lanes not counted as parking spaces)~~
~~Convenience store/gas combination~~	~~1 parking space per eighty (80) square feet of gross floor area, with 10 spaces minimum (pump lanes not counted as parking spaces)~~
~~Specific use~~	~~Required parking and loading spaces~~
~~Motor vehicle and boat showrooms, machinery sales and service, plumbing, heating and ventilating, upholstery, building material supplies, sales and service~~	~~1 parking space per one thousand (1,000) square feet plus 1 parking space per employee~~

~~Manufacturing uses, research, testing or repair of materials or commodities and processing, assembling, all industries~~	~~1 parking space per two (2) employees on maximum shift, but not less than 1 parking space per eight hundred (800) square feet of gross floor area~~
~~Wholesale establishments~~	~~5 parking spaces for the first one thousand (1,000) square feet of area and 1 additional space for each one thousand (1,000) square feet or 0.6 spaces per employee~~
~~Warehousing or storage buildings, freight terminals~~	~~10 spaces for the first twenty thousand (20,000) square feet of area and 1 additional space for each additional ten thousand (10,000) square feet or 0.6 spaces per employee~~

ARTICLE 27-1300. - PLANNED DEVELOPMENTS

Sec. 27-1301. - Intent statement.

The intent of this zoning district is to provide flexible land use and design regulations through the creation of individualized planned developments (pd). It is further the intent to encourage unique development or re-development through a flexible, timely and efficient process. Developments which utilize innovative, progressive planning and site design techniques and methods to allow a mixture of land uses, densities, setbacks and building heights will be encouraged. In addition, this zone is intended to encourage the preservation and enhancement of the physical characteristics of the site.

It is further intended that each PD zone will be a separate zone, each having differing design criteria to provide for the uses and improvements based on its particular site specific situation.

Sec. 27-1302. - Objectives.

The planned development (PD) zoning district is intended to include and promote consideration of the following:

(a) To permit the development or enlargement of planned industrial, commercial, residential or mixed use development zones, while protecting the character and quality of adjacent uses.

(b) To permit clusters of multiple family developments in appropriate locations within single family residential or commercial zones.

(c) To permit flexibility in design and use of an individually owned property or a group of separately owned properties to allow for economy, convenience and amenity in development.

(d) Preserve, enhance and retain the existing natural environmental qualities in the landscape such as topographic variation, views, water areas and native vegetation.

(e) Ensure adequate provision of public services such as water, sewer, public safety, public parks, open space, storm water control and vehicular and pedestrian circulation.

(f) Encourage patterns of development which decrease automobile travel and encourage trip consolidation and promotes the use of public transit, bicycles and walking as effective modes of transportation, thereby reducing traffic congestion and degradation of the existing air quality.

Sec. 27-1303. - PD zone guidelines.

A PD zone is intended to replace the previous zoning classification of the subject property. Areas rezoned in accordance with this chapter shall be designated with a "PD-_" preceding a numerical designation (example: PD-1) and each new PD district shall be added as an amendment to the zoning regulations.

The PD zoning district is unique among the zoning districts in that it allows zoning and/or site development standards to be "customized" to fit its particular site and/or development situation. With due consideration of public safety, the Governing Body can approve a PD that permits greater or lesser standards in such areas as density, use, bulk, height, parking, signage, traffic circulation, landscaping, lot sizes or other elements. This may also include permitting the development of amenities such as tennis centers, swimming centers, and other recreational activities such as an equestrian center within the city limits, provided that such an amenity is an integral part of the overall development scheme of the PD. However, these considerations for allowing greater or lesser standards should be balanced within the PD. For example, permitting greater density in a PD could be approved, in exchange for a greater amount of open space than a similar project, not located in a planned development zone, would be required to provide.

Sec. 27-1304. - PD application process.

A PD zone shall be established by following the procedure described below, which includes review by city ~~and/or county~~ staff, the city ~~or county~~ zoning commission and the appropriate governing body, including the participation of interested citizens.

The applicant is encouraged to submit a proposed PD project for conceptual review with city ~~and/or county~~ staff. This review is intended to get input from staff and to indicate any potential problem areas before a formal application is submitted.

If the project is required to go through the subdivision review process, it is recommended that this platting process occur concurrently with the PD zone change process.

Sec. 27-1305. - PD zone change submittal requirements.

The applicant or his/her authorized agent shall submit the following information to the planning department to begin the PD zone change process (see also BMCC sections 27-1502 ~~or 27-1508~~, city ~~and county~~ zoning commissions and city ~~and county~~ boards of adjustment):

(1) Legal description of the subject parcel(s), along with a map showing the dimensions, acreage and location of the parcel(s);

(2) A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, from the exterior boundaries of the tract(s);

(3) Two (2) sets of gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list;

(4) The names and addresses of the owner(s) of the subject property and their agent(s), if any, along with the recorded property owner's signature;

(5) A development plan which shall consist of the following:

a. A written text description of the pd, which will be added as an amendment to the zoning regulations. The subjects addressed in the text amendment may refer back to the zoning regulations or site development regulations for the pd's standards or describe the pd's unique standards. This amendment should address some or all of the following subjects:

1. Purpose

2. Underlying land use classification(s)

3. Permitted uses

4. Special review uses
5. Prohibited uses
6. Minimum or maximum lot sizes
7. Minimum setbacks
8. Maximum lot coverage
9. Maximum height
10. Permitted projections
11. Density
12. Building design standards
13. Signs
14. Fencing
15. Landscaping in perimeter bufferyards and/or parking areas
16. Open space
17. Bicycle and/or pedestrian facilities
18. Application of site development standards
19. Vehicular access
20. Outside storage
21. Parking area development standards
22. Loading and unloading areas
23. Installation of improvements
24. Lighting
25. Other required documents
26. Other regulations

This list is not intended to be a complete list of all potential subjects which can be addressed in the PD amendment.

b. A site plan or master plan which shows the specific location of proposed land uses, i.e. lot(s) and block(s), along with building envelopes (for multiple family, commercial or industrial uses only), designated parks and/or open space, site circulation, etc. Plans for small scale projects should resemble site plans, by showing specific locations of building(s), parking, landscaping, etc. Larger scale projects, however, do not need to show exact building footprints, but may be used to illustrate possible locations within the approved building envelope.

(6) A tabulation of the total land use area and percentage thereof designated for various proposed uses. The PD should include a balance between areas which are developed and those designated as open space or park. For commercial/industrial developments, landscaped areas may also be counted towards open space;

(7) General circulation patterns indicating both public and private vehicular, pedestrian and bicycle ways. A traffic accessibility study will be required for any project that exceeds five hundred (500) vehicle trips per day;

(8) Relationships of present and future land uses to the following: the surrounding area; the 1990 Yellowstone County Comprehensive Plan; the Billings Urban Area Transportation Plan; BikeNet;

the Public Utilities Department Facilities Plan; any specific master plan or neighborhood plan adopted for the area and any other pertinent City ~~or county~~ plans;

(9) A statement of provisions for ultimate ownership and maintenance of all parts of the development;

(10) A preliminary report indicating provisions for storm drainage, solid waste disposal, grading and public or private utilities;

(11) Proposed development phasing, if any, and an approximate time schedule for development;

(12) Payment of all applicable fees; and

(13) Any other information the applicant believes will support his/her request or other information as requested by the zoning coordinator or planning department.

The planning department shall review the application for completeness. If the application is determined incomplete by the planning department, the zoning coordinator or his/her designee shall notify the applicant of all deficiencies. Once the application is determined complete, the application will proceed to be processed as described in the following sections.

Sec. 27-1306. - Planning department review and responsibility.

The zoning coordinator or his/her designee, upon receiving a complete application for a PD zone change and development plan shall do the following:

(1) Distribute copies of the PD zone change and development plan to appropriate departments of the city ~~and/or county~~ to fully evaluate the impact of the planned development upon public facilities and services;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land uses, and its relationship to the comprehensive plan;

(3) Notify, by mail, the applicant and/or his/her authorized agent at least five (5) days prior to the date of the preliminary review of the date, time and place of such review;

(4) Notify, by mail, all property owners within three hundred (300) or more feet, as determined by the zoning coordinator, from the exterior boundaries of the property subject to the pd zone change, at least fifteen (15) days in advance of the time, date, place of the preliminary review, along with the existing and proposed use(s) and the development plan; and

(5) Place notice of the preliminary review on the property subject to the PD zone change at least fifteen (15) days in advance of the date of public hearing.

Sec. 27-1307. - Preliminary review by the development review committee.

The preliminary review is intended to provide an opportunity for the development review committee to review the PD zone change and development plan with the applicant and surrounding property owners. The surrounding property owners are encouraged to give their comments during the period prior to the preliminary review meeting so that the developer can be made aware of any major differences or concerns on the part of the surrounding property owners.

The zoning coordinator or his/her designee shall conduct the preliminary review and lead the DRC in examining the PD zone change and development plan. The DRC shall also make a recommendation on the PD zone change and development plan. The DRC, applicant and/or surrounding property owners shall be allowed to discuss any concerns in the proposal. Any changes/deficiencies found at the preliminary review should be incorporated into the proposal and resubmitted to the zoning coordinator. This resubmittal shall be returned to the DRC for review, along with a recommendation which will be forwarded to the zoning commission.

The applicant shall be allowed to withdraw the application at any time prior to the publication of the legal advertisement for the public hearing before the zoning commission, without penalty regarding the four (4) month or one (1) year waiting periods. After publication of the legal advertisement, any withdrawal shall be governed by the requirements found in BMCC sections 27-1502 ~~or 27-1508~~.

Sec. 27-1308. - Zoning commission action.

The zoning commission, with jurisdiction over the project, shall review and hold a public hearing on the PD zone change and make a recommendation to its governing body on the zone change, as specified in BMCC section 27-1502 (city zoning commission), subsection (d) ~~or BMCC section 27-1508 (county zoning commission), subsection (d)~~. In addition, the zoning commission shall also make a recommendation to its governing body on the development plan.

Sec. 27-1309. - Governing body action.

The governing body with jurisdiction over the project shall review, hold a public hearing and take action on the PD zone change as specified in BMCC sections 27-1502 (city zoning commission), subsections (e) and (f) ~~or BMCC section 27-1508 (county zoning commission), subsection (e)~~. In addition, the governing body shall also take action on the development plan.

Sec. 27-1310. - Modification of the approved development plan.

Any modification of the approved development plan requested by the developer shall be processed using the same procedures for a new application, as set forth in above BMCC sections 27-1304 through 27-1309. However, minor modifications may be approved by the zoning coordinator if he/she makes the following findings:

(1) No change in the overall character of the development;

(2) No increase in the number of residential units greater than two (2) percent;

(3) No additional allowed uses;

(4) No reduction in open space greater than two (2) percent; and

(5) No change in the approved minimum setbacks, maximum lot coverage or maximum allowed height.

ARTICLE 27-1400. - SHILOH CORRIDOR OVERLAY DISTRICT

Sec. 27-1401. - Purpose.

The purpose of the Shiloh Corridor Overlay District is to provide standards for industrial, commercial, and mixed-use development as called for in the West Billings Plan. This overlay zoning district is intended to promote an aesthetically pleasing and distinct entryway corridor by encouraging abundant landscaping, attractive building design, and preservation of scenic vistas. Single family and duplex residential development are exempt from the requirements of this overlay zoning district. The overlay zoning does not alter the category of permitted uses in the underlying zoning.

Sec. 27-1402. - District boundaries.

The boundaries of the Shiloh Corridor Overlay District shall be that displayed on the map at the end of section 27-1403. In no case shall the boundaries of the district exceed a depth of five hundred (500) feet from the centerline of the right-of-way of Shiloh Road from King Avenue north to Rimrock Road. If only a portion of the property falls within the boundaries of the district, the entire property will be subject to the regulations in section 27-1400.

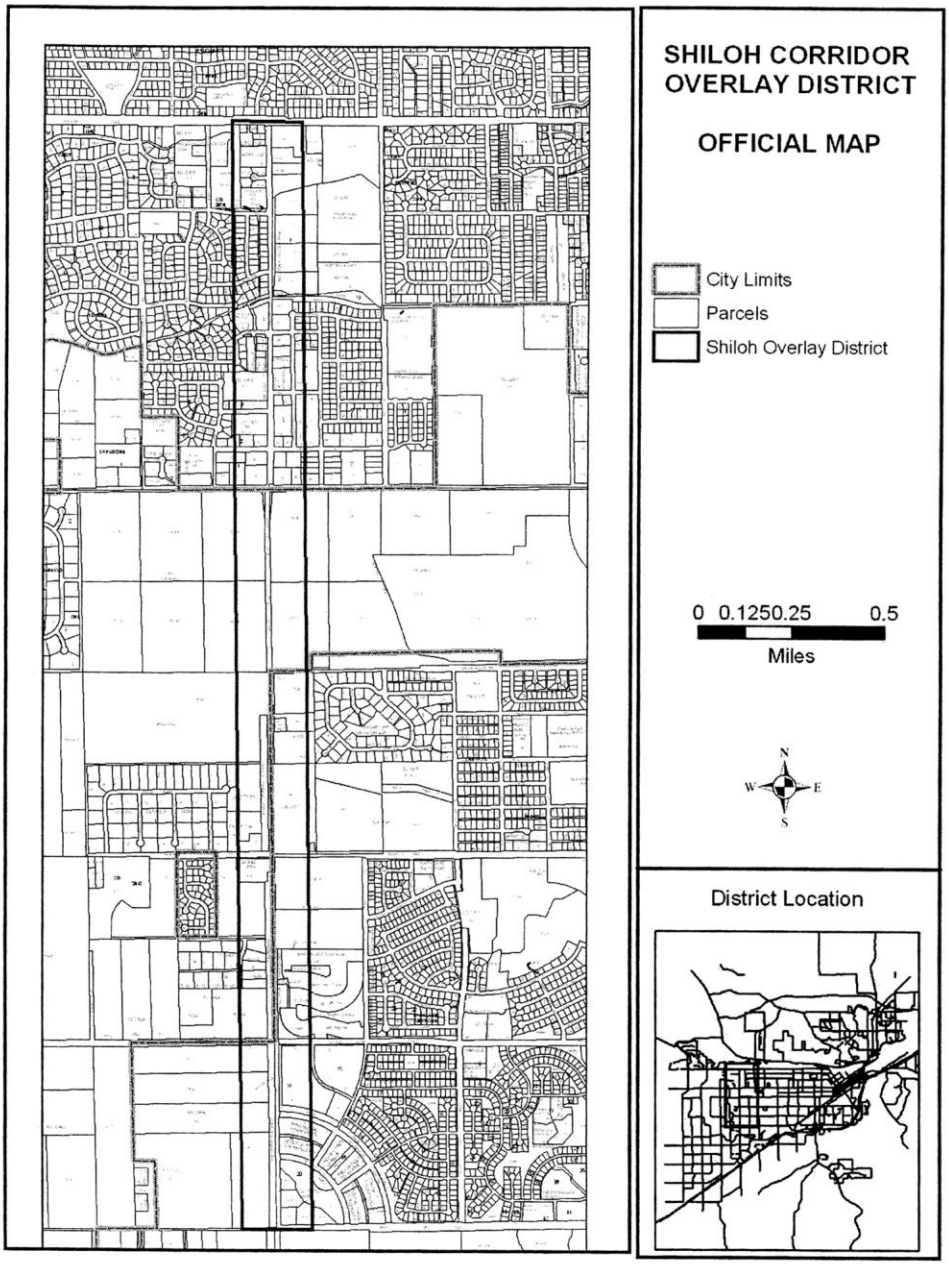
Sec. 27-1403. - Review criteria.

(a) *Generally.* The Shiloh Corridor overlay district review process is a review of development proposals against a set of absolute and relative criteria. Site and development plans are evaluated to determine whether the proposed development meets the identified criteria. If the criteria are met, the development may proceed.

New developments and existing development in which the gross floor area (GFA) or the number of parking stalls is increased by twenty-five (25) percent must comply with these regulations.

(b) *Absolute criteria.* A developer must meet all absolute criteria to obtain planning and community services department approval. The absolute criteria are defined in sections 27-1406 through 27-1408. Absolute criteria also include all other applicable codes, ordinances, and statutes, including, but not necessarily limited to, minimum engineering and building standards, public service and utility requirements, and environmental regulations.

(c) *Relative criteria.* Relative criteria are the "points" of the review process. Each development must obtain a specified minimum number of points based on the relative criteria identified in section 27-1409. The development plans are evaluated against the relative criteria and scored on a point chart.



Shiloh Corridor Overlay District Map

Sec. 27-1404. - Application and approval process.

(a) *Approval required.* This chapter applies only to properties within the city. Any new development or remodel requires a building permit from the city Building Division. Planning Division approval is also required prior to construction. Planning Division approval is to ensure compliance with the zoning regulations. This does not in any way imply approval by any other city department.

(b) *Content of application.* Each application for development located in the Shiloh Corridor overlay district shall include the following:

(1) The name and address of the property owner and applicant, if different;

(2) The legal and general description of the tracts or lots upon which review is sought;

(3) A statement of proposed use;

(4) A complete site development plan drawn to scale of no less than one (1) inch = forty (40) feet indicating:

a. Plans for landscape development, including irrigation, drainage, grading, and planting detail showing species, size and spacing of trees and shrubs and percent of living and non-living material;

b. Dimension and location of all existing and proposed buildings, recreation areas, utility and service areas, trash storage area, fire hydrants, access drives, full width of street and adjacent drives, parking areas, existing utility lines, and easements;

c. Dimension, location and description of all other existing and proposed site improvements including fences, walls, walkways, patios, decks, and barriers;

d. A clear delineation of all areas to be paved or surfaced, including a description of surfacing materials to be used;

e. Location and description of all off-site improvements and right-of-way dedication; and

f. Location and type of lighting, including a scaled or dimensioned elevation of each type of lighting fixture, and the maximum illumination measured in foot-candles at the property line.

g. Information describing how sound suppression will be accomplished when property is adjacent to residential use.

1. Building plans drawn to a scale of no less than one-sixteenth (1/16) inch = one (1) foot for all structures, including architectural plans for proposed buildings complete with exterior finishes and including floor plans and elevations.

2. A signage plan describing specifications and location of all signage. A separate application and approval shall be required for all signs;

3. A timetable for the proposed construction project; and

4. A complete form showing compliance with the relative criteria and points assigned (see section 27-1424);

5. Any other information pertinent to the particular project which, in the opinion of the zoning coordinator, is determined to be necessary for the review of the project.

Within fifteen (15) working days following the submittal of a complete application, the zoning coordinator or his/her designee shall approve or deny the application, unless the applicant consents in writing to an extension of the review period. In the event that review exceeds fifteen (15) days, the applicant may seek immediate approval from the planning director. If an application is determined to be incomplete, the applicant shall be notified within five (5) days of the submittal. Should the application be denied, the applicant shall be notified in writing specifying all areas of noncompliance with this section.

Sec. 27-1405. - Definitions.

Terms not specifically defined in this chapter shall have the same meanings as defined in section 27-201. The standard dictionary meaning shall be applied to terms not otherwise defined.

Sec. 27-1406. - Absolute criteria.

(a) *Development standards.*

(1) *Shiloh road frontage setbacks.* The minimum frontage setback from the property line along Shiloh Road for all developments excluding residential single family or duplex shall be twenty (20) feet. The clear vision triangle will be maintained as required in section 27-615. Side and rear building setbacks shall be the same as the underlying zoning district. All arterial setbacks as outlined in section 27-602 must also be maintained.

(2) *Other regulations.* All other city codes shall apply, including but not limited to the following: building, zoning, site development, parking and drainage regulations that are not directly addressed in this chapter. Where requirements are addressed in both this section and other codes, those in this section apply.

(3) *Sidewalks.* All sidewalks along internal platted streets shall be boulevard walks. The boulevard shall be at least five (5) feet wide and landscaped. The landscaping shall contain ground cover such as sod, shrubs, flower beds or living plant material. River rock, bark chips, flagstones or similar non-living material may be used as mulch or decorative landscape features to supplement the living plant material. No more than twenty-five (25) percent of the landscaped area shall contain non-living material. There shall be at least one (1) canopy tree per every forty (40) linear feet.

