

**ORDINANCE NO. 2913**

**AN ORDINANCE CREATING THE GREAT FALLS PLANNING ADVISORY BOARD,  
IN AND FOR THE CITY OF GREAT FALLS, MONTANA**

\* \* \* \* \*

**WHEREAS**, the Great Falls City-County Planning Board was created by City Ordinance No. 1441 on August 5, 1963 and by County Resolution on January 13, 1964; and,

**WHEREAS**, the Cascade County Board of Commissioners has taken action to dissolve the Great Falls City-County Planning Board and assume jurisdiction of the extraterritorial area around Great Falls; and,

**WHEREAS**, the Charter of the City of Great Falls states that, “The City Commission may establish and appoint persons to boards, councils, committees, commissions, and other bodies of an advisory or substantive nature to assist the commission in the exercise of its duties”; and,

**WHEREAS**, the proposed planning advisory board is not being created pursuant to or under the provisions of Title 76, Montana Code Annotated.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

That a Great Falls Planning Advisory Board be created in lieu of the former Great Falls City-County Planning Board.

**Section 1. CREATION OF BOARD.** There is hereby created an advisory board, pursuant to and under the provisions of the Charter of the City of Great Falls, to be designated and known as the “Great Falls Planning Advisory Board.”

**Section 2. JURISDICTION.** The Board shall have jurisdiction within the incorporated limits of the City of Great Falls, as currently exist and as may change over time through annexation, and as may be granted or authorized pursuant to any existing or future intergovernmental agreements.

**Section 3. MEMBERSHIP.** The Board shall consist of nine (9) members all of whom shall be residents of the City of Great Falls. The Board shall consist of citizen members and shall not include any City employees or elected officials. Members shall be appointed by the City Commission.

**Section 4. TERM.** The term of office of each member shall be for three years and shall be initially appointed as follows: three for a term of one year, three for a term of two years, and three for a term of three years, and their terms of office shall expire on the first day of January of the first, second and third years respectively following their initial appointment. Thereafter, as their terms expire, each new appointment shall be for a term of three years. Members may be removed from office by a majority vote of the City Commission. Each member may be reappointed when their term has expired to the extent that City policy regarding reappointments allows.

**Section 5. VACANCIES.** Vacancies shall be filled by the City Commission for the unexpired terms of any member whose term becomes vacant.

**Section 6. QUALIFICATIONS.** Members shall be qualified by having interest in and knowledge of community planning and development.

**Section 7. MEETINGS.** The Board shall fix the time for holding regular meetings, but shall meet at least once each month during the year.

**Section 8. SPECIAL MEETINGS.** Special meetings of the Board may be called by the President or by two members upon written request to the Secretary of the Board. The Secretary shall send to all members, at least two days in advance of a special meeting, a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if the time of the special meeting has been fixed in a regular meeting, or if all members are present at the special meeting.

**Section 9. QUORUM -- OFFICIAL ACTION.** Five members shall constitute a quorum. No action of the Board is official, however, unless authorized by five or more members of the Board at a regular or properly called special meeting.

**Section 10. CHAIRMAN AND VICE CHAIRMAN.** As soon as practicable after its creation, the Board shall meet and organize by electing from its members a Chairman and a Vice Chairman. Thereafter, at its first regular meeting in each year, the Board shall elect from its members a Chairman and Vice Chairman. The Vice Chairman shall have authority to act as Chairman of the Board during the absence or disability of the Chairman.

**Section 11. STAFF.** The City shall assign staff employed by the City to assist the Board in conducting its duties. The Board may delegate to assigned staff the authority to perform ministerial acts in all cases except when final action of the Board is necessary. The director of the assigned staff shall function as the Secretary of the Board and shall perform the duties of the director, as may be described in the Board by-laws. The staff will be responsive and responsible to the Board for all work necessary to carry out its responsibilities.

**Section 12. CONTRACTS AND AGREEMENTS.** Through the City, the Board may accept, receive, and expend funds, grants, and services from the Federal government or its agencies and instrumentalities, from State or local governments or their agencies and instrumentalities, or from civic sources; may contract with respect thereto; and may provide such information and reports as may be necessary to secure such financial aid. The City may make all contracts for special or temporary services and any professional services to assist the Board.

**Section 13. COMPENSATION AND EXPENSES OF BOARD MEMBERS.** Board members shall receive no salary for serving on the Board but may be reimbursed for transportation and actual expenses up to but not exceeding state transportation reimbursements and allowable expenses for attendance at conferences, workshops, training sessions, etc.

**Section 14. FISCAL ADMINISTRATION -- BUDGET.** To finance the yearly operations of the Board, the director of the assigned staff shall prepare a budget for approval by the Board and the City, in the same manner as City departments. The budget shall be based on projected revenue from all sources and shall estimate projected expenditures. Further, the budget shall be limited in all expenditures to the provisions made therefore by the City.

**Section 15. DUTIES, SERVICES AND FUNCTIONS.** The Board shall perform and provide the duties, services and functions specified in this section. The Board shall have all of the authorities that may be granted by ordinances, resolutions, agreements, etc and shall perform all

duties required thereunder. In accomplishing this objective, the Board shall serve in an advisory capacity to the City Commission. The Board shall advise on all community planning and land development activities specified in this section, as well as any other duties, functions, services and activities requested or assigned. These shall generally include:

- A. If requested by the City, initiate, prepare, review, hear and make recommendations on the adoption or amendment of a growth policy and of such ordinances and resolutions necessary to implement the growth policy;
- B. Initiate, prepare, review, hear and make recommendations on the adoption or amendment of any planning documents designed to guide the orderly development of the community;
- C. Review, hear and make recommendations on subdivision applications and plats;
- D. Review, hear and make recommendations on annexations;
- E. Review, hear and make recommendations on zoning and rezoning petitions;
- F. Review, hear and make recommendations on conditional use permits;
- G. Review, prioritize and recommend projects for use of Community Transportation Enhancement Program (CTEP) funds;
- H. Serve as the Metropolitan Planning Organization for the Great Falls Urbanized Area Transportation Planning Process, including participation in said process; and,
- I. Undertake and perform other duties, services and functions, as requested by the City Commission.

**Section 16. ETHICS.** All members of the Board shall comply with the provisions of the City of Great Falls Code of Ethics, Ordinance No. 2643.

**Section 17. RULES OF ORDER.** The Board shall be governed by the rules contained in the *“Robert’s Rules of Order, Revised,”* in all parliamentary procedures, as applicable.

**Section 18. REPEALING CLAUSE.** All ordinances, resolutions and sections of the Official Code of the City of Great Falls and parts thereof in conflict with the application of this ordinance are hereby repealed.

**Section 19. SEVERABILITY.** If any provisions of this ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

**Section 20. SAVING PROVISION.** This ordinance does not affect the rights or duties that matured, penalties and assessments that were incurred or proceedings that began before the effective date of this ordinance.

**Section 21. EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty days from final passage.

**PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS,  
MONTANA, this 17<sup>th</sup> day of May, 2005.**

---

Randall H. Gray, Mayor

ATTEST:

---

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

---

David V. Gliko, City Attorney

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

I, Carolyn M. Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance No. 2913 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 17<sup>th</sup> day of May, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on the 17<sup>th</sup> day of May, 2005.

\_\_\_\_\_  
Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

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

Carolyn M. Horst, being first duly sworn, deposes and says: That on the 17<sup>th</sup> day of May, 2005 and prior thereto, she was the Deputy City Clerk of the City of Great Falls, Montana; that as said Deputy City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance No. 2913 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

\_\_\_\_\_  
Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)