

**ORDINANCE NO. 09-**  
AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING  
THAT THE BILLINGS, MONTANA CITY CODE BE  
AMENDED BY ADDING SECTION 6-304; TIME LIMITS FOR  
CONSTRUCTION AUTHORIZED BY A BUILDING PERMIT,  
ADOPT THE ADDITIONS AS AN AMENDMENT TO THE  
BUILDINGS AND BUILDING 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.** Building exteriors that remain unfinished for excessive amounts of time create a nuisance and potential hazard to the surrounding neighborhood. As a result of numerous cases where building exteriors have been left unfinished, staff (Council ?) initiated an amendment to the Buildings and Building Code Chapter to set time limits for exterior construction authorized by building permits. The recommendations of 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 building regulation shall apply to all land within the City of Billings.

**Section 3.** That the Billings, Montana City Code be amended by adding Section 6-304 to read as follows:

SEC. 6-304. TIME LIMITS FOR CONSTRUCTION AUTHORIZED BY A BUILDING PERMIT.

- (a) When a building permit is issued for the construction of a new residential or commercial structure or for the exterior alteration of an existing structure, all exterior work authorized by the building permit shall be completed within twenty-four (24) months of the date the building permit was issued, and all exterior surfaces of the building addressed by the building permit shall comply with the Uniform Building Code as adopted in this Chapter.
- (b) The Building Official may grant an extension, not to exceed twelve (12) months, to the time limite contained in subsection (a); provided the Building Official's findings for the extension are related to a unique circumstance and the activities authorized by the building permit have been engaged in a timely manner. A unique circumstance may include, but is not limited to, product shortages, inclement weather, labor disputes, project complexity and size, governmental actions, and financial difficulties.
- (c) Violation of this section, is a municipal infraction and punishable by civil penalties as specified in Section 18-1204 (not yet adopted). Each day that the violation continues is a separate offense, and shall be punished accordingly.

8/26/09 DPARB Handout

# YELLOWSTONE COUNTY BOARD OF PLANNING

4TH FLOOR, LIBRARY BUILDING • 510 N. 28TH  
P.O. BOX 1178 • BILLINGS, MONTANA 59103  
PHONE: [406] 657-8246

August 11, 2009

To: Yellowstone County Board of County Commissioners and Billings City Council

The Yellowstone County Board of Planning is very concerned about the long term financial stability of the Planning Division and the lack of local funds to match Federal Transportation Planning (PL) dollars available to the Billings Metropolitan Planning Organization. It is estimated that about \$700,000.00 in PL funds will not be leveraged in Fiscal Year (FY) 2010 due to a lack of matching local funding. This comes from a total of about \$1.3 million in PL funds this community is eligible for in FY2010. The funds are eligible to be used as match to complete transportation and land use planning, and support the necessary staff to complete this work in the community.

Decreases in local matching funds through falling revenue has caused a cascading reaction that has led to staff reductions, reduced resources for staff support, and loss of local leverage to bring in PL funds. This situation showed that revenue from application fees is an unpredictable income source and can cause the community to lose access to Federal funds that it would otherwise be able to plan with annually. In many instances, the PL funds may be matched at 50% or more, meaning that every local dollar spent leverages at least fifty cents of Federal money.

Billings and Yellowstone County comprise the largest metropolitan area in Montana. The community is demanding managed growth, land use decisions that support and protect property values, new ways to enjoy the community through non-motorized travel options, and better infrastructure for pedestrians, cyclists and motorists. These goals can only be achieved through wise investments by the community in local resources. The Planning Board believes that finding a way to bring \$700,000 in additional Federal dollars to Billings and Yellowstone County is an excellent investment in the community's future.

The Planning Board would like to renew discussions with the Board of County Commissioners and City Council to determine how the community can ensure it uses the Federal funds allocated to it, and provide growth management tools, long range transportation planning and expert planning staff for Montana's Trail Head. The Planning Board appreciates the support of the Board of County Commissioners and the City Council in moving the dialog on this vital community issue forward to find solutions.

Sincerely



Bill Iverson

President, City/County Planning Board

# Don't be a Stranger in your own City We are all in this together!

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- **Wed. September 9<sup>th</sup>**  
9-11am & 7-9pm  
Faith Chapel Church  
517 Shiloh Road
- **Thur. September 10<sup>th</sup>**  
9-11am & 7-9pm  
Western Security Bank  
1546 Main (Heights)
- **Wed. September 16<sup>th</sup>**  
9-11am & 7-9pm  
Garfield Center  
3212 1<sup>st</sup> Ave South
- **Thur. September 17<sup>th</sup>**  
9-11am & 7-9pm  
Community Center  
360 North 23<sup>rd</sup> Street

Plan to Participate in a  
Community Conversation;  
based on the Citizens  
Satisfaction Survey  
Results.  
Your opinion does matter!  
For more information contact:  
Bruce McCandless  
(406) 657-8222  
mccandlessb@ci.billings.mt.us

