

RESOLUTION NO. 15- 10503

**A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO
SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL
CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON
THE 2015 PROPERTY TAX STATEMENTS**

WHEREAS, the City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council adopted Ordinance 08-5478 on September 8, 2008, in part to provide relief to Residential Manufactured Home (RMH)-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council may provide relief to property owners meeting the criteria of Ordinance 05-5322 or Ordinance 08-5478 by capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates, and

WHEREAS, the Public Works Department received five (5) completed and signed petitions by the August 31, 2015, deadline and

WHEREAS, the Public Works Department verified that all five (5) petitions involve properties meeting the criteria of Ordinance 05-5322 or 08-5478, and

WHEREAS, reducing the assessments on these five (5) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2015, and

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

1. **REDUCTION OF ASSESSMENTS:** The Arterial Construction Fees assessments on the following five (5) parcels shall be adjusted by Public Works Department staff and placed upon the assessment rolls and collected in the same manner as other City of Billings assessments.

<i>TAX CODE</i>	<i>ZONE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>PARCEL ADDRESS</i>	<i>Adjusted Assessment</i>
D05202	HC	Hatveldt	Art	2104 Bench Blvd	\$45.50
C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	\$45.50
D05200	HC	Moats	Melville	2112 Main Street	\$45.50
A11635	MCPZD	Nilson	Terry W.	922 North 30th Street	\$33.18

3. **NOTICE OF HEARING**: On Monday, **September 28, 2015**, at 6:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk is hereby directed to publish notice on September 3, 2015, and September 10, 2015, in the ***Billings Times***.

4. **EFFECTIVE DATE**: This resolution shall be effective upon final adoption.

ADOPTED and APPROVED by the City Council this **28th** day of **September 2015**.

CITY OF BILLINGS:



BY: *Thomas W. Hanel*
Thomas Hanel, Mayor

ATTEST:

BY: *Billie Guenther*
Billie Guenther, City Clerk