

ORDINANCE NO. 10-5503

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, City Council initiated an amendment to the Buildings and Building Code, Article 6-300, BMCC, 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 eighteen (18) 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 building codes as adopted in this Chapter.
- (b) The Building Official may grant an extension, not to exceed twelve (12) months, to the time limited 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. Each day that the violation continues is a separate offense, and shall be punished accordingly.

Section 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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.

Section 6. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading, January 25, 2010.

PASSED, ADOPTED AND APPROVED on second reading, February 8, 2010.



CITY OF BILLINGS:

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

ATTEST:

BY: Cari Martin
Cari Martin, City Clerk

(Text Amendment; Time Limit for Construction Authorized by a Building Permit, Sec. 6-304)