(b) *Landscaping standards.*

(1) *Shiloh Road frontage setback landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of Shiloh Road, excluding driveways. Frontage setbacks shall be landscaped with a minimum of five (5) canopy or evergreen trees and fifteen (15) shrubs per one hundred (100) feet of frontage.

a. Developer is encouraged to mass trees to create interest along the frontage. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Within two hundred (200) lineal feet of street frontage the required number of trees and shrubs may be massed together to create one (1) or more large tree and shrub planting area(s) somewhere within the two hundred (200) lineal foot length. Developer is encouraged to mass ornamental trees and shrub beds at intersections with Shiloh Road and other right-of-way frontage roads and at internal street intersections while still maintaining clear vision triangle height restrictions, pursuant to section 27-618.

b. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way.

(2) *Right-of-way frontage other than Shiloh Road landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of all rights-of-way other than Shiloh Road, excluding driveways. Right-of-way frontage setbacks shall be landscaped with a minimum of three (3) canopy or evergreen trees and eight (8) shrubs per one hundred (100) feet of frontage. See subsection (1)a. above

a. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way.

(3) *Off-street parking lot landscaping.*

a. A minimum of twenty (20) square feet of internal landscaping shall be provided for each parking space.

b. One (1) canopy and/or evergreen tree and (5) shrubs shall be required for every eight (8) parking spaces. Developer is encouraged to mass trees to create interest inside parking lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout the parking lot and to use parking lot islands with trees and shrubs to direct traffic through parking lot.

c. The shortest dimension of any parking lot landscaped area shall not be less than five (5) feet.

d. Internal parking lot landscaping shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum unbroken distance in any direction shall be limited to one hundred (100) feet. See section 27-1106 for additional requirements.

(4) *Commercial uses abutting residential and public uses.* All commercial or industrial uses shall be separated from abutting, including across an alley, residential single family, duplex and public uses by a fifteen (15) foot wide bufferyard. The bufferyard shall be landscaped with a minimum of five (5) canopy or evergreen trees and twelve (12) shrubs per one hundred (100) linear feet. See subsection (1)a. above. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

A solid fence or wall that is architecturally similar in color and design shall be required on the property line. The fence shall be a minimum of six (6) feet high. Chain link or other wire fencing material is prohibited. All fences shall be maintained by the commercial property owner.

(5) *Non-living material allowed.* River rock, bark chips, flagstones or similar material may be used as mulch or decorative landscape features to supplement the living plant material. Bufferyards may include boulevard sidewalks. No more than twenty-five (25) percent of the landscaped area shall contain non-living material.

(6) *Landscape maintenance required.* All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter. Dead or dying material shall be replaced within one (1) year.

(7) *Protection of landscaped areas.* Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved barriers.

(8) *Automobile and recreation vehicle sales.* Automobile and recreation vehicle sales are required to install two (2) of the required trees and one and one half (1½) the required shrubs along street frontages or are exempt from the tree requirements as long as the required trees are replaced with shrubs and/or other landscape features, including but not limited to water features, landscape rock, public art, etc.

(9) *Plant standards.*

a. *Canopy tree.* A species of tree that normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy trees shall be at least two (2) inches in caliper at the time of installation. Caliper shall be defined by the American Nurseryman Standard Definition.

b. *Evergreen.* A tree or shrub of a species that normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height at the time of installation.

c. *Ornamental tree.* A species of tree that normally bears flowers in the spring time of the year or has other ornamental features such as unique leaves, bark, leaf color or fruit. Minimum size at installation shall be one and one half (1½) inch caliper. Caliper shall be defined by the American Nurseryman Standard Definition.

d. *Shrubs.* The minimum size of a shrub shall be at least five (5) gallons.

e. *Recommended tree types.* It is recommended that the developer work with the city parks department, county extension agent, a local greenhouse operator, landscape architect or other professional designer to determine the species of trees that are most suitable for each situation. The use of native, drought tolerant plant materials is strongly encouraged. Evergreen trees are discouraged for internal parking areas if they limit sight lines. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site. A list of recommended plant material shall be available at the planning department.

f. *Fractions in the calculations of number of trees and shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, fractions of less than five-tenths (.5) shall be rounded down to the nearest whole number; fractions of more than five-tenths (.5) shall be rounded up to the nearest whole number.

Sec. 27-1407. - Building design standards.

(a) *Materials.* All buildings shall be completed on all sides with an acceptable finishing material. The following materials are acceptable: brick, fluted block, colored textured block, glass, stucco, architectural metal panels with covered fasteners, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone, wood, and integrally colored or exposed aggregate concrete. Exposed-seam metal buildings shall be prohibited unless covered with an acceptable finishing material.

(b) *Roofs.* Roofs exposed to view shall be finished with a durable material that is architecturally coordinated in color and design with the building material. Recommended materials include: standing seam, dimensional asphalt shingles, shakes or shingles. Other types or styles of roofing materials that are consistent with this chapter may be approved by the zoning coordinator or his/her designee. Pitched roofs are encouraged wherever possible.

(c) *Mechanical equipment.* mechanical equipment, placed at ground level or on a roof, shall be screened. The screening shall be at least the height of the mechanical equipment. Sound suppression/abatement shall be provided when mechanical equipment is installed on property that is adjacent to residential uses or zoning districts.

(d) *Elevations and facades.* Buildings shall incorporate one or more of the following: recesses, off sets, angular forms, or other architectural features such as bell towers or clock towers to provide a visually interesting shape. The break in facade shall be a minimum of twelve (12) feet in length and with a minimum protrusion or recess of four (4) feet. Buildings shall incorporate a break in the architectural facade at least every sixty (60) feet. It is encouraged that each offset area contain landscaping or other similar amenities that will complement the offset area.

Sec. 27-1408. - Additional provisions.

(a) *Storage of merchandise.* Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six (6) feet in height that is architecturally coordinated in color and design with the building. However, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale. Outside promotional displays are allowed during business hours only. Bufferyards or required landscaping shall not be used for the displaying of merchandise. Chain link and other types of wire fencing are prohibited.

(b) *Area lighting.*

(1) All outdoor pole lighting shall be fully shielded (no light emitted by the fixture is projected above the horizontal plan of the fixture) and mounted at heights no greater than twenty (20) feet above grade.

(2) All outdoor lighting, except street lights, shall be located and aimed or shielded so as to minimize stray light trespassing across property boundaries.

(c) *Canopy, marquee and "wall pack" lighting.* Canopy, marquee and "wall pack" lighting shall be fully shielded. No internally illuminated fascia shall be allowed.

(d) *Storage of junk.* No person shall store junk, partially or completely dismantled vehicles, or salvaged materials outside a building. In the case of repair shops, such material must be enclosed within a building or an area having a sight-obscuring fence at least six (6) feet in height. Chain link or other type of wire fencing is prohibited.

(e) *Waste storage area.* All solid waste storage shall be located within an area enclosed with a solid, masonry wall that is architecturally coordinated in color and design with the building. The following materials are acceptable: brick, fluted block, colored textured block, glass, stucco, architectural metal

panels with covered fasteners, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone, wood, and integrally colored or exposed aggregate concrete. Exposed-seam metal buildings shall be prohibited unless covered with an acceptable finishing material. Solid waste enclosures are encouraged to be landscaped.

Sec. 27-1409. - Development features required to earn points (relative criteria).

In accordance with section 27-1403, each application for development in this overlay district must score a minimum number of points based on the relative criteria described below. The number of points required depends on the underlying zoning of the property on which the development is located. Design elements are listed under nine (9) category headings. A project shall earn one (1) point for each design element that it incorporates. At least one (1) point shall be earned from eight (8) out of the nine (9) categories listed. The developer must attain the following minimum number of points:

Twenty (20) points if the lot size is greater than twenty-five thousand (25,000) square feet; or

Fifteen (15) points if the lot size is less than twenty-five thousand (25,000) square feet.

(1) *Site development:*

a. Pavement along Shiloh frontage setback is less than or equal to thirty-five (35) feet.

b. Construct one or more public use spaces such as mini-parks, water feature, playfields or playgrounds, rest areas, for example.

(2) *Access:*

a. A transit or school bus stop.

b. Easement granted for bike path or pedestrian trail other than sidewalk. The easement must be in addition to what is required by the Subdivision Regulations.

c. Construction of bike path or pedestrian trail other than sidewalk (one (1) point for each fifty (50) feet of ten (10) foot wide concrete or comparably durable hard surface pathway, four (4) points maximum).

d. Provision for internal access between lots.

e. Shared driveway.

f. Internal sidewalks incorporating stone, brick, patterned or colored concrete.

g. Installation of a curvilinear boulevard walk.

(3) *Lighting:*

a. Demonstrate lighting does not spill over to adjacent residential properties.

b. Establish an overall outdoor lighting budget for the property that does not exceed fifty thousand (50,000) initial lamp lumens per net acre for all fully shielded and unshielded light sources.

c. Continuity of lighting fixture design with adjacent properties.

d. Incorporate outdoor light fixtures at heights less than twenty (20) feet.

(4) *Parking:*

a. A joint use parking agreement.

b. Parking provided does not exceed one hundred (100) percent of required spaces.

c. Landscaping internally integrated in parking areas and/or sales area.

d. Parking lots placed at the rear and/or side of the building, none in front.

(5) *Scale:*

a. The mass and scale does not exceed that of the surrounding development by more than ten (10) percent.

b. The height of structures does not exceed that of the surrounding development by more than ten (10) percent.

c. The building size does not exceed that of the surrounding development by more than ten (10) percent.

(6) *Landscaping:*

a. Buildings have foundation planting.

b. Landscaping exceeds minimum number of trees and shrubs that are required by ten (10) percent each.

c. Landscaping material exceeds minimum caliper width by one (1) inch or fifty (50) percent additional height required.

d. Drought tolerant tree, shrub and grass species requiring a significant reduction of water use.

e. Terraced or bermed site design.

f. Stormwater retention areas include significant landscaping.

g. Bufferyards larger than required by at least ten (10) percent.

h. Continuity of landscaping features at interface with adjacent property.

i. Canopy trees placed in the boulevard along internal streets at one tree per twenty-five (25) feet of street frontage.

j. Installation of a curvilinear boulevard walk.

k. Incorporates existing trees in landscape design.

(7) *Architectural design:*

a. Building materials are natural, i.e. wood or stone.

b. Pitched roof with a minimum 3:12 pitch.

c. Exceeds the state energy code requirements by:

Twenty-five (25) percent = One (1) point

Fifty (50) percent = Two (2) points

More than seventy-five (75) percent = Three (3) points

d. The use of alternative energy sources, for example: photovoltaic, solar, geothermal, wind.

e. Each building up to seventy-five (75) feet in length contains four (4) facade relief elements;

f. Each building of seventy-five to one hundred fifty (75-150) feet in length contains five (5) facade relief elements;

g. Each building exceeding one hundred fifty (150) feet in length contains six (6) facade relief elements;

Facade relief elements:

1. Two (2) or more colors.
2. Natural earth toned colors.
3. Substantial fenestration using windows, doors, or other openings.
4. Two (2) or more materials that break up the mass of the structure.

5. Articulation of the parapet walls.
6. Change in wall plane.
7. Change in roof plane.
8. Extended roof overhangs.
9. Significant variation in building masses and/or forms.

(8) *Signage:*

a. Signage is not internally illuminated.

b. Monument signs used in lieu of pole signs.

c. Area of signage is at least twenty (20) percent less than total area allowable for each sign type.

d. Maximum sign height does not exceed one-third (1/3) the maximum height of the building(s).

e. Comprehensive sign plan.

(9) *Mixed use:* One point will be given for each building that contains two (2) or more of the following uses:

a. Office.

b. Retail.

c. Personal services such as dry cleaner, laundromats, beauty salons.

d. Residential.

e. Hotel/motel.

f. Medical.

g. Entertainment.

h. Restaurant.

Sec. 27-1410. - Signage standards—Purpose, intent, and scope.

The purpose and intent of this section is to promote commerce, traffic safety, and community identity while improving the visual environment of residential, commercial, and industrial areas.

This section of the Code shall not regulate traffic and directional signs installed by a governmental entity or in a private parking lots; signs not readable from nor intended to be viewed from a public right-of-way; merchandise displays; point-of-purchase advertising displays, such as product dispensers; national flags; flags of a political subdivision; symbolic flags of an institution; legal notices required by law; barber poles; historic site monuments/plaques; gravestones; structures intended for a separate use, such as phone booths, donation and recycling containers; lettering or symbols applied directly onto or flush-mounted magnetically to a motor vehicle operating in the normal course of business.

(1) *Permits required.* Any on-premise sign shall hereafter be erected, re-erected, constructed, painted, posted, applied or structurally altered in accordance with this chapter and pursuant to a sign permit issued by the planning and community services department. A sign permit shall be required for each group of signs on a single supporting structure installed simultaneously. Thereafter, each additional sign erected on the structure must have a separate sign permit. The owner of a sign shall produce a permit upon request. Within fifteen (15) working days following the submittal of a complete sign permit application, the zoning coordinator or his/her designee shall approve or deny the application, unless the applicant consents in writing to an extension of the review period. In the event that review exceeds fifteen (15) days, the applicant may seek immediate approval from the planning director. If an application is determined to be incomplete,

the applicant shall be notified within five (5) days of the submittal. Should the application be denied, the applicant shall be notified in writing specifying all areas of noncompliance with this section.

(2) *Permit applications.* All permit applications for signs shall include a site plan that provides the following information:

a. The location of the affected lot, building and sign;

b. The scale of the site plan;

c. A drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, method of attachment and illumination;

d. All existing signs on the site including their size and height; and

e. The legal description of the parcel.

Sec. 27-1411. - Definitions.

The definitions used in this chapter may be found below and in section 27-703 of the city sign regulations.

Bulletin board means a sign which identifies an institution or organization on the premises on which it is located and which contains the name of the institution or organization, the names or individuals connected with it, or general announcements of events or activities or similar messages.

Electronically changeable message sign means a computer programmable, microprocessor controlled electric display utilizing a means of illumination (light bulb, LED, fiber optics, etc) upon which alphanumeric characters, graphics, electronic animations, symbols and words can be displayed. Message and symbols that have the capability of alternating, traveling and animating along with any other of a variety of change, appear and disappear methods are allowed. This definition does not include video boards.

Flashing sign means an electrical sign or portion thereof which changes light intensity in a brief, brilliant, or sudden and transient outburst of light causing a steady on and off, glittering, sparkling, or scintillating pattern.

Individual business means one business on one parcel provided that the parcel is not part of a multiple business complex; and also provided the parcel is not part of a group of multiple contiguous parcels under the same ownership.

Monument sign means a sign and supporting structure constructed as a solid structure or one that gives the appearance of a continuous, non-hollow, unbroken mass.

Multiple businesses include businesses that may be located in a single building or in multiple buildings on a single site.

Support structure(s) means posts or columns and their anchors and bolts that structurally support the sign attached to it.

Three-sided sign means a sign with three (3) faces.

Two-sided sign means a sign with two (2) faces.

Sec. 27-1412. - Exempt signs.

The following shall not require a sign permit, provided that these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this Code or any other law or ordinance, including the Uniform Building Code.

(1) The changing of the advertising copy or message on a lawfully erected sign that is currently in compliance with this section, reader board or similar sign specifically designed for replaceable copy.

(2) Painting, repainting or normal maintenance, unless a structural or electrical change is made.

(3) Temporary banners and temporary signs as permitted herein.

(4) Real estate sign as permitted herein.

(5) Incidental signs.

(6) Political signs.

(7) Bench signs on city or county rights-of-way, provided approval has been granted for the location by the appropriate city or county agency.

Sec. 27-1413. - Prohibited signs.

The following signs are prohibited in all zones unless otherwise specifically permitted.

(1) Sign which by coloring, shape, wording or location resemble or conflict with traffic control signs or devices.

(2) Signs that create a safety hazard for pedestrian or vehicular traffic.

(3) Flashing signs.

(4) Portable signs.

(5) Portable reader boards.

(6) Portable electric signs.

(7) Banner signs.

(8) Signs attached to or placed on a vehicle or trailer parked on public or private property, provided that this provision shall not be construed as prohibiting the identification of a firm or its product on a vehicle operating during the normal course of business. Franchised buses and taxis are exempt from these provisions.

(9) Roof signs.

(10) Video boards.

(11) Billboards.

(12) Painted signs on buildings, including those attached on or to the surface of windows.

Sec. 27-1414. - Signs permitted in all zones in connection with specific uses.

The following signs may be permitted in any zone, subject to the limitations as provided herein.

(1) *Bulletin boards.* In addition to the permanent signs allowed in section 27-1415 below, bulletin boards may be permitted on property used for public or private assembly subject to the following:

a. Such sign shall contain not more than thirty-two (32) square feet in area on a face and may be double-faced.

b. No part of the sign shall exceed a height of six (6) feet above the ground.

c. The sign, if illuminated, shall use external low-intensity lighting.

(2) *Temporary residential subdivision or area name signs.* A temporary real estate sign advertising the prospective sale or lease of a group of lots or dwellings within a tract, condominium, or apartment complex shall be permitted, subject to the following conditions:

a. The freestanding sign shall be located on the premises being sold or leased.

b. The sign shall not exceed forty (40) square feet in area on a face and may be double-faced.

c. The sign shall remain only as long as property remains unsold or unleased for the first time with the tract, but not to exceed one (1) year. The planning division may extend the one-year time period upon written request by the owners/developers of the project.

d. The sign shall be non-illuminated.

e. The top of the sign shall be no higher than ten (10) feet above grade of the lot or parcel on which the sign is located.

(3) *Permanent residential subdivision or area name signs.* Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the subdivision or area that identifies the name of the subdivision or area only are permitted, subject to the following conditions:

a. The sign shall consist of decorative building material with illuminated, indirectly lighted or non-illuminated name plates or letters, and be located in a maintained landscaped area; and

b. The wall and or sign shall not exceed six (6) feet above grade of the lot or parcel.

(4) *Contractor, architect, surveyor, or engineer signs.* One on-premises sign identifying the project, developers, building contractor and/or subcontractors, architect, surveyor and engineer engaged in the construction is permitted on a property during the period of construction, provided that:

a. The sign is located on the parcel on which the construction is located.

b. The sign shall not exceed forty (40) square feet in area; and

c. The top of the sign shall not exceed ten (10) feet above grade of the lot or parcel on which the sign is located. The sign shall be removed prior to final building inspections. However, no such sign shall be maintained for a period in excess of twelve (12) months without approval from the planning department. The planning department may extend the one (1) year time period upon written request of the owners/developers of the project.

(5) *Real estate sign.*

a. *Residential use or property.* One (1) temporary on-premise sign per frontage road, advertising the sale, lease or rental of the building, property or premises, is permitted on the property. Such sign shall be unlighted, no more than five (5) square feet and no higher than five (5) feet above grade. A thirty-two (32) square foot sign is allowed on agricultural property of twenty (20) acres or more, with or without a dwelling on site.

b. *Commercial and industrial use or property.* One (1) temporary on-premise sign advertising the sale, lease or rental of the building, property or premises is permitted on the property. Such sign shall be unlighted, no more than thirty-two (32) square feet and no higher than ten (10) feet above grade.

c. *Open house and directional sign.* For (a) and (b), an open house or directional sign shall be allowed on each street access street to the property. Signs shall not be placed in such a manner as to interfere with vehicular or pedestrian traffic, shall be used when the property is actually open for immediate inspections, shall be unlighted, and shall be no more than five (5) square feet and no higher than three (3) feet above grade.

(6) *Electronically changeable message sign.* Electronically changeable message signs shall be permitted in community commercial, highway commercial, controlled industrial, heavy industrial, entryway general commercial, and entryway light industrial zones in accordance with the standards of sections 27-1417 through 27-1423 and their definitions.

Sec. 27-1415. - Sign standards in residential (R-96, R80, R-70R, R-70, R-60R, R-60, R-50, RMF, RMF-R, RMH) zones.

(a) *Permitted signs by zone.* Sign structures are permitted in residential zones in accordance with the following uses and standards:

(1) A nameplate, which indicates no more than the name and address of the occupant of the premises, is permitted, provided that such sign shall not exceed a maximum area of five (5) square feet and a maximum height of four (4) feet above grade.

(2) Reserved.

(b) *Permitted signs by use.* Public or private assembly and non-residential uses within residential zones are allowed the following signs:

(1) *Wall signs.* On-premises wall signs are permitted, not to exceed one (1) sign of thirty-two (32) square feet. Wall signs shall be non-illuminated or have low-intensity external lighting, and shall be placed flat against the outside wall of a building.

(2) *Freestanding signs.* On-premises freestanding signs are permitted, not to exceed one (1) sign of thirty-two (32) square feet* and a maximum height of fifteen (15) feet. On-premises freestanding signs shall be non-illuminated or have low-intensity external lighting.

* Maximum sign area may be increased to forty-eight (48) square feet for monument signs seven (7) feet or less in height.

(c) *Multiple arterials.* In the event the use or group of uses is adjacent to more than one (1) arterial, including through and corner lots, they will be allowed a freestanding sign exclusively oriented to the additional arterial. The above allowance shall be calculated independently, using only the additional arterial frontage. However, in no instance shall the square footage allowance from one arterial be transferred to the other.

Sec. 27-1416. - Sign standards for commercial and industrial (RP, NC, CC, HC, CI, HI, ELG, EGC, EMU, ELI) zones.

(a) *Permitted signs by zone.* Sign structures are permitted in commercial and industrial zones in accordance with the following uses and standards.

(1) *Wall signs—Individual and multiple businesses.* Wall signs are permitted on each wall of a building provided the wall sign does not exceed twenty (20) percent of the total area of the wall or a maximum of two hundred fifty (250) square feet, whichever provides the smaller area. "False fronts" and mansard roofs shall not be included when calculating the total area of the wall.

(2) *Freestanding signs (pole or monument design)—Individual businesses.* One on-premises freestanding sign is permitted. Signs shall not exceed the area and height limits as provided in table 3.

Zoning District	Maximum Area ≤ 100' Street Frontage	Maximum Area ≥ 100' Street Frontage	Maximum Sign Height
RP	50 square feet	50 square feet	15 feet
NC	50 square feet	50 square feet	15 feet
CC	80 square feet	140 square feet	20 feet
HC	80 square feet	140 square feet	20 feet
CI	80 square feet	140 square feet	20 feet
HI	50 square feet	50 square feet	15 feet
ELC	80 square feet	120 square feet	20 feet

EGU	80 square feet	140 square feet	20 feet
EMU	50 square feet	50 square feet	15 feet
ELI	80 square feet	140 square feet	20 feet

Table 3 - Freestanding Signs - Commercial and Industrial Zones

(3) *Freestanding signs (pole or monument design)—Multiple businesses.*

a. Freestanding on-premises sign(s) for multiple businesses are permitted, not to exceed the number, area and height limits as provided in table 4.

b. Freestanding signage allowed for an individual business under paragraph (a)(2) of this section shall not be combined with signage allowed for multiple businesses under this paragraph.

c. The minimum separation between signs shall be five hundred (500) feet, measured from the center of the sign.

Zoning District	Maximum Number of Signs	Maximum Area	Maximum Sign Height
RP	1	75 square feet	15 feet
NC	1	75 square feet	15 feet
CC	1 per 500 feet of street frontage*	175 square feet	20 feet
HC	1 per 500 feet of street frontage*	175 square feet	20 feet
CI	1 per 500 feet of street frontage*	175 square feet	20 feet
HI	1 per 500 feet of street frontage*	75 square feet	15 feet
ELC	1 per 500 feet of street frontage*	150 square feet	15 feet
EGU	1 per 500 feet of street frontage*	175 square feet	20 feet
EMU	1	75 square feet	15 feet
ELI	1 per 500 feet of street frontage*	175 square feet	20 feet

*One (1) freestanding sign is permitted on parcels with less than five hundred (500) feet of lineal street frontage.

Table 4 - Standards for on-premises signs for multiple businesses

(b) *Incentive to substitute height restricted monument signs for freestanding signs.*

(1) Monument signs, not to exceed seven (7) feet in height, may substitute for individual and multiple business signs under paragraphs (a)(2) and (3) with maximum sign number(s) and area(s) as provided in tables 5 and 6. There is no minimum separation requirement between signs.

Zoning District	Maximum Number of Signs	Maximum Area/Each Sign
RP	1	50 square feet
NC	1	50 square feet
CC	2	90 square feet
HC	2	90 square feet
CI	2	90 square feet
HI	2	90 square feet
ELC	2	80 square feet
EGC	2	90 square feet
EMU	2	50 square feet
ELI	2	90 square feet

Table 5—Standards for on-premises monument signs for individual businesses

*Two (2) freestanding signs are permitted on parcels with less than five hundred (500) feet of lineal street frontage.

Zoning District	Maximum Number of Signs	Maximum Area/Each Sign
RP	2	50 square feet
NC	2	50 square feet

CC	2 per 500 feet of street frontage*	90 square feet
HC	2 per 500 feet of street frontage*	90 square feet
CI	2 per 500 feet of street frontage*	90 square feet
HI	2 per 500 feet of street frontage*	90 square feet
ELC	2 per 500 feet of street frontage*	80 square feet
EGC	2 per 500 feet of street frontage*	90 square feet
EMU	2 per 500 feet of street frontage*	50 square feet
ELI	2 per 500 feet of street frontage*	90 square feet

Table 6—Standards for on-premises monument signs for multiple businesses

(c) *Multiple arterials.* In the event the use or group of uses is adjacent to more than one arterial, including through and corner lots, they will be allowed a freestanding sign exclusively oriented to the additional arterial. The above allowance shall be calculated independently, using only the additional arterial frontage. However, in no instance shall the square footage allowance from one arterial be transferred to the other.

Sec. 27-1417. - Modification to sign standards in CC, HC, CI, HI, EGC, ELI zoning districts.

For shopping centers, industrial parks, mixed use developments, and hotel conference centers; the zoning coordinator may approve a comprehensive sign plan that deviates from the provisions set forth in section 27-1416 above, provided the following standards and conditions are met:

(1) The development exceeds the following minimum square foot floor area requirements:

a. Two hundred fifty thousand (250,000) square feet for a shopping center or hotel conference center.

b. Two hundred fifty thousand (250,000) square feet of commercial/industrial floor space for a mixed use development.

c. Three hundred thousand (300,000) square feet for an industrial park.

(2) The applicant shall submit a sign plan that includes size, location, height, lighting, construction materials, and orientation of all proposed signs in addition to any other information deemed necessary by the staff.

(3) The sign plan shall conform to the standards of section 27-1416; except that a maximum of three (3) of the allowed signs under section 27-1416 may be allowed an increase of twenty (20) percent in sign height and area over the maximum allowed in the underlying zone.

(4) The sign plan shall be consistent with the Yellowstone County - City of Billings Growth Policy, the West Billings Master Plan, and the purpose and intent of this section, as determined by the zoning coordinator.

(5) The applicant/owner(s) shall sign a binding agreement ensuring compliance with the approved sign plan. The agreement shall be filed with the planning department and shall apply to present as well as future property owners. All signage shall be installed in conformance with the approved sign plan.

(6) Modifications to the approved sign plan shall require reapplication and approval by the zoning coordinator.

Sec. 27-1418. - Sign location and setback.

(a) All signs shall be located so that they:

(1) Do not interfere with vehicular or pedestrian accessibility or sight distance;

(2) Conform to the provisions of section 27-615, the clear vision triangles and visibility at intersections; and

(3) No sign may encroach upon, or overhang, adjacent property or public right-of-way.

(b) All signs shall be located and set back as follows:

(1) Any portion of a sign (including structural supports) that is higher than three (3) feet and less than seven (7) feet above grade shall be located a minimum of ten (10) feet back from any property line abutting a public right-of-way.

(2) Structural supports less than two (2) feet in width or diameter, measured at any point on the support, and three (3) to seven (7) feet above grade, shall be located a minimum of five (5) feet back from any property line abutting a public right-of-way.

Sec. 27-1419. - Sign area and calculation.

(a) The sign area of a wall sign made up of letters, words or symbols shall be measured from the outside edge of the frame. The square footage of a sign composed of only letters, words or symbols shall be determined from imaginary straight lines drawn from high point to high point around the entire copy or grouping of such letters, words or symbols. Those portions that are an integral part of the sign display shall be considered in the determination of square footage allowed. An obvious border designed as an integral part of a sign shall be calculated in the total square footage allowed. All measurements for sign height shall be from the grade to the topmost part of the sign.

(b) Logos or identification symbols shall be considered signs and shall conform to all provisions of this section.

(c) The sign area of a freestanding sign shall be measured from the outside edge of the frame. The sign area of a freestanding sign consisting of more than one sign shall be computed by adding together the total area(s) of all signs. Any portion of the sign not necessary for structural support of the sign or any structural support greater than two (2) feet in width shall be considered in the determination of the square footage of the sign. A ten (10) percent increase in sign area is allowed for decorative framing or borders. Area calculation does not include decorative rocks or landscaping adjacent to a monument sign.

(d) The sign area for multiple-sided signs shall be calculated as follows:

(1) The total sign area for a two-sided sign shall be calculated using one face, but the second face may not exceed the area of the first face.

(2) The total sign area for a three-sided sign shall be calculated using one face, but the second and third face total area may not exceed the area of the first face.

Sec. 27-1420. - Maintenance of signs.

(a) Any sign that has been approved or that has been issued a permit shall be maintained by the owner or person in possession of the property on which the sign is located. Maintenance shall be such that the signage continues to conform to the conditions imposed by the sign permit.

(b) Any damaged sign base shall be repaired within sixty (60) days.

(c) Any signage which has been damaged to such extent that it may pose a hazard to passersby shall be repaired or removed immediately.

Sec. 27-1421. - Nonconforming signs.

Nonconforming signs are those that were permanently installed and legally erected prior to the adoption of this Code. Nonconforming signs shall be allowed to continue in use so long as they are continuously maintained, are not relocated, and are not structurally altered or made more nonconforming in any way. If a sign is nonconforming and the copy is changed in any way or the sign is structurally altered, the sign shall be brought into conformance with these regulations.

Sec. 27-1422. - Landscaping for freestanding and monument signs.

All freestanding and monument signs shall be located in a landscaped area. Landscaping should be appropriately sited to ensure that signs are not blocked or obscured by trees or bushes.

Sec. 27-1423. - Sign illumination.

Externally illuminated signs shall have lighting confined to the sign, and positioned and shielded to minimize impacts to the surrounding area(s). The light source for internally illuminated signs must be entirely enclosed within the sign. Internally illuminated signs shall be constructed with an opaque background and translucent letters and symbols. (Opaque means that the material must not transmit light from an internal illumination source.)

Sec. 27-1424. - Shiloh corridor overlay district application form.

SHILOH CORRIDOR OVERLAY ZONE PERMIT _____

Permit #_____

Application Information

Applicant Name: _____ Date:_____

Applicant Address: _____ Phone:_____

Property Owner Name (if different):_____

Property Owner Address: _____Phone:_____ _____

Property Information

Property Address:_____

Section, Township, Range: _____ Zoning District:_____

Lot size: _____ sq. ft. Lot area covered by structure(s): _____ sq. ft. _____%

Subdivision/COS: _____ Block: _____ Lot: _____

Proposed Use: _____ _____

FOR OFFICE USE ONLY

Date Received _____ / _____ / _____

Number of relative criteria categories met: ____ Total number of points scored: _____

Approved _____ Denied _____ Date: _____

Reviewed By:_____

RELATIVE CRITERIA			
		• Applicant must obtain points from eight (8) of nine (9) categories. • Applicant must obtain the following number of points: 20 points if the lot size is greater than 25,000 square feet. 15 points if the lot size is less than 25,000 square feet.	
1.		SITE DEVELOPMENT:	
	a.	Frontage pavement less than 35' along Shiloh Road	—
	b.	Public use space included	—
2.		ACCESS	
	a.	MET transit or school bus stop	—
	b.	Bikepath or pedestrian trail easement (above what subdivision requires)	—
	c.	Bikepath or pedestrian trail construction (1 point for each 50 feet, 4 points max)	—
	d.	Reciprocal access between lots	—
	e.	Shared driveway approaches	—
	f.	Internal sidewalks incorporating stone, brick patterned or colored concrete.	—
	g.	Installation of a curvilinear boulevard walk.	—
3.		LIGHTING	
	a.	Establish an overall outdoor lighting budget for the property that does not exceed 50,000 initial lamp lumens per net acre for all fully shielded and unshielded light sources.	—
	b.	Continuity of lighting fixture design with adjacent properties.	—
	c.	Incorporate outdoor light fixtures at heights less than twenty-five (25) feet.	—
	d.	Demonstrate light does not spill over to adjacent residential properties.	—
4.		PARKING	

	a.	Joint use parking agreement.	—
	b.	Parking does not exceed 100% of required spaces.	—
	c.	Landscaping internally integrated in parking areas.	—
	d.	Parking lots placed at the rear and/or side of building—none in front.	—
5.		SCALE	
	a.	Mass and scale of structures does not exceed that of the surrounding development by more than 10 percent.	—
	b.	Height of structures does not exceed that of the surrounding development by more than 10 percent.	—
	c.	Building size does not exceed that of the surrounding development by more than 10 percent.	—
6.		LANDSCAPING	
	a.	Buildings have foundation planting.	—
	b.	Landscaping exceeds minimum number of trees and shrubs that are required by ten (10) each.	—
	c.	Landscaping material exceeds minimum caliper width by one (1) inch or fifty (50) percent additional height required.	—
	d.	Drought tolerant tree, shrub and grass species requiring a significant reduction of water use.	—
	e.	Terraced or bermed site design.	—
	f.	Stormwater retention areas include significant landscaping.	—
	g.	Bufferyards larger than required by at least ten (10) percent.	—
	h.	Continuity of landscaping features at interface with adjacent property.	—
	i.	Canopy trees placed in the boulevard along internal streets at one tree per 25 feet of street frontage.	—
	j.	Installation of curvilinear boulevard walk.	—
	k.	Incorporates existing trees in landscape design.	—
7.		ARCHITECTURAL DESIGN	

	a.	Building materials are natural, i.e. wood or stone.	—
	b.	Pitched roof with a minimum 3:12 pitch.	—
	c.	Exceeds the state energy code requirements by:	—
		• Twenty-five (25) percent = One (1) point	
		• Fifty (50) percent = Two (2) points	
		• More than seventy-five (75) percent = Three (3) points	
	d.	The use of alternative energy sources, for example: photovoltaic, solar, geothermal, wind.	—
	e.	Each building up to seventy-five (75) feet in length contains four (4) facade relief elements.	—
	f.	Each building of seventy-five to one hundred fifty (75-150) feet in length contains five (5) facade relief elements.	—
	g.	Each building exceeding one hundred fifty (150) feet in length contains six (6) facade relief elements.	—
		Facade relief elements	
		• Two (2) or more colors	
		• Natural earth toned colors	
		• Substantial fenestration using windows, doors, or other openings	
		• Two (2) or more materials that break up the mass of the structure	
		• Articulation of the parapet walls	
		• Change in wall plane	
		• Change in roof plane	
		• Extended roof overhangs	
		• Significant variation in building masses and/or forms	—
8.		SIGNAGE	

	a.	Signage is not internally illuminated.	—
	b.	Monument signs used in lieu of pole signs.	—
	c.	Area of signage is at least twenty (20) percent less than total area allowable for each sign type.	—
	d.	Maximum sign height does not exceed one-third (1/3) the maximum height of the building(s).	—
	e.	Comprehensive sign plan.	—
9.		MIXED USE	
		One point will be given for each building that contains two (2) or more of the following uses:	—
		• Office	
		• Retail	
		• Personal services	
		• Residential	
		• Hotel	
		• Medical	
		• Entertainment	
		• Restaurant	
		TOTAL POINTS	___

Sec. 27-1425. - Reexamination of regulations.

After one (1) year of the effective date of this article, and periodically afterwards, these regulation shall be reviewed for their effectiveness and the practicality of implementation and enforcement.

Sec. 27-1426. - Appeal process.

An appeal may be made by any applicant aggrieved by a denial of a Shiloh corridor overlay zone permit by the planning and community services department. The applicant shall first appeal to the department director, and if not satisfied with the director's determination, may then file an appeal with city council. The city council shall hold a public hearing and make a determination whether to approve or deny the permit. Before either the director or city council makes a determination on the permit, the following criteria shall be considered:

(1) That the official erred in the interpretation or application of this chapter;

(2) That approving the permit will not confer on the applicant any special privilege that is denied by this chapter to other land in the same district;

(3) That no substantial detriment to the public good is created;

(4) That the intent and purpose of this chapter is not impaired.

Upon receiving written notice of denial of a permit from the planning and community services department, the aggrieved applicant has fourteen (14) days from the date on the notice to submit a written request for appeal to the department director. The director shall meet with the applicant within five (5) days of receiving the request and issue a determination on the decision to deny the permit. If the department director upholds the decision to deny, the applicant may file, within fourteen (14) days from the date of the director's determination, a request for appeal before the city council. If an appeal is requested, the planning and community service director shall:

(5) Submit a staff report to the city council within thirty (30) days after receipt of the appeal scheduling a public hearing and describing the nature of the appeal. The memo shall include the request for the appeal and a copy of the notice stating reason(s) for the denial of the permit.

(6) Place notice of the time, date and place of the public hearing in a newspaper of general circulation fifteen (15) days in advance of the date set for the public hearing.

(7) Notify, by mail, the party requesting the appeal and all adjacent property owners of the time, date and place of the public hearing and nature of the appeal five (5) days in advance of the public hearing.

Upon reversing a decision to deny a permit, the council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms upon which the appeal is granted, shall be deemed a violation of this chapter.

Under no circumstances shall the council issue a decision that would allow a use not permitted under the terms of this chapter in the district involved. Approval of a permit shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.

Sec. 27-1427. - South Shiloh corridor overlay district.

Sec. 27-1428. - Purpose.

The purpose of the South Shiloh corridor overlay district is to provide standards for industrial, commercial, and mixed-use development as called for in the West Billings Plan. This overlay zoning district is intended to promote an aesthetically pleasing and distinct entryway corridor by encouraging abundant landscaping, attractive building design, and preservation of scenic vistas. Single family and duplex residential development are exempt from the requirements of this overlay zoning district. The overlay zoning does not alter the category of permitted uses in the underlying zoning.

Sec. 27-1429. - District boundaries.

The boundaries of the South Shiloh corridor overlay district shall be that displayed on the map at the end of section 27-1430. In no case shall the boundaries of the district exceed a depth of five hundred (500) feet from the centerline of the right-of-way of Shiloh Road from King Avenue south to Interstate 90 and Zoo Drive from Interstate 90 to the intersection of Shiloh Road; and from the centerline of King Avenue West, extending five hundred (500) feet to the south, between the intersection of Shiloh Road and King Avenue West and the intersection of King Avenue West and 32nd Street West. If only a portion of the property falls within the boundaries of the district, the entire property will be subject to the regulations in section 27-1427.

Sec. 27-1430. - Review criteria.

