

RESOLUTION 23-_____

**A RESOLUTION REPEALING 04-18204 AND ADOPTING
GENERAL GUIDELINES AND STANDARD PROCEDURES
FOR SPECIAL IMPROVEMENT DISTRICTS FOR CITY
STREETS**

WHEREAS, the City of Billings adopted “City of Billings Policy For Roadway Special Improvement Districts” in Resolution 04-18204 which requires repeal and replacement to perpetuate equitable and consistent application and assessments for completion of incomplete streets; and

WHEREAS, the Montana Code Annotated (MCA) allows municipalities to assess adjacent property owners for the construction or reconstruction of street improvements including street, curb and gutter, sidewalk, and appurtenances; and

WHEREAS, for the purpose of this resolution, residential properties are defined as lots or parcels with single family or duplex dwelling units on them. Non-residential properties are defined as lots or parcels with commercial buildings on them and lots or parcels with three (3) or more residential dwelling units on them.

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

1. That Resolution 04-18204 adopting “City of Billings Policy for Roadway Special Improvement Districts” is repealed in its entirety and is replaced, as follows:

**CITY OF BILLINGS POLICY FOR
Special Improvement Districts**

Purpose: The City of Billings is establishing a consistent Policy for the development of Special Improvement Districts. The Policy shall address the physical items to be assessed, properties eligible for assessment, and responsibilities for tasks. The Policy is in conformance with Billings City Council Resolution No. 05-18234 and Title 7, Chapter 12, Part 41, MCA.

Policy:

General Guidelines:

- The establishment of all Special Improvement Districts (SID) will conform to the policies and practices established in Resolution No. 05-18234 of the City of Billings and

Title 7, Chapter 12, Part 41, MCA.

- The maximum street improvements a property contained in an SID could be assessed for would be the half (1/2) street standard as defined in the Subdivision Regulations for the City of Billings. This standard includes asphalt and base, sidewalk or equivalent multiuse path, curb and gutter, and appurtenant facilities.
- The SID costs will include but not be limited to financial services charges, bond fees, design, project administration, and construction.
- The scheduling of SID projects will be subject to City Council approval in the Capital Improvement Program (CIP) and capital funding availability.

NEW STREETS AND GRAVEL STREETS

- If the street is new or existing as a gravel street, the adjacent property owners will be responsible for the cost of developing to the street standards as described in the General Guidelines.
- For residential corner lots, improvements along the addressed side of the lot and private property specific improvements (i.e., drive approaches) along the non-addressed side serving the property will be assessed to the adjacent property owners. All other improvements along the non-addressed side of the lot will be paid by the City.
- For non-residential lots with multiple street frontages, improvements along all sides will be assessed to the property owner.

EXISTING STREET

- The adjacent property owner will be responsible for the development of the street section that is not complete in accordance with Billings City Council Resolution No. 18-10719.

General Procedures for Special Improvement Districts

Phase	Responsible Agency	Brief Description
Initialization	Public Works Dept.	This phase covers the initialization of the SID from inception to development of request for creation.
Creation	Public Works Dept.	Development of preliminary SID data, notification of property owners, preliminary cost estimate, and creation of SID documents.
Council Approval	Public Works Dept. Legal Dept Administrative Services	Creation of Council Resolution and City Council approval of SID creation.

Design Public Works Dept. Development of construction plans, final cost estimate, bid documents.

Phase	Responsible Agency	Brief Description
SID Bonds	Administrative Services	Award of bonds, printing of bonds, registering of bonds and final closing of bond sale.
Bid SID	Public Works Dept.	Bid and select contractor.
Construction	Public Works Dept.	Construction phase of project.
SID Principal Spread	Administrative Services	Spreading of principal based on on bids and notifying taxpayers of payment amounts.
Spreading	Administrative Services	Determination of cash flow requirements, spreading principal and interest charges and merging of the per bid assessments with the SID assessment file.

PASSED and ADOPTED by the City Council of the City of Billings, Montana, on the _____ day of _____, 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk