
ORDINANCE 24-_____

AN ORDINANCE OF THE CITY OF BILLINGS,
PROVIDING THAT THE BILLINGS, MONTANA CITY
CODE (BMCC) BE AMENDED BY REVISING ARTICLE
18-1400, OF SAID CODE

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

Section 1. That Article 18-1400, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1400. – BOARDED UP STRUCTURES

Sec. 18-1401. Purpose.

Structures left boarded up over a significant period present a threat to the health, safety and welfare of the community and reduce the value of adjoining properties. Standards for long term security of boarded up structures established in this section will help improve the appearance of these structures and preserve neighborhood property values.

(Ord. No. 12-5584, § 1, 9-24-12)

Sec. 18-1402. Definitions.

For the purposes of this article the following definitions shall apply:

Abate: To repair, replace, remove, destroy, or otherwise remedy the condition in question by such means, in such a manner and to such an extent that is determined necessary in the interest of the health, safety and general welfare of the affected community.

Boarded up structure: The use of materials unrelated to the structure's exterior finish, such as plywood, oriented-strand board, plastic, metal, or canvas, to secure or cover openings in a structure.

Owner: The title owner(s), contract purchaser, or any other person or representative of any entity which holds a legal or equitable interest in any parcel.

Owner's agent: A statutory agent such as, but not limited to a legal guardian, conservator, person with durable power of attorney, or property manager.

(Ord. No. 12-5584, § 1, 9-24-12)

Sec. 18-1403. Temporary boarding as a public nuisance.

- (a) *Temporary boarding of window, doors openings.* Window or door openings on a structure may be boarded up for no more than one hundred eighty (180) total days from initial installation or from the effective date of this ordinance, whichever is later. Boards shall consist of a single sheet of oriented strand board (OSB) or plywood large enough to completely cover the window or door opening. The boards shall be attached with non-tampering screws.
- (b) *Boarded window and door openings—Board replacement.* The boards on window and door openings shall be replaced within a single one hundred eighty (180) day period from the initial installation or from the effective date of this ordinance, whichever is later, with properly installed, tight-fitting, and secure windows and doors. For any window or door installation, or replacement, or if a door or window is to be covered or closed in, a building permit must be secured, and all permit review and inspection processes completed per City requirements.
- (c) A structure in violation of subsection a and/or b is deemed a public nuisance per Section 18-301.

(Ord. No. 12-5584, § 1, 9-24-12)

Sec. 18-1404. Enforcement and penalties.

A violation of the provisions in this article shall be enforced and shall be subject to the penalties as provided in Section 18-304.

(Ord. No. 12-5584, § 1, 9-24-12)

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 8th day of April 2024.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of April, 2024.

CITY OF BILLINGS

BY: _____
William A. Cole, Mayor

Attest
:

Denise R. Bohlman, City Clerk