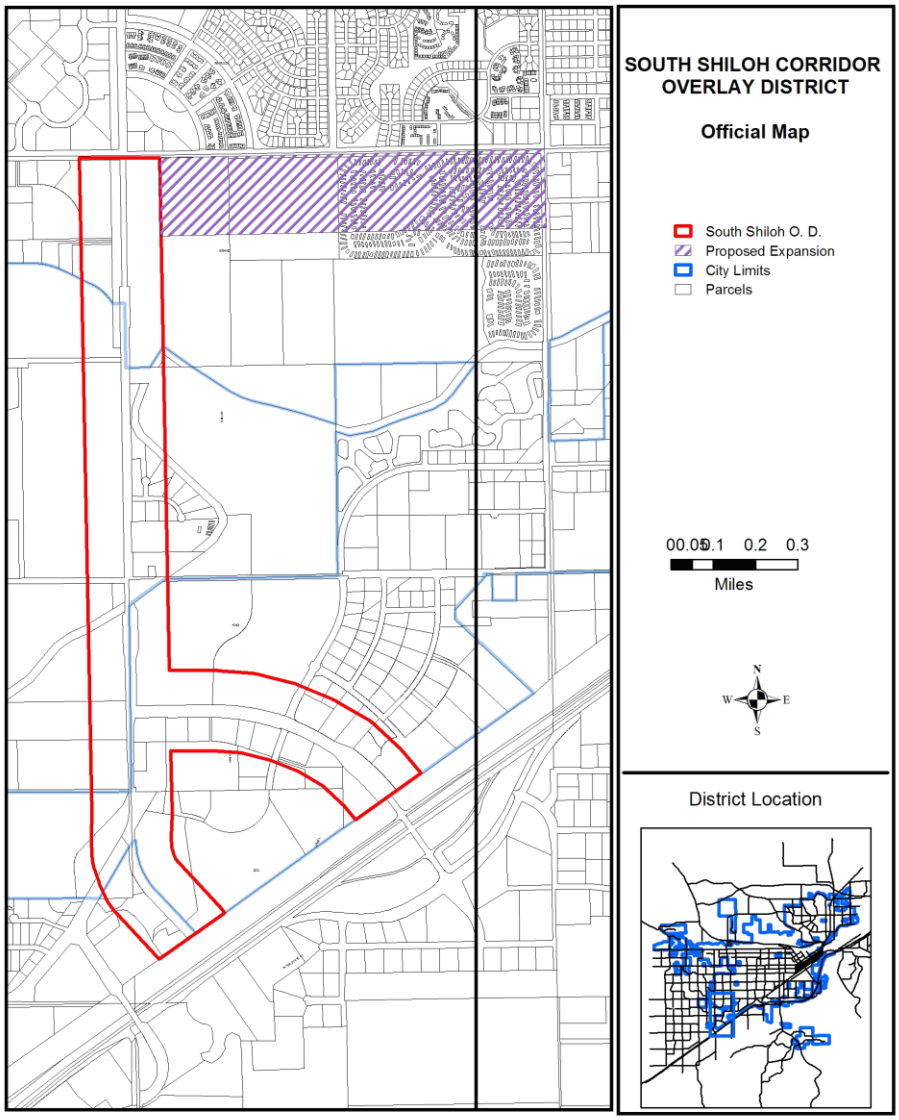
(a) *Generally.* The South Shiloh corridor overlay district review process is a review of development proposals against a set of absolute and relative criteria. Site and development plans are evaluated to

determine whether the proposed development meets the identified criteria. If the criteria are met, the development may proceed.

New developments and existing development in which the gross floor area (GFA) or the number of parking stalls is increased by twenty-five (25) percent must comply with these regulations.

(b) *Absolute criteria.* A developer must meet all absolute criteria to obtain planning and community services department approval. The absolute criteria are defined in sections 27-1433 through 27-1436. Absolute criteria also include all other applicable codes, ordinances, and statutes, including, but not necessarily limited to, minimum engineering and building standards, public service and utility requirements, and environmental regulations.

(c) *Relative criteria.* Relative criteria are the "points" of the review process. Each development must obtain a specified minimum number of points based on the relative criteria identified in section 27-1436. The development plans are evaluated against the relative criteria and scored on a point chart.



Sec. 27-1431. - Application and approval process.

(a) *Approval required.* This chapter applies only to properties within the city. Any new development or remodel requires a building permit from the city Building Division. Planning Division approval is also required prior to construction. Planning Division approval is to ensure compliance with the zoning regulations. This does not in any way imply approval by any other city department.

(b) *Content of application.* Each application for development located in the South Shiloh corridor overlay district shall include the following:

(1) The name and address of the property owner and applicant, if different;

(2) The legal and general description of the tracts or lots upon which review is sought;

(3) A statement of proposed use;

(4) A complete site development plan drawn to scale of no less than one (1) inch = forty (40) feet indicating:

a. Plans for landscape development, including irrigation, drainage, grading, and planting detail showing species, size and spacing of trees and shrubs and percent of living and non-living material;

b. Dimension and location of all existing and proposed buildings, recreation areas, utility and service areas, trash storage area, fire hydrants, access drives, full width of street and adjacent drives, parking areas, existing utility lines, and easements;

c. Dimension, location and description of all other existing and proposed site improvements including fences, walls, walkways, patios, decks, and barriers;

d. A clear delineation of all areas to be paved or surfaced, including a description of surfacing materials to be used;

e. Location and description of all off-site improvements and right-of-way dedication; and,

f. Location and type of lighting, including a scaled or dimensioned elevation of each type of lighting fixture, and the maximum illumination measured in foot-candles at the property line.

g. Information describing how sound suppression will be accomplished when property is adjacent to residential use.

(5) Building plans drawn to a scale of no less than one-sixteenth (1/16) inch = one (1) foot. for all structures, including architectural plans for proposed buildings complete with exterior finishes and including floor plans and elevations.

(6) A signage plan describing specifications and location of all signage. A separate application and approval shall be required for all signs;

(7) A timetable for the proposed construction project; and

(8) A complete form showing compliance with the relative criteria and points assigned (see section 27-1451);

(9) Any other information pertinent to the particular project which, in the opinion of the zoning coordinator, is determined to be necessary for the review of the project.

Sec. 27-1432. - Definitions.

Terms not specifically defined in this chapter shall have the same meanings as defined in sections 27-201 and 27-1104. The standard dictionary meaning shall be applied to terms not otherwise defined.

Sec. 27-1433. - Absolute criteria.

(a) *Development standards.*

(1) *Shiloh Road and Zoo Drive frontage setbacks.* The minimum frontage setback from the property line along Shiloh Road and Zoo Drive for all developments excluding residential single family or duplex shall be twenty (20) feet. The clear vision triangle will be maintained as required in section 27-615. Side and rear building setbacks shall be the same as the underlying zoning district. All arterial setbacks as outlined in section 27-602 must also be maintained.

(2) *Other regulations.* All other city codes shall apply, including but not limited to the following: building, zoning, site development, parking and drainage regulations that are not directly addressed in this chapter. Where requirements are addressed in both this section and other codes, those in this section apply.

(3) *Sidewalks.* All sidewalks along internal platted streets shall be boulevard walks. The boulevard shall be at least five (5) feet wide and landscaped. The landscaping shall contain ground cover such as sod, shrubs, flower beds or living plant material. River rock, bark chips, flagstones or similar non-living material may be used as mulch or decorative landscape features to supplement the living plant material. No more than twenty-five (25) percent of the landscaped area shall contain non-living material. There shall be at least one (1) canopy tree per every forty (40) linear feet.

(b) *Landscaping standards.*

(1) *Shiloh Road and Zoo Drive frontage setback landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of Shiloh Road and Zoo Drive, excluding driveways. Frontage setbacks shall be landscaped with a minimum of five (5) canopy or evergreen trees and ten (10) shrubs per one hundred (100) feet of frontage. Trees may be massed within the frontage setback as long as the same densities are maintained.

a. Developer is encouraged to mass trees to create interest along the frontage. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Within two hundred (200) lineal feet of street frontage the required number of trees and shrubs may be massed together to create one (1) or more large tree and shrub planting area(s) somewhere within the two hundred (200) lineal foot length. Developer is encouraged to mass ornamental trees and shrub beds at intersections with Shiloh Road, Zoo Drive and other right-of-way frontage roads and at internal street intersections while still maintaining clear vision triangle height restrictions, pursuant to section 27-618.

b. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way.

(2) *Right-of-way frontage other than Shiloh Road and Zoo Drive landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of all rights-of-way other than Shiloh Road, excluding driveways. Right-of-way frontage setbacks shall be landscaped with a minimum of four (4) canopy or evergreen trees and eight (8) shrubs per one hundred (100) feet of frontage. Massing of landscaping elements with the required number of landscaping is permitted to meet the intent of subsection (b)(1)a.

a. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way.

(3) *Off-street parking lot landscaping.*

a. A minimum of twenty (20) square feet of internal landscaping shall be provided for each parking space.

b. One (1) canopy and/or evergreen tree and five (5) shrubs shall be required for every nine (9) parking spaces. Developer is encouraged to mass trees to create interest inside parking lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout the parking lot and to use parking lot islands with trees and shrubs to direct traffic through parking lot.

c. The shortest dimension of any parking lot landscaped area shall not be less than five (5) feet.

d. Internal parking lot landscaping shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum unbroken distance in any direction shall be limited to one hundred fifty (150) feet. See section 27-1106 for additional requirements.

e. Trees and shrubs may be massed.

(4) *Commercial uses abutting residential and public uses.* All commercial or industrial uses shall be separated from abutting, including across an alley, residential single family, duplex and public uses by a 15-foot wide bufferyard. The bufferyard shall be landscaped with a minimum of five (5) canopy or evergreen trees and ten (10) shrubs per one hundred (100) linear feet. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

A solid fence or wall that is architecturally similar in color and design shall be required on the property line. The fence shall be a minimum of six (6) feet high. Chain link or other wire fencing material is prohibited. All fences shall be maintained by the commercial property owner.

(5) *Non-living material allowed.* River rock, bark chips, flagstones or similar material may be used as mulch or decorative landscape features to supplement the living plant material. Bufferyards may include boulevard sidewalks. No more than twenty-five (25) percent of the landscaped area shall contain non-living material.

(6) *Landscape maintenance required.* All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter. Dead or dying material shall be replaced within one (1) year.

(7) *Protection of landscaped areas.* Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved barriers.

(8) *Landscape exemptions.* Uses for automobile and recreation vehicle sales are required to install one-half (½) the required trees and one and one-half (1½) the required shrubs along street frontages or are exempt from the tree requirements in the interior of their lots only as long as the required trees are replaced with shrubs and/or other landscape features, including but not limited to water features, landscape rock, public art, etc. If no landscaping is provided in the interior of lots, at least one (1) additional tree and two additional shrubs per five hundred (500) feet of frontage should be provided in perimeter landscape to offset the exemption. This landscaping may also be massed.

a. Developer is encouraged to mass trees to create interest inside their lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout their lot and to use planting islands with trees and shrubs to direct traffic through their lot.

(9) *Plant standards.*

a. *Canopy tree.* A species of tree that normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy trees shall be at least two (2) inches in caliper at the time of installation. Caliper shall be defined by the American Nurseryman Standard Definition.

b. *Evergreen.* A tree or shrub of a species that normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height at the time of installation.

c. *Ornamental tree.* A species of tree that normally bears flowers in the spring time of the year or has other ornamental features such as unique leaves, bark, leaf color or fruit. Minimum size at installation shall be one and one-half (1½) inch caliper. Caliper shall be defined by the American Nurseryman Standard Definition.

d. *Shrubs.* The minimum size of a shrub shall be at least five (5) gallons.

e. *Recommended tree types.* It is recommended that the developer work with the city parks department, county extension agent, a local greenhouse operator, landscape architect or

other professional designer to determine the species of trees that are most suitable for each situation. The use of native, drought tolerant plant materials is strongly encouraged. Evergreen trees are discouraged for internal parking areas if they limit sight lines. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site. A list of recommended plant material shall be available at the planning department.

f. *Fractions in the calculations of number of trees and shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, fractions of less than five-tenths (.5) shall be rounded down to the nearest whole number; fractions five-tenths (.5) and more shall be rounded up to the nearest whole number.

Sec. 27-1434. - Building design standards.

(a) *Materials.* All buildings shall be completed on all sides with an acceptable finishing material. The following materials are acceptable: brick, fluted block, colored textured block, glass, stucco, architectural metal panels with covered fasteners, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone, wood, and integrally colored or exposed aggregate concrete. Exposed-seam metal buildings shall be prohibited unless covered with an acceptable finishing material.

(b) *Roofs.* Roofs exposed to view shall be finished with a durable material that is architecturally coordinated in color and design with the building material. Recommended materials include: standing seam, dimensional asphalt shingles, shakes or shingles. Other types or styles of roofing materials that are consistent with this chapter may be approved by the zoning coordinator or his/her designee. Pitched roofs are encouraged wherever possible.

(c) *Mechanical equipment.* Mechanical equipment, placed at ground level or on a roof, shall be screened. The screening shall be at least the height of the mechanical equipment. Sound suppression/abatement shall be provided when mechanical equipment is installed on property that is adjacent to residential uses or zoning districts.

(d) *Elevations and facades.* Buildings shall incorporate one or more of the following: recesses, off sets, angular forms, or other architectural features such as bell towers or clock towers to provide a visually interesting shape. The break in facade shall be a minimum of twelve (12) feet in length and with a minimum protrusion or recess of four (4) feet. Buildings shall incorporate a break in the architectural facade at least every sixty (60) feet. It is encouraged that each offset area contain landscaping or other similar amenities that will complement the offset area.

Sec. 27-1435. - Additional provisions.

(a) *Storage of merchandise.* Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six (6) feet in height that is architecturally coordinated in color and design with the building. However, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale. Outside promotional displays are allowed during business hours only. Bufferyards or required landscaping shall not be used for the displaying of merchandise. Chain link and other types of wire fencing are prohibited.

(b) *Area lighting.*

(1) All outdoor pole lighting shall be fully shielded cut off fixtures with recessed lamps (no light emitted by the fixture is projected above the horizontal plan of the fixture, and no dropped lenses) and mounted at heights no greater than twenty (20) feet above grade.

(2) All outdoor lighting, except street lights, shall be located and aimed or shielded so as to minimize stray light trespassing across property boundaries and no more than one and one-half (1.5) foot candles as measured vertically at the lot line.

(c) *Canopy, marquee and "wall pack" lighting.* Canopy, marquee and "wall pack" lighting shall be fully shielded with recessed lamps. No internally illuminated fascia shall be allowed.

(d) *Storage of junk.* No person shall store junk, partially or completely dismantled vehicles, or salvaged materials outside a building. In the case of repair shops, such material must be enclosed within a building or an area having a sight-obscuring fence at least six (6) feet in height. Chain link or other type of wire fencing is prohibited.

(e) *Waste storage area.* All solid waste storage shall be located within an area enclosed with a solid, masonry wall that is architecturally coordinated in color and design with the building. The following materials are acceptable: brick, fluted block, colored textured block, glass, stucco, architectural metal panels with covered fasteners, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone, wood, and integrally colored or exposed aggregate concrete. Exposed-seam metal buildings shall be prohibited unless covered with an acceptable finishing material. Solid waste enclosures are encouraged to be landscaped.

Sec. 27-1436. - Development features required to earn points (relative criteria).

In accordance with section 27-1430, each application for development in South Shiloh corridor overlay district must score a minimum number of points based on the relative criteria described below. Design elements are listed under nine (9) category headings. A project shall earn one(1) point for each design element that it incorporates. At least one (1) point shall be earned from six (6) out of the nine (9) categories listed. The developer must attain a minimum of fifteen (15) points.

(1) *Site development.*

a. Pavement along Shiloh and Zoo frontage setback is less than or equal to thirty-five (35) feet.

b. Construct one or more public use spaces such as mini-parks, water feature, playfields or playgrounds, rest areas, for example.

(2) *Access.*

a. A transit or school bus stop.

b. Easement granted for bike path or pedestrian trail other than sidewalk. The easement must be in addition to what is required by the subdivision regulations.

c. Construction of bike path or pedestrian trail other than sidewalk (one (1) point for each fifty (50) feet of ten (10) foot wide concrete or comparably durable hard surface pathway, four (4) points maximum).

d. Provision for internal access between lots.

e. A single approach onto a public road that serves multiple lots.

(3) *Lighting.*

a. Light spill over limits of less than one and one-half (1.5) foot candles.

b. Continuity of lighting fixture design with adjacent properties.

c. Incorporate outdoor light fixtures at heights less than twenty (20) feet.

(4) *Parking.*

a. A joint use parking agreement.

b. Parking provided does not exceed one hundred twenty-five (125) percent of required spaces.

c. Landscaping internally integrated in parking areas and/or sales area.

d. Parking lots placed at the rear and/or side of the building, none in front.

(5) *Scale.*

a. The mass and scale does not exceed that of the surrounding development by more than ten (10) percent.

b. The height of structures does not exceed that of the surrounding development by more than ten (10) percent.

c. The building size does not exceed that of the surrounding development by more than ten (10) percent.

(6) *Landscaping.*

a. Buildings have landscaping immediately adjacent to a building.

b. Landscaping exceeds the minimum number of trees and shrubs that are required by ten (10) percent each.

c. Landscaping material exceeds minimum caliper width by one (1) inch or fifty (50) percent additional height required.

d. Drought tolerant tree, shrub and grass species requiring a significant reduction of water use.

e. Terraced or bermed site design.

f. Stormwater retention areas include significant landscaping.

g. Bufferyards larger than required by at least ten (10) percent.

h. Continuity of landscaping features at interface with adjacent property.

i. Canopy trees placed in the boulevard along all streets except Shiloh Road and Zoo Drive, at one (1) tree per twenty-five (25) feet of street frontage.

j. Installation of a curvilinear boulevard walk.

k. Incorporates existing trees in landscape design.

(7) *Architectural design.*

a. Building materials are natural, i.e. wood or stone.

b. Pitched roof with a minimum 3:12 pitch.

c. Exceeds the state energy code requirements by:

Twenty-five (25) percent = One (1) point

Fifty (50) percent = Two (2) points

More than seventy-five (75) percent = Three (3) points

d. The use of alternative energy sources, for example: photovoltaic, solar, geothermal, wind.

e. Each building up to seventy-five (75) feet in length contains four (4) facade relief elements;

f. Each building of seventy-five (75) to one hundred fifty (150) feet in length contains five (5) facade relief elements;

g. Each building exceeding one hundred fifty (150) feet in length contains six (6) facade relief elements;

Facade relief elements

1. Two (2) or more colors.
2. Natural earth toned colors.
3. Substantial fenestration using windows, doors, or other openings.
4. Two (2) or more materials that break up the mass of the structure.
5. Articulation of the parapet walls.

6. Change in wall plane.
7. Change in roof plane.
8. Extended roof overhangs.
9. Significant variation in building masses and/or forms.

(8) *Signage.*

a. Signage is not internally illuminated.

b. Monument signs used in lieu of pole signs.

c. Area of signage is at least twenty (20) percent less than total area allowable for each sign type.

d. Maximum sign height does not exceed one-third (1/3) the maximum height of the building(s).

e. Comprehensive sign plan (See also section 27-1444).

(9) *Mixed use.* One point will be given for each subdivision or building that contains two (2) or more of the following uses:

a. Office.

b. Retail.

c. Personal services such as dry cleaner, laundromats, beauty salons.

d. Residential.

e. Hotel/motel.

f. Medical.

g. Entertainment.

h. Restaurant.

Sec. 27-1437. - Signage standards—Purpose, intent, and scope.

The purpose and intent of this section is to promote commerce, traffic safety, and community identity while improving the visual environment of residential, commercial, and industrial areas.

This section of the Code shall not regulate traffic and directional signs installed by a governmental entity or in a private parking lots; signs not readable from nor intended to be viewed from a public right-of-way; merchandise displays; point-of-purchase advertising displays, such as product dispensers; national flags; flags of a political subdivision; symbolic flags of an institution; legal notices required by law; barber poles; historic site monuments/plaques; gravestones; structures intended for a separate use, such as phone booths, donation and recycling containers; lettering or symbols applied directly onto or flush-mounted magnetically to a motor vehicle operating in the normal course of business.

(1) *Permits required.* Any on-premise sign shall hereafter be erected, re-erected, constructed, painted, posted, applied or structurally altered in accordance with this chapter and pursuant to a sign permit issued by the planning and community services department. A sign permit shall be required for each group of signs on a single supporting structure installed simultaneously. Thereafter, each additional sign erected on the structure must have a separate sign permit. The owner of a sign shall produce a permit upon request. Within fifteen (15) working days following the submittal of a complete sign permit application, the zoning coordinator or his/her designee shall approve or deny the application, unless the applicant consents in writing to an extension of the review period. In the event that review exceeds fifteen (15) days, the applicant may seek immediate approval from the planning director. If an application is determined to be incomplete, the applicant shall be notified within five (5) days of the submittal. Should the application be

denied, the applicant shall be notified in writing specifying all areas of noncompliance with this section.

