

ORDINANCE NO. 2841--DENIED

AN ORDINANCE TO DELETE PROHIBITION ON 'BARS'
FROM THE EXISTING 'GC' GENERAL COMMERCIAL
DISTRICT ZONING CLASSIFICATION ON THE NORTH
300-FT OF LOT 4B, BLOCK 18, SUN RIVER PARK ADDITION

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WHEREAS, on the 24th day of March, 1930, the Council of the City of Great Falls, Montana, passed, and its Mayor, on said last mentioned day, approved a certain Ordinance designated as Ordinance No. 634 entitled: "AN ORDINANCE CLASSIFYING, REGULATING AND RESTRICTING THE LOCATIONS OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIED USES; REGULATING AND LIMITING THE INTENSITY OF THE USE OF LOT AREAS, AND REGULATING AND DETERMINING THE AREA OF YARDS, COURTS AND OTHER OPEN SPACES WITHIN AND SURROUNDING SUCH BUILDINGS; ESTABLISHING THE BOUNDARIES OF DISTRICTS FOR THE SAID PURPOSES; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS," and

WHEREAS, said Ordinance No. 634 was recodified and is now contained in Title 17 of the Official Code of the City of Great Falls, adopted upon passage of Ordinance No. 1994 by the Mayor and City Commission on the 6th day of April, 1977, to which said Ordinance and any and all ordinances amendatory thereto or supplementary thereto, reference is hereby made; and,

WHEREAS, on the 28th day of October, 1963, the Council of the City of Great Falls, Montana, passed, and its Mayor approved Ordinance No. 1451 rezoning the North 300-ft of Lot 4, Block 18, Sun River Park Addition, from Suburban Residential District to "GC" General Commercial District with the following uses specifically prohibited: bars, warehouses, and junk yards; and,

WHEREAS, on the 15th day of November, 2002, property owner Evelyn Kelman, through her attorney, Steven T. Potts, submitted a petition to delete the prohibition on bars from Lot 4B, Block 18, Sun River Park Addition, in order to allow a casino to be placed on said property; and,

WHEREAS, notice of amending the conditions accompanying the zoning on the hereinabove described property was published in the Great Falls Tribune, advising that a public hearing on this proposed zoning amendment would be held on the 4th day of March, 2003, before final passage of said Ordinance herein; and,

WHEREAS, pursuant to said Ordinances and Title 76, Chapter 2, Part 3, Montana Code Annotated, a hearing was duly held after notice thereof was first duly given according to said Ordinances and Statutes, for the purpose of considering deleting the prohibition on bars from the General Commercial zoning classification on the North 300-ft of Lot 4B, Block 18, Sun River Park Addition; and,

WHEREAS, following said public hearing, it was found and recommended that the said amendment be made, NOW THEREFORE,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. That the prohibition on bars placed on the North 300-ft of Lot 4B, Block 18, Sun River Park Addition by Ordinance No. 1451 is hereby deleted.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission and approval by the Mayor.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 4th day of March, 2003.

Randall H. Gray, Mayor

ATTEST:

City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT: City Attorney

State of Montana)
County of Cascade : ss.
City of Great Falls

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance No. 2841 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana at a meeting thereof held on the 4th day of March, 2003, and approved by the Mayor of said City on the 4th day of March, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 4th day of March, 2003.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

State of Montana)
County of Cascade : ss.
City of Great Falls)

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 4th day of March, 2003, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance No. 2841 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

(SEAL OF CITY)

Peggy J. Bourne, City Clerk