

RESOLUTION 07-18578

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE A BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTION, TRADE SHOWS AND TRAVEL TO THE CITY OF BILLINGS, MONTANA

**BE IT RESOLVED** by the City Council of the City of Billings (the "City"), Montana, as follows:

**Section 1. Proposed Tourism Business Improvement District (T.B.I.D.); Intention To Create Tourism Business Improvement District.** The T.B.I.D. proposes that the purposes for which the assessments collected shall be used are the statutory purposes set forth in Business Improvement District Law, Montana Code Annotated 2007, 7-12-1101 through 7-12-1144 as amended, for the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget.

**Section 2. Number of District.** The District, if the same shall be created and established, shall be known and designated as the Tourism Business Improvement District No. 0002 of the City of Billings, Montana.

**Section 3. Boundaries of District.** The limits and boundaries of the District are the limits and boundaries of the City of Billings and are depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on "Exhibit C" hereto.

**Section 4. Benefited Property.** The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibit "A" are hereby declared to be the Tourism Business Improvement District and the territory which will benefit and be benefited by and will be assessed for the costs of the Tourism Business Improvement District as described in Section 1.

**Section 5. General Character of the Services to be Performed.** The services to be performed shall be the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget. It includes the marketing of convention and trade shows that benefit local tourism and lodging businesses in Billings; the marketing of Billings to the travel industry in order to benefit local tourism and the lodging businesses located within the Billings Tourism Business Improvement District; and the marketing of Billings to recruit major sporting events in order to promote local tourism and to benefit the lodging businesses within the Billings Tourism Business Improvement District.

**Section 6. Assessment Methods; Property To Be Assessed.** All hotels, as defined as any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, motel, or other similar structure or portion thereof, which meet this criteria and are within the District are to be assessed for the costs of operating the Tourism Business Improvement District.

**Section 7. Assessable Area.** All Hotels, as defined in Section 6, that are within the District will be assessed for their proportionate share of the costs of maintaining the activities of the Tourism Business Improvement District as prescribed in Section 7-12-1133 subsection (c), M.C.A. The assessments to fund the work plan for the first fiscal year are to be a total amounts collected from all hotels with 6 or more rooms within the boundaries of the district who shall be subject to an assessment of seventy five cents (\$0.75) per occupied room night as prescribed in Section 7-12-1133, subsection (c), M.C.A.

**Section 8. Payment of Assessments.** The assessments for the costs of maintaining the services provided by the Tourism Business Improvement District shall be payable, as prescribed in Section 7-12-1133 subsection (c), M.C.A.

**Section 9. Duration of District.** The duration of the T.B. I. D. shall be for a period of 10 years as prescribed in Section 7-12-1141, M.C.A. Upon receipt of a petition signed by the owners of more than 50% of the area of the property included in the district, the governing body shall dis-establish the district at the end of any fiscal year.

**Section 10. Public Hearing; Protests.** At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the proposed District subject to assessment and taxation for the cost and expense of maintaining the Tourism Business Improvement District may make and file with the City Clerk until 5:00 p.m., D.S.M.T., on the expiration date of said 15-day period from July 27, 2007 through August 10, 2007, written protest against the proposed Tourism Business Improvement District, and this Council will at a regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Monday, August 27, 2007 at 6:30 p.m., in the Council Chambers, located on the Second Floor of the City Hall at 220 North 27th Street, in Billings, Montana.

**Section 11. Notice of Passage of Resolution of Intention.** The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of this Resolution in the Billings Times, a newspaper of general circulation in the County on Thursday, July 26, 2007 and Thursday, August 2, 2007, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the proposed district listed in his or her name upon the last completed assessment roll for State, County, and school district taxes, at his last-known address, on or before the same day such notice is first published.

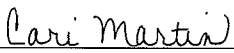
**APPROVED** by the City Council of the City of Billings, Montana, this 23<sup>rd</sup> day of July, 2007.



THE CITY OF BILLINGS:

BY:   
Ron Tussing, Mayor

ATTEST:

BY:   
Cari Martin, City Clerk