

ORDINANCE 3109

ORDINANCE 3109 AMENDING TITLE 17 OF THE
OFFICIAL CODE OF THE CITY OF GREAT FALLS,
ENCOMPASSING AMENDMENTS RELATED TO THE
COST OF NOTICE FOR ACTION REQUIRING PUBLIC
NOTICE AND REVISING PROCEDURES FOR THE
SUBMISSION OF SUBDIVISION APPLICATIONS.

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WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide for and protect the health, safety and welfare of the citizens of Great Falls; and,

WHEREAS, the Official Code of the City of Great Falls (OCCGF) is revised and refined over time to reflect changes in City procedures and State legislative changes; and

WHEREAS, the 2013 Montana Legislature enacted Senate Bill 40 on March 28, 2013, which has an immediate effective date and applies to subdivision applications received on or after July 1, 2013; and,

WHEREAS, changes to payment procedures for advertising for public notice of various land development processes required by Title 17, Chapter 16, OCCGF, will ensure an equitable and fiscally responsible method of assigning public notice advertising costs; and,

WHEREAS, minor amendments to Title 17, Chapter 16, OCCGF regarding the date of submittal of a subdivision application, will ensure compliance with Montana Code Annotated changes imposed by Senate Bill 40; and,

WHEREAS, the City of Great Falls Planning Board/Zoning Commission has held a public hearing on the proposed amendments and recommended the City Commission adopt the provisions contained in Ordinance 3109; and,

WHEREAS, notice of amending the OCCGF was published in the *Great Falls Tribune*, advertising that a public hearing on the proposed amendments would be held on the 2nd day of July, 2013, before final passage of said Ordinance herein.

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

Section 1. That the provisions of Title 17, Chapter 16, Article 4, Section 030, and Title 17, Chapter 16, Article 26, Sections 010 and 020 of the Official Code of the City of Great Falls (OCCGF) be amended as depicted in Attachment "A" attached hereto, which removes language indicated by a strike-out and adds language which is bolded; and,

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading June 4, 2013.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading July 2, 2013.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David L. Nielsen, Interim City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3109 in three 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 the City)

Lisa Kunz, City Clerk

ORDINANCE 3109

ATTACHMENT "A"

AN ORDINANCE AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, ENCOMPASSING AMENDMENTS RELATED TO THE COST OF NOTICE FOR ACTION REQUIRING PUBLIC NOTICE AND REVISING PROCEDURES FOR THE SUBMISSION OF SUBDIVISION APPLICATIONS.

Amendments to Chapter 16 - Administrative and Enforcement Procedures, Article 4 - Public Notice Requirements and Article 26 - Subdivision - Preliminary and Minor Plat.

FIRST READING – June 4, 2013

PUBLIC HEARING – July 2, 2013

Title 17 – LAND DEVELOPMENT CODE
Chapter 16 - ADMINISTRATIVE AND ENFORCEMENT PROCEDURES
Article 4 - PUBLIC NOTICE REQUIREMENTS

17.16.4.030 - Cost of notice.

The City shall pay for all notices required under this article ~~which is recouped through the associated application fees.~~ **for City-initiated actions. Applicants shall pay for public notices required under this article for all other actions.**

Title 17 – LAND DEVELOPMENT CODE
Chapter 16 - ADMINISTRATIVE AND ENFORCEMENT PROCEDURES
Article 26 - SUBDIVISION - PRELIMINARY AND MINOR PLATS

17.16.26.010 - Application and review procedure for a major subdivision (See: 76-3-601, MCA).

C. Submittal of application. The applicant shall submit an application to the Planning and Community Development Department along with the application fee as may be established by the City Commission, within six (6) months of the pre-application meeting referenced in A above. **The date of submittal shall be the date of delivery of the application to the Planning and Community Development Department, accompanied by the correct and full fees.**

17.16.26.020 - Application and review procedure for a minor subdivision or for a second or subsequent minor subdivision from a tract of record (See: 76-3-505 (2) and 76-3-609, MCA).

C. Submittal of application. The applicant shall submit an application to the Planning and Community Development Department along with the application fee as may be established by the City Commission, within six (6) months of the pre-application meeting referenced in A above. **The date of submittal shall be the date of delivery of the application to the Planning and Community Development Department, accompanied by the correct and full fees.**