

ORDINANCE NO. 10-5509

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-614(e) – TEMPORARY USES – TO ALLOW FOR THE STORAGE AND STAGING OF MATERIALS AND EQUIPMENT FOR APPROVED CONSTRUCTION PROJECTS IN ANY ZONING DISTRICT AND ADOPT THE REVISION AS AN AMENDMENT TO THE ZONING 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. *Title 76, Chapter 2, Part 3, MCA, and Section 27-1502, BMCC,* provide for amendment to the City Zoning Regulations from time to time. The City Council initiated the amendment to the City Zoning Regulations and the City Zoning Commission and staff have reviewed the proposed zoning regulations hereinafter described. The recommendations of the Zoning Commission and 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 zoning regulation shall apply to all land within the City of Billings.

Section 3. **AMENDMENT.** That the Billings, Montana City Code be amended by revising Section 27-614 as follows:

Sec. 27-614. Temporary uses and structures.

(e) Temporary uses and structures.

(1) Construction of equipment, sheds and materials. The temporary staging and storage of equipment and materials and use of buildings or modular structures for offices or equipment sheds during construction projects may be permitted in any zoning district. A temporary use/structure permit is not required if the equipment, materials and structures are is part of an approved construction project. In addition, all equipment, materials and structures shall meet the following criteria:

a. Equipment, materials and structures include any items procured by a contractor that are necessary to complete the approved construction project including, but not limited to:

1. heavy equipment, pipe, fittings, manholes, and the appurtenances;
2. gravel, sand, soil, concrete mix, forms, lumber and similar materials;

- 3. traffic control devices and stacked pallets of materials; and
- 4. modular offices and equipment sheds.
- b. staging and storage of equipment and materials shall be conducted in a safe, neat and orderly manner at all times;
- a.c. Any such equipment, materials and structures shall be removed upon completion of the construction project; and
- b.d. No such structure shall be used for living or sleeping purposes.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 March 22, 2010.

PASSED, ADOPTED AND APPROVED on second reading April 12, 2010.



CITY OF BILLINGS:

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

ATTEST:

BY: Cari Martin
 Cari Martin, City Clerk

ZC #863 – Text Amendment Section 27-614(e) Temporary Uses