(2) *Permit applications.* All permit applications for signs shall include a site plan that provides the following information:

a. The location of the affected lot, building and sign;

b. The scale of the site plan;

c. A drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, method of attachment and illumination;

d. All existing signs on the site including their size and height; and

e. The legal description of the parcel.

Sec. 27-1438. - Definitions.

The definitions used in this chapter may be found below and in section 27-703 of the city sign regulations.

Bulletin board means a sign which identifies an institution or organization on the premises on which it is located and which contains the name of the institution or organization, the names or individuals connected with it, or general announcements of events or activities or similar messages.

Electronically changeable message sign means a computer programmable, microprocessor controlled electric display utilizing a means of illumination (light bulb, LED, fiber optics, etc) upon which alphanumeric characters, graphics, electronic animations, symbols and words can be displayed, such as a programmable display system. Message and symbols that have the capability of alternating, traveling and animating along with any other of a variety of change, appear and disappear methods are allowed.

Flashing sign means an electrical sign or portion thereof which changes light intensity in a brief, brilliant, or sudden and transient outburst of light causing a steady on and off, glittering, sparkling, or scintillating pattern.

Incidental sign means signs allowed under temporary use groups I and II, such as garage sale signs and banners.

Individual business means one business on one parcel provided that the parcel is not part of a multiple business complex; and also provided the parcel is not part of a group of multiple contiguous parcels under the same ownership.

Monument sign means a sign and supporting structure constructed as a solid structure or one that gives the appearance of a continuous, non-hollow, unbroken mass.

Multiple businesses means multiple businesses include businesses that may be located in a single building or in multiple buildings on a single site.

Support structure(s) means posts or columns and their anchors and bolts that structurally support the sign attached to it.

Three-sided sign means a sign with three (3) faces.

Two-sided sign means a sign with two (2) faces.

Sec. 27-1439. - Exempt signs.

The following shall not require a sign permit, provided that these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this Code or any other law or ordinance, including the International Building Code.

(1) The changing of the advertising copy or message on a lawfully erected sign that is currently in compliance with this section, reader board or similar sign specifically designed for replaceable copy.

(2) Painting, repainting or normal maintenance, unless a structural or electrical change is made.

(3) Temporary banners and temporary signs as permitted herein.

(4) Real estate sign as permitted herein.

(5) Incidental signs.

(6) Political signs.

(7) Bench signs on city or county rights-of-way, provided approval has been granted for the location by the appropriate city or county agency.

Sec. 27-1440. - Prohibited signs.

The following signs are prohibited in all zones unless otherwise specifically permitted.

(1) Sign which by shape, wording or location resemble or conflict with traffic control signs or devices.

(2) Signs that create a safety hazard for pedestrian or vehicular traffic.

(3) Signs with special or auxiliary flashing lights which are not a part of the sign's message.

(4) Portable signs.

(5) Portable reader boards.

(6) Portable electric signs.

(7) Banner signs.

(8) Signs attached to or placed on a vehicle or trailer parked on public or private property, provided that this provision shall not be construed as prohibiting the identification of a firm or its product on a vehicle operating during the normal course of business. Franchised buses and taxis are exempt from these provisions.

(9) Roof signs.

(10) Billboards.

(11) Painted signs on buildings, including those attached on or to the surface of windows.

Sec. 27-1441. - Signs permitted in all zones in connection with specific uses.

The following signs may be permitted in any zone, subject to the limitations as provided herein.

(1) *Bulletin boards.* In addition to the permanent signs allowed in section 27-1442 below, bulletin boards may be permitted on property used for public or private assembly subject to the following:

a. Such sign shall contain not more than thirty-two (32) square feet in area on a face and may be double-faced.

b. No part of the sign shall exceed a height of six (6) feet above the ground.

c. The sign, if illuminated, shall use external low-intensity lighting.

(2) *Temporary residential subdivision or area name signs.* A temporary real estate sign advertising the prospective sale or lease of a group of lots or dwellings within a tract, condominium, or apartment complex shall be permitted, subject to the following conditions:

a. The freestanding sign shall be located on the premises being sold or leased.

b. The sign shall not exceed forty (40) square feet in area on a face and may be double-faced.

c. The sign shall remain only as long as property remains unsold or unleased for the first time with the tract, but not to exceed one (1) year. The planning division may extend the one-year time period upon written request by the owners/developers of the project.

d. The sign shall be non-illuminated.

e. The top of the sign shall be no higher than ten (10) feet above grade of the lot or parcel on which the sign is located.

(3) *Permanent residential subdivision or area name signs.* Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the subdivision or area that identifies the name of the subdivision or area only are permitted, subject to the following conditions:

a. The sign shall consist of decorative building material with illuminated, indirectly lighted or non-illuminated name plates or letters, and be located in a maintained landscaped area; and

b. The wall and or sign shall not exceed six (6) feet above grade of the lot or parcel.

(4) *Contractor, architect, surveyor, or engineer signs.* One (1) on-premises sign identifying the project, developers, building contractor and/or subcontractors, architect, surveyor and engineer engaged in the construction is permitted on a property during the period of construction, provided that:

a. The sign is located on the parcel on which the construction is located.

b. The sign shall not exceed forty (40) square feet in area; and

c. The top of the sign shall not exceed ten (10) feet above grade of the lot or parcel on which the sign is located. The sign shall be removed prior to final building inspections. However, no such sign shall be maintained for a period in excess of twelve (12) months without approval from the planning department. The planning department may extend the one-year time period upon written request of the owners/developers of the project.

(5) *Real estate sign.*

a. *Residential use or property.* One (1) temporary on-premise sign per frontage road, advertising the sale, lease or rental of the building, property or premises, is permitted on the property. Such sign shall be unlighted, no more than five (5) square feet and no higher than five (5) feet above grade. A thirty-two (32) square foot sign is allowed on agricultural property of twenty (20) acres or more, with or without a dwelling on site.

b. *Commercial and industrial use or property.* One (1) temporary on-premise sign advertising the sale, lease or rental of the building, property or premises is permitted on the property. Such sign shall be unlighted, no more than thirty-two (32) square feet and no higher than ten (10) feet above grade.

c. *Open house and directional sign.* For a. and b. above, an open house or directional sign shall be allowed on each street access street to the property. Signs shall not be placed in such a manner as to interfere with vehicular or pedestrian traffic, shall be used when the property is actually open for immediate inspections, shall be unlighted, and shall be no more than five (5) square feet and no higher than three (3) feet above grade.

(6) *Electronically changeable message sign.* Electronically changeable message signs shall be permitted in community commercial, highway commercial, controlled industrial, heavy industrial, entryway general commercial, and entryway light industrial zones in accordance with the standards of sections 27-1443 through 27-1446 and their definitions.

Sec. 27-1442. - Sign standards in residential (R-96, R80, R-70R, R-70, R-60R, R-60, R-50, RMF, RMF-R, RMH) zones.

(a) *Permitted signs by zone.* Sign structures are permitted in residential zones in accordance with the following uses and standards:

(1) A nameplate, which indicates no more than the name and address of the occupant of the premises, is permitted, provided that such sign shall not exceed a maximum area of five (5) square feet and a maximum height of four (4) feet above grade.

(2) Reserved.

(b) *Permitted signs by use.* Public or private assembly and non-residential uses within residential zones are allowed the following signs:

(1) *Wall signs.* On-premises wall signs are permitted, not to exceed one (1) sign of thirty-two (32) square feet. Wall signs shall be non-illuminated or have low-intensity external lighting, and shall be placed flat against the outside wall of a building.

(2) *Freestanding signs.* On-premises freestanding signs are permitted, not to exceed one (1) sign of thirty-two (32) square feet* and a maximum height of fifteen (15) feet. On-premises freestanding signs shall be non-illuminated or have low-intensity external lighting.

* Maximum sign area may be increased to forty-eight (48) square feet for monument signs seven (7) feet or less in height.

(c) *Multiple arterials.* In the event the use or group of uses is adjacent to more than one (1) arterial, including through and corner lots, they will be allowed a freestanding sign exclusively oriented to the additional arterial. The above allowance shall be calculated independently, using only the additional arterial frontage. However, in no instance shall the square footage allowance from one (1) arterial be transferred to the other.

Sec. 27-1443. - Sign standards for commercial and industrial (RP, NC, CC, HC, CI, HI, ELG, EGC, EMU, ELI) zones.

(a) *Permitted signs by zone.* Sign structures are permitted in commercial and industrial zones in accordance with the following uses and standards.

(1) *Wall signs—Individual and multiple businesses.* Wall signs are permitted on each wall of a building provided the wall sign does not exceed twenty (20) percent of the total area of the wall or a maximum of two hundred fifty (250) square feet, whichever provides the smaller area. Mansard roofs shall not be included when calculating the total area of the wall.

Zoning District	Maximum Area ≤ 100' Street Frontage	Maximum Area ≥ 100' Street Frontage	Maximum Sign Height
RP	50 square feet	50 square feet	15 feet
NC	50 square feet	50 square feet	15 feet
CC	80 square feet	140 square feet	20 feet
HC	80 square feet	140 square feet	20 feet
CI	80 square feet	140 square feet	20 feet
HI	50 square feet	50 square feet	15 feet
ELC	80 square feet	120 square feet	20 feet
EGU	80 square feet	140 square feet	20 feet

EMU	50 square feet	50 square feet	15 feet
ELI	80 square feet	140 square feet	20 feet

(2) *Freestanding signs (pole or monument design)—Individual businesses.* One (1) on-premises freestanding sign is permitted. Signs shall not exceed the area and height limits as provided in table 3.

(3) The maximum height of the on-premise sign may be increase to forty (40) feet above grade measured at the centerline of Shiloh Road or Zoo Drive, whichever is adjacent and the area may be increased to two hundred (200) square feet, provided the parcel is contiguous with Interstate 90 or Zoo Drive.

Table 3—Freestanding Signs—Commercial and Industrial Zones

(4) *Freestanding signs (pole or monument design)—Multiple businesses.*

a. Freestanding on-premises sign(s) for multiple businesses are permitted, not to exceed the number, area and height limits as provided in table 4.

b. Freestanding signage allowed for an individual business under subsection (a)(2) of this section shall not be combined with signage allowed for multiple businesses under this paragraph.

c. The minimum separation between signs shall be five hundred (500) feet, measured from the center of the sign.

Zoning District	Maximum Number of Signs	Maximum Area	Maximum Sign Height
RP	1	75 square feet	15 feet
NC	1	75 square feet	15 feet
CC	1 per 500 feet of street frontage*	175 square feet	20 feet
HC	1 per 500 feet of street frontage*	175 square feet	20 feet
CI	1 per 500 feet of street frontage*	175 square feet	20 feet
HI	1 per 500 feet of street frontage*	75 square feet	15 feet
ELC	1 per 500 feet of street frontage*	150 square feet	15 feet
EGU	1 per 500 feet of street frontage*	175 square feet	20 feet
EMU	1	75 square feet	15 feet

ELI	1 per 500 feet of street frontage*	175 square feet	20 feet

*One (1) freestanding sign is permitted on parcels with less than five hundred (500) feet of lineal street frontage.

Table 4—Standards for on-premises signs for multiple businesses

(b) *Incentive to substitute height restricted monument signs for freestanding signs.*

(1) Monument signs, not to exceed seven (7) feet in height, may substitute for individual and multiple business signs under paragraphs (a)(2) and (3) with maximum sign number(s) and area(s) as provided in tables 5 and 6. There is no minimum separation requirement between signs.

Zoning District	Maximum Number of Signs	Maximum Area/Each Sign
RP	1	50 square feet
NC	1	50 square feet
CC	2	90 square feet
HC	2	90 square feet
CI	2	90 square feet
HI	2	90 square feet
ELC	2	80 square feet
EGC	2	90 square feet
EMU	2	50 square feet
ELI	2	90 square feet

Table 5—Standards for on-premises monument signs for individual businesses

*Two (2) freestanding signs are permitted on parcels with more than five hundred (500) feet of lineal street frontage.

Zoning District	Maximum Number of Signs	Maximum Area/Each Sign

RP	2	50 square feet
NC	2	50 square feet
CC	2 per 500 feet of street frontage*	90 square feet
HC	2 per 500 feet of street frontage*	90 square feet
CI	2 per 500 feet of street frontage*	90 square feet
HI	2 per 500 feet of street frontage*	90 square feet
ELC	2 per 500 feet of street frontage*	80 square feet
EGC	2 per 500 feet of street frontage*	90 square feet
EMU	2 per 500 feet of street frontage*	50 square feet
ELI	2 per 500 feet of street frontage*	90 square feet

Table 6—Standards for on-premises monument signs for multiple businesses

(c) *Multiple arterials.* In the event the use or group of uses is adjacent to more than one (1) arterial, including through and corner lots, they will be allowed a freestanding sign exclusively oriented to the additional arterial. The above allowance shall be calculated independently, using only the additional arterial frontage. However, in no instance shall the square footage allowance from one arterial be transferred to the other.

Sec. 27-1444. - Comprehensive sign plan.

For shopping centers, industrial parks, mixed use developments, and hotel conference centers; the zoning coordinator may approve a comprehensive sign plan that deviates from the provisions set forth in section 27-1443 above, provided the following standards and conditions are met:

(1) The development exceeds the following minimum square foot floor area requirements:

a. Two hundred fifty thousand (250,000) square feet for a shopping center or hotel conference center.

b. Two hundred fifty thousand (250,000) square feet of commercial/industrial floor space for a mixed use development.

c. Three hundred thousand (300,000) square feet for an industrial park.

(2) The applicant shall submit a sign plan that includes size, location, height, lighting, construction materials, and orientation of all proposed signs in addition to any other information deemed necessary by the staff.

(3) The sign plan shall conform to the standards of section 27-1443; except that a maximum of three (3) of the allowed signs under section 27-1443 may be allowed an increase of twenty (20) percent in sign height and area over the maximum allowed in the underlying zone.

(4) The sign plan shall be consistent with the Yellowstone County - City of Billings 2003 Growth Policy, the West Billings Master Plan, and the purpose and intent of this section, as determined by the zoning coordinator.

(5) The applicant/owner(s) shall sign a binding agreement ensuring compliance with the approved sign plan. The agreement shall be filed with the planning and community services department and shall apply to present as well as future property owners. All signage shall be installed in conformance with the approved sign plan.

(6) Modifications to the approved sign plan shall require reapplication and approval by the zoning coordinator.

Sec. 27-1445. - Sign location and setback.

(a) All signs shall be located so that they:

(1) Do not interfere with vehicular or pedestrian accessibility or sight distance;

(2) Conform to the provisions of section 27-615, the clear vision triangles and visibility at intersections; and

(3) No sign may encroach upon, or overhang, adjacent property or public right-of-way.

(b) All signs shall be located and set back as follows:

(1) Any portion of a freestanding sign shall be located a minimum of ten (10) feet back from any property line abutting a public right-of-way.

(2) The support structure of a monument sign shall be located a minimum of five (5) feet back from any property line abutting a public right-of-way.

Sec. 27-1446. - Sign area and calculation.

(a) The sign area of a wall sign made up of letters, words or symbols shall be measured from the outside edge of the frame. The square footage of a sign composed of only letters, words or symbols shall be determined from imaginary straight lines drawn from high point to high point around the entire copy or grouping of such letters, words or symbols. Those portions that are an integral part of the sign display shall be considered in the determination of square footage allowed. An obvious border designed as an integral part of a sign shall be calculated in the total square footage allowed. All measurements for sign height shall be from the grade to the topmost part of the sign.

(b) Logos or identification symbols shall be considered signs and shall conform to all provisions of this section.

(c) The sign area of a freestanding sign shall be measured from the outside edge of the frame. The sign area of a freestanding sign consisting of more than one (1) sign shall be computed by adding together the total area(s) of all signs. Any portion of the sign not necessary for structural support of the sign or any structural support greater than two (2) feet in width shall be considered in the determination of the square footage of the sign. A fifty (50) percent increase in monument sign area is allowed for decorative

framing or borders. Area calculation does not include decorative rocks or landscaping adjacent to a monument sign.

(d) The sign area for multiple-sided signs shall be calculated as follows:

(1) The total sign area for a two-sided sign shall be calculated using one (1) face, but the second face may not exceed the area of the first face.

(2) The total sign area for a three-sided sign shall be calculated using one (1) face, but the second and third face total area may not exceed the area of the first face.

Sec. 27-1447. - Maintenance of signs.

(a) Any sign that has been approved or that has been issued a permit shall be maintained by the owner or person in possession of the property on which the sign is located. Maintenance shall be such that the signage continues to conform to the conditions imposed by the sign permit.

(b) Any damaged sign base shall be repaired within sixty (60) days.

(c) Any signage which has been damaged to such extent that it may pose a hazard to passersby shall be repaired or removed immediately.

Sec. 27-1448. - Nonconforming signs.

Nonconforming signs are those that were permanently installed and legally erected prior to the adoption of this Code. Nonconforming signs shall be allowed to continue in use so long as they are continuously maintained, are not relocated, and are not structurally altered or made more nonconforming in any way. If a sign is nonconforming and the copy is changed in any way or the sign is structurally altered, the sign shall be brought into conformance with these regulations.

Sec. 27-1449. - Landscaping for freestanding and monument signs.

All freestanding and monument signs shall be located in a landscaped area. Landscaping should be appropriately sited to ensure that signs are not blocked or obscured by trees or bushes.

Sec. 27-1450. - Sign illumination.

Externally illuminated signs shall have lighting confined to the sign with the light source positioned and shielded to eliminate spill over impacts to the surrounding area(s) in such a manner that it conforms to the site lighting standards. See subsection 27-1435(b). The light source for internally illuminated signs must be entirely enclosed within the sign. Internally illuminated signs shall be constructed with an opaque background and translucent letters and symbols. (Opaque means that the material must not transmit light from an internal illumination source.)

Sec. 27-1451. - South Shiloh corridor overlay district application form.

