

ORDINANCE 22-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THAT THE BILLINGS, MONTANA CITY  
CODE (BMCC) BE AMENDED BY REVISING ARTICLE 22-  
500 OF SAID CODE; REVISING LANGUAGE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

**Section 1.** That Article 21-500 of the Billings, Montana City Code (BMCC) is amended and renumbered so that such section shall read as follows:

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

Whenever any portion of the city shall have been designated as a street maintenance district, the streets and avenues and intersections of streets and avenues in such district may be maintained as maintenance is defined in MCA 7-12-4401(2) and improved within such district as is defined in MCA 7-12-4405 for such time and in such manner, and under the supervision of the city.

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

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

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

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

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

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

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

The maximum annual assessment for street maintenance for any tract, parcel or lot which is undeveloped and unimproved shall be set by resolution.

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

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

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

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

**Section 2. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

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

**Section 4. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PASSED, ADOPTED and APPROVED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor

Attest:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk