

Repealed By

06-5359

ORDINANCE NO. 00-5128

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTIONS 23-404(c) AND 23-404(e) TO INDICATE CITY SUBDIVISION DEVELOPMENT RECOMMENDATIONS SHALL COME FROM PLANNING DEPARTMENT STAFF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That subsection (c) of Section 23-404 of the Billings, Montana City Code be amended so that such subsection shall read as follows:

"Sec. 23.404. Approval.

...

(c) The city-county planning staff board shall notify in writing the city council of its recommendations on all minor plats. The city council shall approve, conditionally approve or reject the minor plat within thirty-five (35) working days of the filing deadline. The city council shall forward one (1) signed copy of the plat to the subdivider accompanied by a letter stating its action. If the city council rejects or conditionally approves the minor plat, it shall forward one (1) copy of the plat to the subdivider accompanied by a letter over the appropriate signature stating the reason for the rejection or enumerating the conditions which must be met to assure approval of the final plat.

Section 2. That subsection (e) of Section 23-404 of the Billings, Montana City Code be amended so that such subsection shall read as follows:

"Sec. 23-404. Approval.

...

(e) The approval or conditional approval shall be in force for not more than three (3) years. At the end of the period the city council may, at the request of the subdivider, after review and recommendation of the city-county planning staff board, extend its approval for no more than one (1) calendar year, except that the city council may extend or conditionally extend its approval for a period of more than one (1) year if that approval period is included as a specific condition of a written agreement between the city council and the subdivider."

Section 3. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 4. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.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.

PASSED by the City Council on first reading this 17th day of August, 2000.

PASSED, ADOPTED and APPROVED on second reading this 28th day of August, 2000.

CITY OF BILLINGS

By Charles F. Tracy
Mayor

ATTEST:

By Marita Neroed
City Clerk