SHILOH CORRIDOR OVERLAY ZONE PERMIT

Permit #_____

Application Information

Applicant Name: _____ Date:_____

Applicant Address: _____ Phone:_____

Property Owner Name (if different):_____

Property Owner Address: _____Phone:_____ _____

Property Information

Property Address:_____

Section, Township, Range: _____ Zoning District:_____

Lot size: _____ sq. ft. Lot area covered by structure(s): _____ sq. ft. _____%

Subdivision/COS: _____ Block: _____ Lot: _____

Proposed Use: _____ _____

FOR OFFICE USE ONLY

Date Received _____ / _____ / _____

Number of relative criteria categories met: ____ Total number of points scored: _____

Approved _____ Denied _____ Date: _____

Reviewed By:_____

RELATIVE CRITERIA			
		• Applicant must obtain points from eight (8) of nine (9) categories. • Applicant must obtain the following number of points: 20 points if the lot size is greater than 25,000 square feet. 15 points if the lot size is less than 25,000 square feet.	
1.		SITE DEVELOPMENT:	
	a.	Frontage pavement less than 35' along Shiloh Road	—
	b.	Public use space included	—
2.		ACCESS	
	a.	MET transit or school bus stop	—
	b.	Bikepath or pedestrian trail easement (above what subdivision requires)	—
	c.	Bikepath or pedestrian trail construction (1 point for each 50 feet, 4 points max)	—
	d.	Reciprocal access between lots	—
	e.	Shared driveway approaches	—
	f.	Internal sidewalks incorporating stone, brick patterned or colored concrete.	—
	g.	Installation of a curvilinear boulevard walk.	—
3.		LIGHTING	

	a.	Establish an overall outdoor lighting budget for the property that does not exceed 50,000 initial lamp lumens per net acre for all fully shielded and unshielded light sources.	—
	b.	Continuity of lighting fixture design with adjacent properties.	—
	c.	Incorporate outdoor light fixtures at heights less than twenty-five (25) feet.	—
4.		PARKING	
	a.	Joint use parking agreement.	—
	b.	Parking does not exceed 100% of required spaces.	—
	c.	Landscaping internally integrated in parking areas.	—
	d.	Parking lots placed at the rear and/or side of building—none in front.	—
5.		SCALE	
	a.	Mass and scale of structures does not exceed that of the surrounding development by more than 10 percent.	—
	b.	Height of structures does not exceed that of the surrounding development by more than 10 percent.	—
	c.	Building size does not exceed that of the surrounding development by more than 10 percent.	—
6.		LANDSCAPING	
	a.	Buildings have foundation planting.	—
	b.	Landscaping exceeds minimum number of trees and shrubs that are required by ten percent (10%) each.	—
	c.	Landscaping material exceeds minimum caliper width by one (1) inch or fifty (50) percent additional height required.	—
	d.	Drought tolerant tree, shrub and grass species requiring a significant reduction of water use.	—
	e.	Terraced or bermed site design.	—
	f.	Stormwater retention areas include significant landscaping.	—
	g.	Bufferyards larger than required by at least ten (10) percent.	—

	h.	Continuity of landscaping features at interface with adjacent property.	—
	i.	Canopy trees placed in the boulevard along internal streets at one tree per 25 feet of street frontage.	—
	j.	Incorporates existing trees in landscape design.	—
7.		ARCHITECTURAL DESIGN	
	a.	Building materials are natural, i.e. wood or stone.	—
	b.	Pitched roof with a minimum 3:12 pitch.	—
	c.	Exceeds the state energy code requirements by:	—
		• Twenty-five (25) percent = One (1) point	
		• Fifty (50) percent = Two (2) points	
		• More than seventy-five (75) percent = Three (3) points	
	d.	The use of alternative energy sources, for example: photovoltaic, solar, geothermal, wind.	—
	e.	Each building up to seventy-five (75) feet in length contains four (4) facade relief elements.	—
	f.	Each building of seventy-five to one hundred fifty (75-150) feet in length contains five (5) facade relief elements.	—
	g.	Each building exceeding one hundred fifty (150) feet in length contains six (6) facade relief elements.	—
		Facade relief elements	
		• Two (2) or more colors	
		• Natural earth toned colors	
		• Substantial fenestration using windows, doors, or other openings	
		• Two (2) or more materials that break up the mass of the structure	
		• Articulation of the parapet walls	
		• Change in wall plane	

		• Change in roof plane	
		• Extended roof overhangs	
		• Significant variation in building masses and/or forms	—
8.		SIGNAGE	
	a.	Signage is not internally illuminated.	—
	b.	Monument signs used in lieu of pole signs.	—
	c.	Area of signage is at least twenty (20) percent less than total area allowable for each sign type.	—
	d.	Maximum sign height does not exceed one-third (1/3) the maximum height of the building(s).	—
	e.	Comprehensive sign plan.	—
9.		MIXED USE	
		One point will be given for each building that contains two (2) or more of the following uses:	—
		• Office	
		• Retail	
		• Personal services	
		• Residential	
		• Hotel	
		• Medical	
		• Entertainment	
		• Restaurant	
		TOTAL POINTS	___

Sec. 27-1452. - Reexamination of regulations.

After one (1) year of the effective date of this article, and periodically afterwards, these regulation shall be reviewed for their effectiveness and the practicality of implementation and enforcement.

Sec. 27-1453. - Appeal process.

An appeal may be made by any applicant aggrieved by a denial of a Shiloh corridor overlay zone permit by the planning and community services department. The applicant shall first appeal to the department director, and if not satisfied with the director's determination, may then file an appeal with city council. The city council shall hold a public hearing and make a determination whether to approve or deny the appeal. Before either the director or city council makes a determination on the appeal, the following criteria shall be considered:

(1) That the official erred in the interpretation or application of this chapter;

(2) That approving the permit will not confer on the applicant any special privilege that is denied by this chapter to other land in the same district;

(3) That no substantial detriment to the public good is created;

(4) That the intent and purpose of this chapter is not impaired.

Upon receiving written notice of denial of a permit from the planning and community services department, the aggrieved applicant has fourteen (14) days from the date on the notice to submit a written request for appeal to the department director. The director shall meet with the applicant within five (5) days of receiving the request and issue a determination on the decision to deny the permit. If the department director upholds the decision to deny, the applicant may file, within fourteen (14) days from the date of the director's determination, a request for appeal before the city council. If an appeal is requested, the planning and community service director shall:

(5) Submit a staff report to the city council within thirty (30) days after receipt of the appeal scheduling a public hearing and describing the nature of the appeal. The memo shall include the request for the appeal and a copy of the notice stating reason(s) for the denial of the permit.

(6) Place notice of the time, date and place of the public hearing in a newspaper of general circulation fifteen (15) days in advance of the date set for the public hearing.

(7) Notify, by mail, the party requesting the appeal and all adjacent property owners of the time, date and place of the public hearing and nature of the appeal five (5) days in advance of the public hearing.

Upon reversing a decision to deny an appeal, the council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms upon which the appeal is granted, shall be deemed a violation of this chapter.

Under no circumstances shall the council issue a decision that would allow a use not permitted under the terms of this chapter in the district involved. Approval of a permit shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.

Secs. 27-1454—27-1459. - Reserved.

Sec. 27-1460. - East Billings Parking Overlay District.

Sec. 27-1461. - Purpose.

The purpose of the East Billings Parking Overlay District is to provide alternative off-street parking standards to encourage the development and re-development of property. The overlay zoning does not alter the category of permitted uses in the underlying zoning.

Sec. 27-1462. - District boundaries.

The boundaries of the East Billings Parking Overlay District shall be as follows:

Starting at the intersection of Montana Avenue and North 22nd Street, extending north down the centerline of North 22nd to the intersection of 3 rd Avenue North, extending westerly down the centerline of 3 rd Avenue North to the intersection of North 23 rd Street, then northerly along the centerline of North 23 rd Street to the intersection of 4 th Avenue North, then westerly along the centerline of 4 th Avenue North to the intersection of North 25 th Street, then northerly along the centerline of North 25 th Street to the intersection of 6 th Avenue North, then easterly along the centerline of 6 th Avenue North to the intersection of North 22 nd Street, then northerly along the centerline of to the intersection of 8 th Avenue North, extending east down the centerline of 8th Avenue North to the intersection of 8 th Avenue North and North 19th Street, extending south down the centerline of North 19 th Street to the intersection of North 19 th Street and 7 th Avenue North, extending east along the centerline of 7 th Avenue North to the intersection of North 18 th Street and 7 th Avenue North, extending south down the centerline of North 18 th Street to be perpendicular with the northern most edge of property line of LT 23 & 24 BLK 274 BILLINGS 1 ST ADD, extending east along the Northern edge of LT 23 & 24 BLK 274 BILLINGS 1 ST ADD, and hence eastward including in their entirety the southernmost properties most directly adjacent to 6th Avenue North to the city boundary line including Lots 4—10 of Block 5 and the vacated 20-foot adjacent alley of North Park Subdivision, extending southerly and westerly along the city boundary lines to the northern edge of the rail road tracks, extending west along the northern edge of the railroad tracks to the centerline of North 22 nd Street, extending north along the centerline of North 22 nd Street to the ending point at the intersection of Montana Avenue and North 22 nd Street. Excluding the non-incorporated land that envelops the Empire Steel property LTS 3 TO 23 & VAC 10FT ADJ ALLEY & E 404T ADJ N 16 TH ST BLK 258 & 259.

Official Map - East Billings Overlay District

Sec. 27-1463. - Application of regulations.

Within this district, the regulations found within BMCC 24-468 and 24-490 as amended shall apply to all property within the East Billings parking overlay district. These regulations include but are not limited to the following:

(1) No minimum off-street parking spaces are required at the time of development, re-development, expansion, change of use or addition to public, commercial, industrial or residential property.

(2) Where off-street parking spaces are developed, the design of such spaces and parking lots shall meet the standards set forth in subsections 6-1203(o) through 6-1203(u) and other design standards for off-street parking that are adopted policies of the city engineer.

(3) These regulations in no way diminish or reduce a property owner's liability or obligation to provide accessibility in compliance with the Federal Americans with Disabilities Act (ADA) standards.

ARTICLE 27-1500. - CITY ~~AND COUNTY~~ ZONING COMMISSIONS AND CITY ~~AND COUNTY~~ BOARDS OF ADJUSTMENT

Sec. 27-1501. - City zoning commission created.

There is hereby created a City of Billings zoning commission to consist of five (5) members residing on property, any part of which lies within the limits of the City of Billings. The members are to be appointed by the mayor, subject to confirmation by the city council, for a term of four (4) years and the terms of the members shall be staggered so that a minimum number of terms shall expire in any one (1) year.

The members of said city zoning commission are required to attend all city zoning commission meetings advertised publicly, except in the case of an excused absence. The presence of three (3) members shall constitute a quorum.

The duties and powers of the city zoning commission shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and to hold public meetings and make recommendations to the city council on all requests to amend, supplement, change, modify or repeal the regulations, restrictions and boundaries in the zoning districts. The city council shall not hold its public hearing or take any action until it has received a final report from such commission.

Sec. 27-1502. - Amendments to chapter.

(a) *General.* This chapter, including the official zoning map, may be amended only by the city council but no amendment shall be finally approved by the city council unless it has been submitted to the city zoning commission for review and recommendation. Proposals to amend this chapter, including the official zoning map, may be initiated by the city council or by the board of planning. Proposals to amend this chapter, except for the official zoning map, may also be initiated by the city zoning commission. Before enacting an amendment to this chapter, the city council shall give public notice and hold a public hearing thereon. Before enacting on its own motion an amendment to the official zoning map, the city council shall provide written notification by mail of such amendment to each property owner whose name appears on the last tax record of the property subject to the amendment. The notification shall include what the proposed amendment is, the time, date and place of the public hearing on the proposed amendment. Such notification shall be made no less than fifteen (15) days nor more than thirty (30) days in advance of the date of public hearing.

(b) *Applications for map amendments.* Unless initiated by the city council or board of planning, all applications for official map amendments must be submitted by the owner of such property, the

contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve (12) months. Each application to amend the official map shall be filed with the zoning coordinator, and each application shall be submitted under the following conditions:

(1) The applicant or his/her authorized agent shall submit the following pre-application information to the planning department to begin the zone change process:

a. Legal description of the subject parcel(s), along with a map showing the dimensions, acreage and location of the parcel(s);

b. The names and addresses of the owner(s) and contract purchasers, if any, of the subject property and their agent(s), if any, along with the recorded property owner's signature;

c. A zone change plan which shall consist of the following:

1. A written description of the proposed zone change including the area in square footage or acres to be included in the zone change.

2. If there are multiple zone changes proposed, the location and area of each specific new zoning district.

(2) The planning department shall provide a list of surrounding property owners within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s) to the applicant or his/her agent based on the submitted information.

(3) The applicant or his/her agent shall conduct a pre-application neighborhood meeting to explain the proposed new zoning and receive comment from the surrounding property owners. The applicant or his/her agent shall notify in writing the persons on the surrounding property owner list as provided in subsection (2) and the planning department of the date, time and location of the pre-application neighborhood meeting. The pre-application neighborhood meeting shall be conducted within two (2) radius miles of the subject parcel. The written notification shall be mailed at least seven (7) calendar days prior to the scheduled meeting. The written notification shall include all the materials noted in subsection 27-1502(b)(1). The pre-application neighborhood meeting shall be conducted at least seven (7) calendar days prior to the submittal of the proposed zone change to the planning department. The applicant shall obtain a roster of the names of the persons that attend the pre-application neighborhood meeting and make a record of the minutes of the meeting.

(4) Once the pre-application neighborhood meeting has been conducted the applicant or his/her agent may submit a zone change application and it shall include but not be limited to the following information:

a. A legal description of the tract(s) proposed to be rezoned;

b. A map showing the dimensions, acreage and location of the tract(s) being changed;

c. The names and addresses of the owner(s) of the land and their agents, if any, along with the recorded property owner's signature;

d. A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s);

e. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list; and

f. Payment of all applicable fees.

g. A signed statement affirming the pre-application neighborhood meeting was conducted in conformance with the requirements of subsection 27-1502(b)(3), and the zone change application is based on material presented at the meeting. The signed statement shall include a copy of the meeting notice, any written materials provided to the surrounding

property owners, a brief synopsis of the meeting results, a roster of the persons attending the meeting and audio or written minutes of the meeting.

(5) An application for amendment to the official map shall be submitted at least twenty (20) days prior to the date of the public hearing before the city zoning commission.

(6) An application for a zone change may be withdrawn or amended as follows:

a. No application may be amended after the legal advertising, as required by below subsection (c) herein has been published.

b. An application may be withdrawn at any time prior to the publication of the legal advertisement for the public hearing before the city zoning commission without respect to the twelve (12) month waiting period. After legal notice for the city zoning commission has been published, the request for withdrawal shall be submitted to the planning department office at least twenty-four (24) hours prior to the public hearing. The city zoning commission may allow withdrawal of the application, after advertisement of the zoning commission public hearing has been published, by a majority vote of the members present, without prejudice with respect to the twelve (12) month waiting period after the application has first been submitted. After the city zoning commission hearing, a request for withdrawal shall be submitted to the city clerk and shall be submitted by the property owner or authorized agent, as listed on the application. The city council shall have exclusive authority to act on any request for withdrawal after notice of the city council public hearing has been published.

c. An applicant may withdraw an application for any particular property only once within the twelve (12) month period commencing with the submittal of the original application.

d. After withdrawal of an application, no new application for the same property shall be made until four (4) months after the date of withdrawal of the original application.

(c) *Planning department study and responsibility.* The zoning coordinator, upon receiving an application for rezoning of an area or a particular piece of property shall do the following:

(1) Consult with other departments of the city and/or county to fully evaluate the impact of any zoning change upon public facilities and services including but not limited to schools, drainage, traffic and related facilities;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the growth policy;

(3) In the case of a protest petition filed in the matter of any application for rezoning, determine the validity of such petition;

(4) Publish notice of the application in a newspaper of general circulation at least fifteen (15) days in advance of the date of the city zoning commission public hearing. The notice shall contain: the classification sought, the location of the property, and the date, time and place of the city zoning commission public hearing;

(5) Notify, by mail, the applicant and/or his/her authorized agent at least five (5) days prior to the date of the city zoning commission public hearing of the date, time and place of such hearing;

(6) Notify, by mail, all property owners within three hundred (300) feet of the exterior boundaries of the property subject to the rezoning at least fifteen (15) days in advance of the time, date, place of the city zoning commission public hearing and the existing and proposed classification. The zoning coordinator may notify property owners within a radius of more than three hundred (300) feet if he/she determines that the proposed rezoning of the property would likely have a substantial impact on the surrounding land uses;

(7) Place notice of the city zoning commission public hearing on the property subject to rezoning at least fifteen (15) days in advance of the date of public hearing; and

(8) Report his/her findings and conclusions in writing to the city zoning commission, which report shall be a matter of public record.

(d) *City zoning commission action.* The city zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application has been legally advertised. Each application shall be presented to the city zoning commission by the zoning coordinator, together with his/her findings and conclusions on the matter. The city zoning commission may, by a majority vote of the members present, delay action for a period not to exceed thirty (30) days, without prejudice to the applicant. A report of the commission's recommendation and the zoning coordinator's findings and conclusions shall be submitted to the city council. The city zoning commission shall make a recommendation to the city council to:

(1) Deny the application; or

(2) Grant the application.

The city zoning commission shall submit its recommendations in writing along with a statement indicating its reasons for the recommendation to grant, deny, or allow withdrawal of the amendment within fifteen (15) days following the public hearing. In no case shall the city zoning commission make a recommendation that an amendment be granted for an amendment that was not legally advertised.

In making its recommendation to the city council for an amendment to the official map or text of this chapter, the city zoning commission shall consider, among other things, the following:

(1) Whether the new zoning is designed in accordance with the growth policy;

(2) Whether the new zoning is designed to secure from fire and other dangers;

(3) Whether the new zoning will promote public health, public safety and general welfare;

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

(5) Whether the new zoning will provide adequate light and air;

(6) Whether the new zoning will effect motorized and nonmotorized transportation;

(7) Whether the new zoning will promote compatible urban growth;

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

(9) Whether the new zoning will conserve the value of buildings; and

(10) Whether the new zoning will encourage the most appropriate use of land throughout the city.

(e) *City council public hearing.* Before taking action on an application for an amendment to the official map, and after presentation of the city zoning commission report, the city council shall hold a public hearing on the application.

As provided in MCA 76-2-305(2), in the event of a protest petition against such zone change signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, one hundred fifty (150) feet from a lot included in a proposed change, such proposed amendment shall not become effective except by the favorable vote of two-thirds (2/3) of the present and voting members of the city council. For purposes of this protest provision, each unit owner is entitled to have the percentage of the unit owner's undivided interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in MCA 70-23-102, spans more than one (1) lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the planning department office by 5:00 p.m. on the Friday preceding the first reading of the amendment by the city council.

The recommendation of the city zoning commission and notice of the city council's upcoming public hearing on the first reading of the ~~resolution/~~ordinance shall be published in an official paper or a newspaper of

general circulation in the city. Fifteen (15) days after publication of such notice, a public hearing shall be held at the next regular meeting of the city council. An additional public hearing shall be held at second reading of the resolution/ordinance as required by section 2-223 of the Billings, Montana City Code.

(f) *City council action.* Before taking any action on an application for an amendment to the official map, or amendment to the text of this ~~resolution/~~ordinance, the city council shall first consider the findings and recommendations of the city zoning commission. In no case shall the city council approve an amendment for a classification other than the one advertised. The city council shall:

(1) Approve the application;

(2) Deny the application;

(3) Allow withdrawal of the application; or

(4) Delay the application for a period not to exceed thirty (30) days.

When such proposed amendment has been denied by the city council neither it nor one involving the same tract shall be submitted for adoption within one (1) year after such denial.

Sec. 27-1503. - Special review by city zoning commission.

(a) *General.* Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this chapter to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this chapter and the objectives of the comprehensive plan.

(b) *Application for special review; procedure.* An application for a special review may be filed by the property owner, contract purchaser, or his/her authorized agent. Such application shall be filed with the zoning coordinator and shall be submitted under the following conditions:

(1) The application shall include, but not be limited to the following information:

a. A legal and general description of the tract(s) upon which the special review use is sought;

b. A map showing the dimensions, acreage and location of the tract(s);

c. The names and addresses of the owner(s) of the tract and his/her agent, if any, along with the recorded property owner's signature;

d. A site plan showing major details of the proposed development including but not limited to: the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping, screening, signs, and open space areas;

e. A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s);

f. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list;

g. The application must be accompanied by the payment of all applicable fees; and

h. Any other information the applicant believes will support his/her request or other information as requested by the zoning coordinator or planning department.

(2) The application must be submitted at least twenty (20) days prior to the date of the public hearing before the city zoning commission.

(3) An application may be withdrawn or amended at any time prior to the publication of the legal advertisement for the public hearing before the city zoning commission. After legal notice for the city zoning commission has been published, the request for withdrawal shall be submitted to the planning department office at least twenty-four (24) hours prior to the public hearing. The city zoning commission may allow withdrawal of the application, after advertisement of the zoning commission public hearing has been published, by a majority vote of the members present, without prejudice with respect to the twelve (12) month waiting period after the application has first been submitted. After the city zoning commission hearing, a request for withdrawal shall be submitted to the city clerk and shall be submitted by the property owner or authorized agent, as listed on the application. The city council shall have exclusive authority to act on any request for withdrawal after notice of the city council public hearing has been published.

(c) *Planning department action.* The zoning coordinator, upon receiving an application for a special review use shall do the following:

(1) Consult with other departments of the city and/or county to fully evaluate the impact of the use contemplated under the special review application upon public facilities and services;

(2) Study each application with references to its appropriateness and effect on existing and proposed land uses, and its relationship to the comprehensive plan;

(3) Advertise notice of the application in a newspaper of general circulation fifteen (15) days in advance of the date of the public hearing. The notice shall contain: the use proposed, the location of the property, and the date, time and place of the public hearing;

(4) Notify, by mail, the applicant and/or his/her authorized agent five (5) days prior to the date of the public hearing of the date, time and place of such hearing;

(5) Notify, by mail, all the property owners within three hundred (300) feet of the exterior boundaries of the tract subject to the special review, fifteen (15) days in advance of the time, date, place and proposed use. The zoning coordinator may notify property owners within a radius of more than three hundred (300) feet if he/she determines that the proposed use would be such as to have a substantial environmental impact on the surrounding land uses;

(6) Place notice of the public hearing on the property subject to the special review fifteen (15) days in advance of the public hearing; and

(7) Report his/her conclusions and findings, in writing, to the city zoning commission which report shall become a matter of public record.

