

## RESOLUTION NO. 06- 18501

### A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON THE OCTOBER 2006 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, Ordinance 05-5322 states, *"The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year."*, and

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

WHEREAS, the Public Works Department received eight (8) completed and signed petitions by the August 31, 2006, deadline and

WHEREAS, the Public Works Department verified that six (6) of the eight (8) petitions involve properties meeting the criteria of Ordinance 05-5322, and

WHEREAS, reducing the assessments on these six (6) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2006, 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 six (6) 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.

| <b>TAX<br/>CODE #</b> | <b>ZONE</b> | <b>LAST NAME</b> | <b>FIRST NAME</b>  | <b>PARCEL ADDRESS</b> | <b>Adjusted<br/>Assessment</b> |
|-----------------------|-------------|------------------|--------------------|-----------------------|--------------------------------|
| C12313                | HC          | Himmelberger     | Dennis             | 233 Swords Lane       | \$35.62                        |
| A03248                | HC          | Hirning          | Rosa P             | 545 Judith Lane       | \$35.62                        |
| A05114                | CI          | Weisbeck         | Peter P & Lucile V | 107 S 8th Street West | \$35.62                        |
| D05202                | HC          | Hatveldt         | Art                | 2104 Bench Blvd       | \$35.62                        |

|        |    |        |                      |                       |         |
|--------|----|--------|----------------------|-----------------------|---------|
| D05200 | HC | Moats  | Melville & Vivian    | 2112 East Main Street | \$35.62 |
| C01104 | HC | Fisher | Lee E. & Patricia J. | 704 Logan Lane        | \$35.62 |

2. **DENIAL OF ASSESSMENT REDUCTION:** There will be no reduction to the Arterial Construction Fee assessments on the following two (2) parcels.

| <b><i>TAX<br/>CODE</i></b> | <b><i>ZONE</i></b> | <b><i>LAST NAME</i></b> | <b><i>FIRST NAME</i></b> | <b><i>PARCEL ADDRESS</i></b> |
|----------------------------|--------------------|-------------------------|--------------------------|------------------------------|
| D05201                     | HC                 | Moats                   | Melville & Vivian        | 2112 East Main Street        |
| D05199                     | HC                 | Kaufman                 | Austin                   | 2111 Main Street             |

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

ADOPTED and APPROVED by the City Council this **25<sup>th</sup>** day of **September 2006**.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Ron Tussing, Mayor

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE CITY CLERK