(d) *City zoning commission action.* The city zoning commission shall consider each application in accordance with the provisions of this chapter, and at a public hearing at which time the application has been legally advertised. Each application shall be presented to the city zoning commission, by the zoning coordinator or his/her designee, together with his/her conclusions and findings on the matter. The city zoning commission may, by a majority vote of the members present, delay action for a period not to exceed thirty (30) days, without prejudice to the applicant. A written report of the commission's decision and recommendation and the zoning coordinator's report shall be submitted to the city council.

The city zoning commission shall make a recommendation to the city council to:

(1) Deny the application;

(2) Approve the application; or

(3) Conditionally approve the application.

Recommendations from the city zoning commission shall be based on findings of fact and shall be transmitted to the applicant or his/her agent, and the city council within fifteen (15) days of the date of the public hearing before the commission.

Before approving a special review use, the city zoning commission shall find that the contemplated use:

(1) Complies with all requirements of this chapter;

(2) Is consistent with the objectives and purposes of this chapter and the comprehensive plan; and

(3) Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects.

Further, the city zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:

(1) Street and road capacity;

(2) Ingress and egress to adjoining streets;

(3) Off-street parking;

(4) Fencing, screening and landscaping;

(5) Building bulk and location;

(6) Usable open space;

(7) Signs and lighting; and/or

(8) Noise, vibration, air pollution and similar environmental influences.

(e) *City council action.* The recommendation of the city zoning commission shall be published in a newspaper of general circulation and at least fifteen (15) days after the first publication of such notice, a public hearing shall be held by the city council. Before taking any action on an application for a special review use, the city council shall first consider the findings and recommendations of the city zoning commission. In no case shall the city council approve a special review use other than the one advertised. The city council shall:

(1) Approve the application;

(2) Conditionally approve the application;

(3) Deny the application;

(4) Allow withdrawal of the application; or

(5) Delay the application for a period not to exceed thirty (30) days.

Sec. 27-1504. - Classification of newly annexed area.

(a) Annexations of land into the City of Billings may be effected under several statutory procedures. When a parcel of land is annexed to the city under any procedure except annexation by petition, the appropriate zone shall be determined as follows:

(1) Immediately subsequent to the adoption of ~~resolution/~~ordinance of intent to annex, the zoning coordinator and planning staff will determine the most appropriate zone. They will work closely with the owner of the land. The land owner shall have adequate opportunity to have full input, but the final classification shall be made by the zoning coordinator and the planning staff.

(2) Upon determination of the classification the zoning coordinator shall follow the procedure set forth in above BMCC section 27-1502(C) except that the report, findings and conclusions shall be submitted to the city council prior to or concurrently with the services report that is required by the annexation statutes.

(3) A public hearing on the zoning classification shall be held concurrently with the public hearing on the annexation before the city council, provided that the hearing shall not be sooner than fifteen (15) days after notice of the proposed zone has been given.

(4) If the zoning classification is not approved by the city council, the land shall retain the zone classification it had in the county; provided, that if the county classification is not identical to the city classification the city classification established will be the closet equivalent zone.

(b) When the proposed annexation is by petition pursuant to MCA Title 7, Chapter 2, Part 46 (section 7-2-4601, et seq.), the petitioners shall, concurrently with the petition for annexation, make an application for change of zoning that the petitioner may desire. All fees shall be paid by petitioner upon filing the application for zoning. Upon filing the application, the zoning coordinator shall follow the procedure set forth in above Section 2. If no application is filed or the application is denied the land shall retain the same zone classification it had in the county provided, that if the county classification is not identical, the city classification established will be the closest equivalent zone. The provisions of this subsection shall not be construed to preclude the city from fixing the zone classification as provided in subparagraph (a). hereinabove.

Sec. 27-1505. - City board of adjustment.

(a) *Created.* There is hereby created for the City of Billings, a board of adjustment as provided by statute, consisting of seven (7) members appointed by the mayor, with the consent of the city council. The terms of each member shall run concurrent to that of the mayor's. Vacancies shall be filled for the unexpired terms of any members whose terms are interrupted for any reason.

(b) *Proceedings.* The city board of adjustment shall schedule regular meetings, along with special meetings which may also be called by the chairperson. The chairperson may cancel the regularly scheduled meeting if no matters are pending for the board's consideration. The chairperson, or in his/her absence, the acting chairperson may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The board shall keep minutes of its proceedings, showing the vote of each member, or if absent or failure to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and shall be filed in the office of the Yellowstone County board of planning. Whenever the city board of adjustment grants an application for a variance, the minutes shall specifically state the hardship upon which the variance is granted. The official minutes of the board's proceedings shall be signed by the chairperson or acting chairperson. The decision of the board shall become effective immediately, unless otherwise directed by the board. The zoning coordinator in coordination with each board shall designate a secretary of the board and shall be custodian of all records of the meetings, findings, conclusions and orders of the board.

(c) *Hearings, appeals, notices.* Appeals to the city board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decisions of the administrative office made under the terms of this chapter. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the city board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the record upon which the action appealed was taken.

The city board of adjustment shall fix a reasonable time for the hearing of appeal, not to exceed thirty (30) days, give public notice thereof, as well as due notice to the parties in interest, and render a decision within a reasonable time, not to exceed ten (10) days thereafter. At the hearing, any party may appear in person or by agent or attorney.

(d) *Appeals; stay of proceedings.* An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the city board of adjustment, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed other than by a restraining order which may be granted by the city board of adjustment or by a court of record upon application to same and notice to the officer from whom the appeal is taken and on due cause shown.

(e) *Powers and duties.* The city board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or interpretation of this chapter or of any ~~resolution/~~ordinance adopted pursuant thereto; and

(2) To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.

(f) *Decisions, appeals, rehearing.* In exercising the above mentioned powers, the city board of adjustment may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the office from whom the appeal is taken.

The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under such ~~resolution/~~ordinance, or to effect any variation in the application of this chapter.

Any person aggrieved by any decision of the city board of adjustment, or any affected taxpayer, or any officer, department, board, or bureau of the city may appeal the decision by presenting a petition to a court of record. The petition must set forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) calendar days after the filing of the decision of the board.

If the city board of adjustment fails to act on a matter that is before it or scheduled to be before it for any reason other than on motion duly continuing the matter, the applicant may deem the matter be denied and may immediately proceed by appeal as provided in this subsection (f).

If an application for an administrative review or variance is denied by the city board of adjustment, another application shall not be filed within a period one (1) year from the date of denial.

Sec. 27-1506. - City variances.

(a) *Authority.* The city board of adjustment shall have the authority to grant a variance from the terms of this chapter in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions with respect to the lot shape or topography, a literal enforcement of the provisions of the chapter would result in unnecessary hardship.

(b) *Applications.* An application for a variance shall be filed with the zoning coordinator under the following conditions:

(1) The application shall include, but not be limited to the following:

a. A legal and general description of the tract(s) upon which a variance is sought;

b. The names and addresses of the owner(s) of the land subject to the variance, and his/her agent, if any, along with the recorded property owner's signature;

c. A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet of the exterior boundaries of the tract(s); and

d. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list.

(2) The applicant shall present a map showing the location of the property for which the application is submitted, and its relation to adjoining property;

(3) The applicant shall present a dimensioned site plan of the property for which the application is submitted which shall include, but not necessarily be limited to, the following:

a. The location and dimension of all vehicular points of ingress and egress, drives, off-street parking spaces, channelizations and traffic circulations;

b. The location and size of all existing and proposed buildings, structures and improvements; and

c. The existing buildings, structures and improvements shall be labeled as such and indicated by a solid line. The proposed buildings, structures and improvements shall be labeled as such and indicated by a dashed or dotted line.

(4) The application shall state reasons why the variance is being sought and shall specify the facts of hardship upon which the request for a variance is based;

(5) The application must be submitted at least twenty (20) days prior to the date of the public hearing;

(6) The application must be accompanied by payment of all applicable fees; and

(7) An application for a variance may not be withdrawn or amended by the applicant after the legal advertising as required by this chapter shall have first appeared. However, the city board of adjustment may, by majority vote of members present, allow the application to be withdrawn without prejudice with respect to the twelve (12) month limitation of this chapter.

(c) *Planning department action.* The zoning coordinator, upon receiving an application for a variance shall do the following:

(1) Consult with other departments of the city ~~and/or county~~ to fully evaluate the impact of the variance contemplated under the application upon public facilities and services;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land uses; and its relationship to the comprehensive plan;

(3) Place notice of the time, date and place of the public hearing in a newspaper of general circulation fifteen (15) days in advance of the date set for the public hearing;

(4) Notify, by mail, the owner of the property and/or his/her agent, of the time, date and place of the public hearing five (5) days in advance of that date;

(5) Notify the property owners, by mail, within three hundred (300) feet of the exterior boundaries of the subject property of the time, date, place and proposed variance. The zoning coordinator may notify property owners within a radius of more than three hundred (300) feet if he/she determines that the proposed variance would likely have a substantial impact on the surrounding land uses;

(6) Place a notice of the time, date and place of the public hearing on the property fifteen (15) days prior to the hearing date; and

(7) Report his/her findings, in writing, to the city board of adjustment which report shall be a matter or public record.

(d) *City board of adjustment action.* The city board of adjustment, before it grants a variance shall determine:

(1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;

(2) That a literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district;

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other land in the same district;

(4) That the granting of the variance will be in harmony with the general purpose and intent of this chapter and with the comprehensive plan;

(5) In granting any variance, the board may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this chapter;

(6) The board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance; and

(7) Under no circumstances shall the board grant a variance to allow a use not permissible under the terms of this chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.

~~Sec. 27-1507. - County zoning commission created.~~

~~There is hereby created a Yellowstone County zoning commission to consist of five (5) members residing on property, any part of which lies within the Unincorporated Jurisdictional Area of this chapter but outside the limits of the City of Billings. The members are to be appointed by the board of county commissioners for a term of two (2) years and the terms of the members shall be staggered so that a minimum number of terms shall expire in any one (1) year. At the first regular meeting of the county zoning commission, the commission shall select a chairman and adopt written procedures for the conduct of its responsibilities as established in this section.~~

~~The members of said county zoning commission are required to attend all county zoning commission meetings advertised publicly, except in the case of an excused absence. The presence of three (3) members shall constitute a quorum.~~

~~The duties and powers of the county zoning commission shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and to hold public meetings and make recommendations to the board of county commissioners on all requests to amend, supplement, change, modify or repeal the regulations, restrictions and boundaries in the zoning districts. The board of county commissioners shall not take any action until it has received a final report from such commission.~~

~~Sec. 27-1508. - Amendments to chapter.~~

~~(a) *General.* The regulations, restrictions and boundaries set forth in this chapter may, from time to time, be amended, supplemented, changed or repealed by the board of county commissioners provided, however, that no action on any application for amendment, change or repeal may be taken until the application has first been processed and advertised in accordance with the provisions of this chapter.~~

~~(b) *Application for map amendments.* Unless initiated by the board of planning or board of county commissioners, all applications for an amendment to the official map, or to the text of this chapter must be submitted in person by the property owner, the contract purchaser or the authorized agent of the property owner. Proposals to amend this chapter, except for the official zoning map, may also be initiated by the county zoning commission. An application for an amendment affecting the same property shall not be submitted more than once every twelve (12) months.~~

~~Each application to amend the official map or text shall be filed with the zoning coordinator, and each application shall be submitted under the following conditions:~~

~~(1) It shall include, but not be limited to, the following information:~~

~~a. A legal description of the tract(s) proposed to be rezoned;~~

~~b. A map showing the dimensions, acreage, and location of the tract(s) and adjacent land uses;~~

~~c. The present and proposed classification for the tract(s);~~

~~d. A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s);~~

~~e. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list;~~

~~f. The names and addresses of the owner(s) of the land and their agents, if any, along with the recorded property owner's signature; and~~

~~g. Payment of all applicable fees.~~

(2) Any application for an amendment to the official map must be submitted together with all applicable fees, to the zoning coordinator twenty (20) days prior to the date of the public hearing before the Yellowstone County zoning commission.

(3) An application may be withdrawn at any time prior to the publication of the legal advertisement for the public hearing before the county zoning commission without respect to the twelve (12) month waiting period. After legal notice for the county zoning commission public hearing has been published, the request for withdrawal shall be submitted to the planning department office at least twenty-four (24) hours prior to the public hearing. The county zoning commission may allow withdrawal of the application, after advertisement of the zoning commission public hearing has been published, by a majority vote of the members present, without prejudice with respect to the twelve (12) month waiting period after the application has first been submitted. However, no application shall be allowed to be withdrawn more than once within the twelve (12) month period after the application shall have first been submitted.

(4) An applicant requesting a zone change may request a thirty (30) day delay on the hearing of his/her application before the county zoning commission. The request for the delay and reasons must be submitted in writing to the planning office or chairman of the county zoning commission twenty-four (24) hours in advance of the public hearing. Approval of a delay shall require a majority vote of the members present, without requiring county commission approval of the delay. Only one such delay shall be allowed on any application.

(c) *Planning department action.* The zoning coordinator, upon receiving an application for rezoning an area or a particular piece of property, shall do the following:

(1) Consult with other departments of the city and/or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land uses, and its correspondence with the growth policy;

(3) Publish notice of the application in a newspaper of general circulation at least fifteen (15) days in advance of the date of the county zoning commission public hearing. The notice shall contain: the classification sought, the location of the property, the date, time and place of the county zoning commission public hearing and that the proposed zone change information is on file for public inspection at the office of county clerk and recorder;

(4) Notify, by mail, the applicant and/or his/her authorized agent at least five (5) days prior to the date of the county zoning commission public hearing of the date, time and place of such hearing;

(5) Notify, by mail, all property owners within three hundred (300) feet of the exterior boundaries of the property subject to the rezoning of the date, time and place of the county zoning commission public hearing and the existing and proposed classification at least fifteen (15) days in advance of that date. The zoning coordinator may notify property owners within a radius of more than three hundred (300) feet if he/she determines that the proposed rezoning of the property would likely have a substantial impact on the surrounding land uses;

(6) Place notice of the county zoning commission public hearing and board of county commissioners public hearing on the property subject to rezoning and in four (4) other public places at least forty-five (45) days in advance of the date of the board of county commissioners public hearing; and

(7) Report his/her findings and conclusions in writing to the county zoning commission, which report shall be a matter of public record.

(d) *County zoning commission action.* The county zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing for which the application has been legally advertised. Each application shall be presented to the county zoning commission by the zoning coordinator or his/her designee, together with his/her findings and conclusions on the matter. The county zoning commission may, by a majority vote of the members present, delay action for a period not to exceed thirty (30) days, without prejudice to the applicant. A

report of the commission's recommendation and the zoning coordinator's findings and conclusions shall be submitted to the board of county commissioners.

The county zoning commission shall make a recommendation to the board of county commissioners to:

(1) Approve the application; or

(2) Deny the application.

The county zoning commission shall submit its recommendations in writing along with a statement indicating its reasons for the recommendation to grant, deny, or allow withdrawal of the amendment within fifteen (15) days following the public hearing. In no case shall the county zoning commission make a recommendation that an amendment be granted for an amendment that was not legally advertised.

In making its recommendation to the board of county commissioners for an amendment to the official map or text of this chapter, the county zoning commission shall consider, among other things, the following:

(1) Whether the new zoning is designed in accordance with the growth policy;

(2) Whether the new zoning is designed to secure from fire and other dangers;

(3) Whether the new zoning will promote public health, public safety and general welfare;

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

(5) Whether the new zoning will provide adequate light and air;

(6) Whether the new zoning will effect motorized and nonmotorized transportation;

(7) Whether the new zoning will be compatible with urban growth in the vicinity of cities or towns;

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

(9) Whether the new zoning will conserve the value of buildings;

(10) Whether the new zoning will encourage the most appropriate use of land throughout Yellowstone County; and

(11) Whether the new zoning will, as nearly as possible, be compatible with the zoning of nearby cities and towns.

(e) *Board of county commissioners action.* Notice of the board of county commissioners public hearing shall be published once a week for two (2) weeks in a newspaper of general circulation. The notice shall contain the time, date and place of the board of county commissioners public hearing, the boundaries of the proposed district, the general character of the proposed zoning district or regulations and that the proposed zoning regulations or district boundary change are on file for public inspection at the office of the county clerk and recorder. Before taking any action on an application for an amendment to the official map, or amendment to the text of this chapter the board of county commissioners shall first consider the findings and recommendations of the county zoning commission. In no case shall the board approve an amendment for a classification other than the one advertised. The board shall:

(1) Approve the application;

(2) Deny the application;

(3) Allow withdrawal of the application; or

(4) Delay action on the application for a period not to exceed thirty (30) days.

Sec. 27-1509. - Special review by county zoning commission.

(a) *General.* Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this chapter to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this chapter and the objectives of the comprehensive plan.

(b) *Application procedure.* An application for a special review may be submitted by the property owner, contract purchaser or his/her authorized agent. Such application shall be filed with the zoning coordinator and shall be submitted under the following conditions:

(1) The application shall include, but not be limited to, the following information:

a. A legal and general description of the tract(s) upon which the special review use is sought;

b. A map showing the dimensions, acreage and location of the tract(s);

c. The names and addresses of the owner(s) of the tract(s) and his/her authorized agent, if any, along with the recorded property owner's signature;

d. A certified list of the names and addresses of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s);

e. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list;

f. A site plan showing major details of the proposed development including but not limited to: the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping, screening, signs and open space areas;

g. The application must be accompanied by the payment of all applicable fees; and

h. Any other information the applicant believes will support his/her request or other information as requested by the zoning coordinator or planning department.

(2) An application may be withdrawn or amended at any time prior to the publication of the legal advertisement for the public hearing before the county zoning commission. After legal notice for the county zoning commission public hearing has been published, the request for withdrawal shall be submitted to the planning department office at least twenty four (24) hours prior to the public hearing. The county zoning commission may allow withdrawal of the application, after advertisement of the zoning commission public hearing has been published, by a majority vote of the members present, without prejudice with respect to the twelve (12) month waiting period after the application has first been submitted. However, no application shall be allowed to be withdrawn more than once within the twelve (12) month period after the application shall have first been submitted.

(3) An applicant may request a delay for a period not to exceed thirty (30) days on the hearing of his/her application before the county zoning commission. The request for the delay and reasons must be submitted in writing to the planning office or chairperson of the county zoning commission twenty-four (24) hours in advance of the public hearing. Approval of a delay shall require a majority vote of the members present, without requiring county commission approval of the delay. Only one (1) such delay shall be allowed on any application.

(4) the application must be submitted, together with all applicable fees, to the zoning coordinator twenty (20) days prior to the date of the public hearing.

(c) *Planning department action.* The zoning coordinator, upon receiving an application for a special review use, shall do the following:

(1) Consult with other departments of the city and/or county to fully evaluate the impact of the use contemplated under the special review application upon public facilities and services;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land uses, and its correspondence with the comprehensive plan;

(3) Advertise notice of the application in a newspaper of general circulation fifteen (15) days in advance of the date of the county zoning commission public hearing. The notice shall contain the time, date and place of the county zoning commission public hearing;

(4) Notify, by mail, the applicant and/or his/her authorized agent, of the time, date and place of the public hearing five (5) days in advance of that date;

(5) Notify the property owners, by mail, within three hundred (300) feet of the exterior boundaries of the tract(s) subject to the special review of the time, date, place and proposed use at least fifteen (15) days prior to the public hearing date. The zoning coordinator may notify property owners within a distance greater than three hundred (300) feet if he/she determines that the proposed use would be such as to have a substantial environmental impact on the surrounding land uses;

(6) Place notice of the public hearing on the property subject to the special review fifteen (15) days in advance of the public hearing; and

(7) Report his/her conclusions and findings, in writing, to the county zoning commission, which report shall become a matter of public record.

(d) *County zoning commission action.* The county zoning commission shall consider each application in accordance with the provisions of this chapter, and at a public hearing at which time the application has been legally advertised. Each application shall be presented to the county zoning commission, by the zoning coordinator or his/her designee, together with his/her conclusions and findings on the matter. The county zoning commission may, by a majority vote of the members present, delay action for a period not to exceed thirty (30) days, without prejudice to the applicant. A written report of the commission's decision and recommendation and the zoning coordinator's report shall be submitted to the board of county commissioners.

The county zoning commission shall make a recommendation to the board of county commissioners to:

(1) Approve the application;

(2) Conditionally approve the application; or

(3) Deny the application.

Recommendations from the county zoning commission shall be based on findings of fact and shall be transmitted to the applicant, or his/her agent and the board of county commissioners within fifteen (15) days of the date of the public hearing before the commission.

Before approving a special review use, the county zoning commission shall find that the contemplated use:

(1) Complies with all requirements of this chapter;

(2) Is consistent with the objectives and purposes of this chapter and the comprehensive plan; and

(3) Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects.

Further, the county zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:

(1) Street and road capacity;

(2) Ingress and egress to adjoining streets;

(3) Off-street parking;

(4) Fencing, screening and landscaping;

(5) Building bulk and location;

(6) Usable open space;

(7) Signs and lighting; and/or

(8) Noise, vibration, air pollution and similar environmental influences.

(e) *Board of county commissioners action.* Notice of the board of county commissioners public hearing shall be placed in a newspaper of general circulation. The notice shall contain the time, date and place of the board of county commissioners public hearing. Before taking any action on an application for a special review use, the board of county commissioners shall first consider the findings and recommendations of the county zoning commission. In no case shall the board approve a special review use other than the one advertised. The board shall:

(1) Approve the application;

(2) Conditionally approve the application;

(3) Deny the application;

(4) Allow withdrawal of the application; or

(5) Delay the application for a period not to exceed thirty (30) days.

Sec. 27-1510. - County board of adjustment.

(a) *Created.* There is hereby created a Yellowstone County board of adjustment consisting of five (5) members residing on property, any part of which lies within the unincorporated jurisdictional area of this chapter, but outside the limits of the City of Billings. The members are to be appointed by the board of county commissioners for a term of two (2) years and the terms of the members shall be staggered so that a minimum number of terms shall expire in any one (1) year.

(b) *Proceedings.* Meetings of the county board of adjustment shall be scheduled at a regular time each month and special meetings may also be called by the chairperson. The chairperson may cancel the regular monthly meeting if no matters are pending for the board's consideration. The chairperson, or in his/her absence, the acting chairperson may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. In exercising its powers and duties under this chapter, not less than three (3) members of the board shall constitute a quorum.

The board of adjustment shall keep minutes of its proceedings, showing the vote of each member, or if absent or failure to vote, indicating such fact. The board shall keep records of its examinations and other official actions, all of which shall be public record and shall be filed in the office of the Yellowstone County board of planning, with copies forwarded to the board of county commissioners and zoning coordinator within thirty (30) days. The official minutes of the board's proceedings shall be signed by the chairperson or acting chairperson. The decision of the board shall become effective immediately, unless otherwise directed by the board. The board shall adopt bylaws for the conduct of its affairs and responsibilities under this chapter.

(c) *Hearing, appeals, notices.* Appeals to the county board of adjustment may be taken by any person aggrieved or by any office, department or bureau of the county affected by any decisions of the administrative officer. Such appeal shall be taken within a reasonable time, not to exceed thirty (30) days, by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and with the county board of adjustment. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the record upon which the action appealed was taken.

The county board of adjustment shall fix a reasonable time for the hearing of appeal, not to exceed thirty (30) days, give public notice thereof, as well as due notice to the parties in interest, and render a decision within a reasonable time not to exceed ten (10) days thereafter. At the hearing any party may appear in person, by agent or attorney.

(d) *Appeals, stay of proceedings.* An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the county board of adjustment, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate, a stay would in his/her opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed other than by a restraining order which may be granted by the county board of adjustment or by a court of record upon application to same and notice to the officer from whom the appeal is taken and on due cause shown.

(e) *Powers and duties.* The county board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or interpretation of this chapter or of any resolution/ordinance adopted pursuant thereto;

(2) To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.

(f) *Decision and appeals.* In exercising the above mentioned powers, the county board of adjustment may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the office from whom the appeal is taken. The concurring vote of three (3) members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under such resolution/ordinance, or to effect any variation in the application of this chapter.

Any person aggrieved by any decision of the county board of adjustment, or any affected taxpayer, or any officer, department, board or bureau of the county may appeal the board's decision, subject to the following procedure:

(1) Present to a court of record a petition setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the decision of the board;

(2) That all action permitted by a grant of variance pursuant to the authority granted herein shall be stayed pending a petition to a court of record. The stay shall continue until the court has made a final determination;

(3) If the county board of adjustment fails to act on a matter that is before it or scheduled to be before it for any reason other than on motion duly continuing the matter, the applicant may deem the matter denied and may immediately proceed by appeal as provided in this BMCC section 27-1510(F).

If an application for an administrative review or variance is denied by the county board of adjustment, another application shall not be filed within a period of one (1) year from the date of denial.

Sec. 27-1511. - County variances.

(a) *Authority.* The county board of adjustment shall have the authority to grant a variance from the terms of the chapter in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions with respect to the lot shape or topography, a literal enforcement of the provisions of the chapter would result in unnecessary hardship.

(b) *Application procedure.* An application for a variance shall be filed with zoning coordinator under the following conditions:

(1) The application shall include, but not be limited to, the following:

a. A legal and general description of the tract(s) upon which the variance is sought;

b. The names and addresses of the owner(s) of the land subject to the variance, and his/her agent, if any, along with the recorded property owner's signature;

c. A certified list of the names, addresses and legal descriptions of the owners of property within a radius of three hundred (300) or more feet, as determined by the zoning coordinator, of the exterior boundaries of the tract(s); and

d. Gummed mailing labels with the names and mailing addresses typed or printed neatly of all of the property owners indicated on the certified list.

(2) The applicant shall present a map showing the location of the property for which the application is submitted, and its relationship to adjoining property;

(3) The applicant shall present a dimensioned site plan of the property for which the application is submitted which shall include, but not be limited to, the following:

a. The location and dimension of all vehicular points of ingress and egress, drives, off-street parking spaces, channelizations and traffic circulation;

b. The location and size of all existing and proposed buildings, structures and improvements; and

c. The existing buildings, structures and improvements shall be labeled as such and indicated by a solid line. The proposed buildings, structures and improvements shall be labeled as such and indicated by a dashed or dotted line.

(4) The application shall state reasons why the variance is being sought and shall specify the facts of hardship upon which the request for a variance is based;

(5) The application must be submitted at least twenty (20) days prior to the date of public hearing;

(6) The application must be accompanied by the payment of all applicable fees; and

(7) An application for a variance may not be withdrawn or amended by the applicant after the legal advertising as required by this Section shall have first appeared. However, the county board of adjustment may, by a two-thirds vote of all members, allow the application to be withdrawn without prejudice with respect to the twelve (12) month limitation of this chapter.

(c) *Planning department action.* The zoning coordinator, upon receiving an application for a variance, shall do the following:

(1) Consult with other departments of the city and/or county to fully evaluate the impact of the variance contemplated under the application upon public facilities and services;

(2) Study each application with reference to its appropriateness and effect on existing and proposed land uses, and its correspondence with the comprehensive plan;

(3) Place notice of the time, date and place for the public hearing in a newspaper of general circulation fifteen (15) days in advance of the date set for the public hearing;

(4) Notify, by mail, the owner(s) of the property and/or his/her agent, of the time, date and place of the public hearing five (5) days in advance of that date;

(5) Notify the property owners, by mail, within three hundred (300) feet of the exterior boundaries of the property subject to the variance of the time, date, and place of the public hearing and the proposed variance request at least fifteen (15) days prior to the public hearing. The zoning coordinator may notify property owners within a radius of more than three hundred (300) feet, if he/she determines that the proposed variance would likely have a substantial impact on the surrounding land uses;

(6) Place a notice of the time, date and place of the public hearing on the property fifteen (15) days prior to the hearing date; and

(7) Report his/her findings, in writing, to the county board of adjustment, which report shall be a matter of public record.

(d) *County board of adjustment action.* The county board of adjustment, before it grants a variance shall determine:

(1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;

(2) That a literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district;

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other land in the same district;

(4) That the granting of the variance will be in harmony with the general purpose and intent of this chapter and with the comprehensive plan;

(5) In granting any variance, the board may prescribe appropriate conditions and safeguards in conformity with this Resolution/Ordinance. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Resolution/Ordinance;

(6) The board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance; and

(7) Under no circumstances shall the board grant a variance to allow a use not permissible under the terms of this Resolution/Ordinance in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the same district.

ARTICLE 27-1600. - ADMINISTRATION AND ENFORCEMENT

Sec. 27-1601. - Intent.

It is the intent of this chapter to provide for the efficient, reasonable, and impartial enforcement of this chapter by authorizing an enforcement officer, the basic procedures for complying with the chapter and the penalties for violations.

Sec. 27-1602. - Administration.

(a) The zoning coordinator is hereby given the authority to administer the provisions of this chapter for the City of Billings and the unincorporated jurisdictional area of Yellowstone County.

(b) The zoning coordinator shall supervise and effectuate the processing of applications for amendments to the official zoning map, special review applications, requests for variances, and other applications under the terms of this chapter. Further it shall be his/her responsibility to present any applications or requests to the appropriate board or commission.

(c) It shall further be the responsibility of the zoning coordinator to aid the various boards, commissions and departments in transmitting appeal records to the board of county commissioners and the city council and to otherwise promote procedural regularity in the administration of this chapter. The position of zoning coordinator shall be within the organizational structure of the Yellowstone County board of planning.

(d) The zoning coordinator shall not have authority to act in any final reviewing capacity and any questions as to interpretation or enforcement shall be determined by the appropriate board, commission or department, unless such authority is specifically allowed in a chapter.

Sec. 27-1603. - Zoning enforcement officer.

It shall be the duty of the zoning coordinator or his/her designee to be the enforcement officer for the zoning regulations. He/she is hereby given the authority to enforce the provisions of this chapter for the City of Billings and the unincorporated jurisdictional area of Yellowstone County.

Sec. 27-1604. - Penalties for violation.

(a) A violation of this act or any chapter adopted pursuant thereto, other than offenses specifically declared to be municipal infractions, is hereby declared to be a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail not exceeding six (6) months, or both, and in addition shall pay all costs and expenses involved. Each day such violation continues shall be considered to be a separate offense.

(b) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this act, or of any ~~resolution/~~ordinance made under authority conferred hereby, the proper authorities of the city ~~or county~~ may institute any appropriate action or proceedings, in addition to other remedies, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use to restrain, correct, or abate such violation to prevent the occupancy of such building, structure, or land to prevent any illegal act, conduct, business, or use in or about such premises. ~~Outside the Billings city limits and for the purposes of enforcing this section, the county shall attempt to obtain voluntary compliance at least thirty (30) days before filing a complaint for a violation of this part that is subject to the penalties under subsection (a) above.~~

ARTICLE 27-1700. - SEPARABILITY CAUSE, REPEAL OF CONFLICTING RESOLUTIONS/ORDINANCES AND EFFECTIVE DATE

Sec. 27-1701. - Provisions of this chapter developed to be minimum standards.

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety and general welfare.

Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

Sec. 27-1702. - Separability clause.

If any provision of this chapter or its application to any person or circumstances is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

Sec. 27-1703. - Repeal of conflicting resolutions/ordinances and effective date.

~~Resolutions/o~~ Ordinances or parts of ~~resolutions/~~ordinances in conflict with this ~~Resolution/~~Ordinance [Ord. No. 97-5048] are hereby repealed to the extent necessary to give this chapter full force and effect. This Zoning ~~Resolution/~~Ordinance for the City of Billings ~~and the unincorporated 4½ Mile Jurisdictional Area of Yellowstone County~~ shall become effective on February 1, 1998.

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 of the city council ~~or board of county commissioners~~. Within this schedule of fees, the city council shall be solely responsible for setting the fee for the Medical Corridor Permit Zoning preliminary and final reviews, as established in BMCC subsection 27-909(b).

No zone change, special review or variance shall be issued unless or until such costs, charged, fees or expenses 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.

Section 4. AMENDMENT**.** ARTICLE 27-1800. - EAST BILLINGS URBAN REVITALIZATION DISTRICT CODE – Has no changes, amendments or deletions and will be re-adopted exactly as currently stated within the Billings, Montana City Code (BMCC).

Section 5. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. 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 7. 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 August 14, 2017.

PASSED, ADOPTED AND APPROVED on second reading August 28, 2017.

CITY OF BILLINGS:

BY:_____
Mayor Thomas W. Hanel

ATTEST:

BY: _____

Denise Bohlman, City Clerk

2017 – City and County Zoning Code Separation

Regular **6.**

Regular City Council Meeting

Meeting Date: 08/14/2017

TITLE: Public Hearing for Ward Ordinance First Reading - Annexation #17-02

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

Presentation: No

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the City. The City Council approved the annexation of property owned by Richard and Mae Sartorie (Annexation #17-02) on July 10, 2017. The subject property is about 5.4 acres in size and described as Tract 2B-2 of Amended Tract 2B, Corrected C/S 840, Second Amended. The property is located west of Hawthorne Lane and north of Kyhl Lane in the Billings Heights. This requires a change in the boundaries of Ward II. Two readings are required for this action. The first reading of the ordinance is scheduled for August 14, 2017 along with a public hearing, and the second reading is scheduled for August 28.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundaries of Ward II on first reading.

- Approving the ordinance will modify the boundaries of Ward II to include the property owned by Richard and Mae Sartorie.
- Not approving the ordinance will not modify the boundaries of Ward II and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There is no budget/financial impact from this action.

RECOMMENDATION

Staff recommends that the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward II.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 17-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD II PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

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

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward II the following described real property:

   A tract of land situated in the SW1/4 of Section 14, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract 2B-2, of Amended Tract 2B, Corrected Certificate of Survey No. 840, Second Amended, Recorded October 9, 2014, under Document Number 3720409, of record and on file in the office the Yellowstone County, Clerk and Recorder's.

   Containing 5.450 gross and net acres more or less.
   (# 17-02) See Exhibit "A" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 14th day of August, 2017.

PASSED by the City Council on the second reading this 28th day of August, 2017.

THE CITY OF BILLINGS:

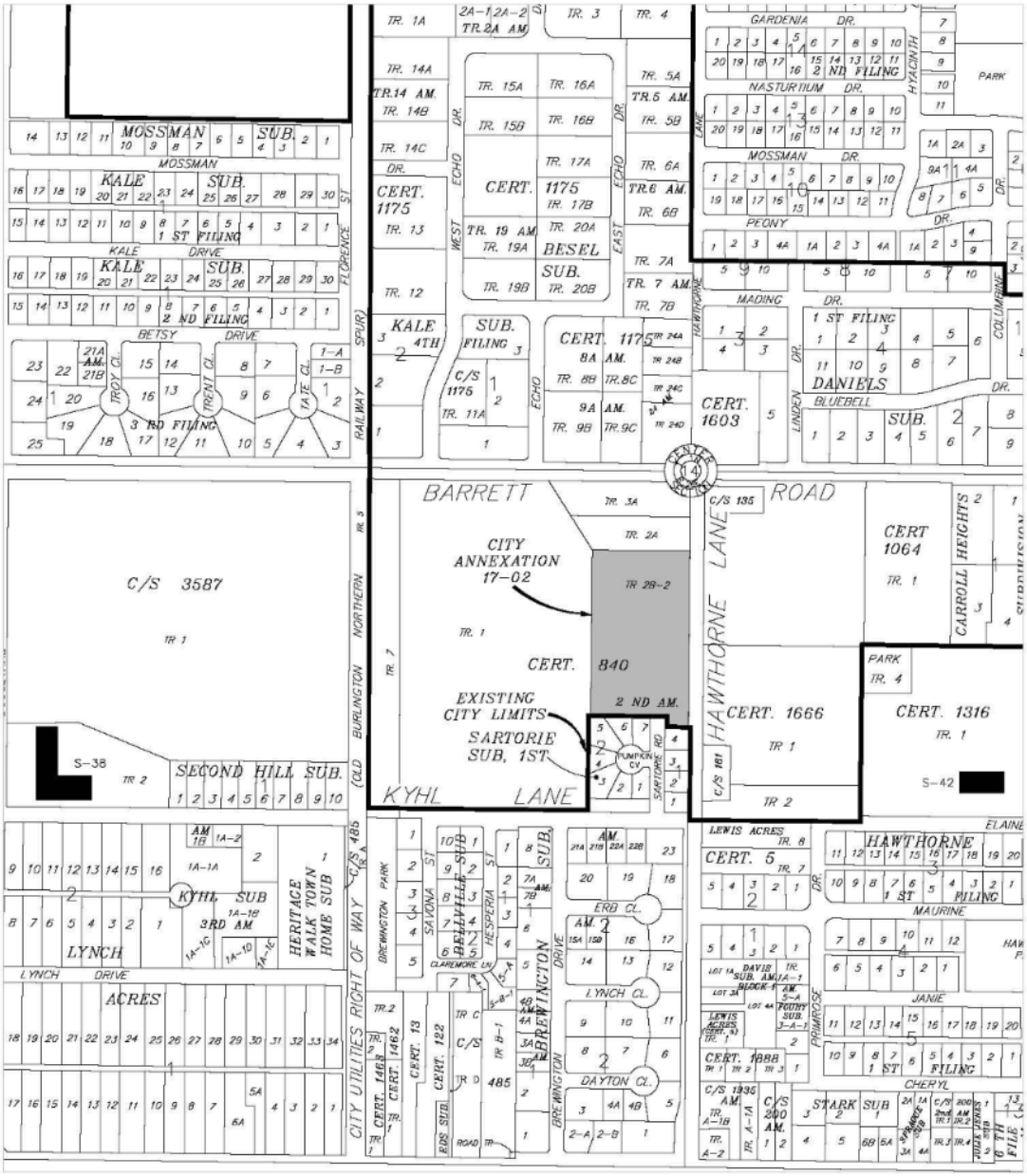
_____
Thomas W. Hanel, MAYOR

ATTEST:

BY:_____
Denise Bohlman, CITY CLERK

(AN 17-02)

EXHIBIT "A"


BARRETT ROAD
KYHL LANE
HAWTHORNE LANE
CITY ANNEXATION 17-02
EXISTING CITY LIMITS
SARTORIE SUB, 1ST.
C/S 3587
SECOND HILL SUB.
KYHL SUB
3RD AM.
HERITAGE WALK TOWN HOME SUB
LYNCH ACRES
MOSSMAN SUB. 1 ST FILING
KALE SUB. 1 ST FILING
KALE SUB. 2 ND FILING
KALE 4TH
SUB. FILING 3
BESEL SUB.
DANIELS SUB.
1 ST FILING
HAWTHORNE 1 ST FILING
STARK SUB 1
ABERRINGTON DRIVE
LYNCH CL.
DAYTON CL.
ERB CL.
TROY CL.
TRENT CL.
TATE CL.
CERT. 1175
CERT. 840
CERT. 1603
CERT. 1064
CERT. 1666
CERT. 1316
CERT. 5
CERT. 1888
CERT. 1462
CERT. 122
CERT. 13
C/S 1175
C/S 135
C/S 161
C/S 485
C/S 1936 AM.
C/S 200 AM.
GARDENIA DR.
NASTURTIUM DR.
MOSSMAN DR.
PEONY DR.
MADING DR.
BLUEBELL DR.
BETSY DRIVE
LYNCH DRIVE
JANIE
MAURINE
CHERYL
ELAINE
CARROLL HEIGHTS
LEWIS ACRES
DAVIS SUB. AM.
COUNTY SUB. 3-A-1
PARK
PUMPKIN CT.
CLAREMORE LN.
CITY UTILITIES RIGHT OF WAY
BURLINGTON NORTHERN (OLD RAILWAY SPUR)
FLORENCE
HYACINTH
COLUMBINE
LINDEN
HABINGORE
SAVONA
HESPERIA
DREWINGTON PARK
PRIMROSE