

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19999

A RESOLUTION OF INTENTION TO ESTABLISH BY RESOLUTION VARIOUS MUNICIPAL FEES AND CHARGES PREVIOUSLY SET BY ORDINANCE

WHEREAS, the various fees and charges imposed by the City of Helena attendant to its municipal functions have historically been established through both the enactment of ordinances and the passage of resolutions; and

WHEREAS, it is the goal of the City Commission to prospectively utilize a uniform and consistent process of establishing and adjusting such fees and charges through the passage of resolutions; and

WHEREAS, in furtherance of that goal, the City Commission is presently undertaking the enactment of a new ordinance requiring the establishment and adjustment of such fees and charges by resolution, and the amendment of various municipal ordinances that presently contain specific fee and charge amounts to reflect that new process; and

WHEREAS, in order to complete that transition, the specific amounts for the fees and charges currently imposed by city ordinance need to be re-established through resolution of the commission in the manner provided in Title 7, Chapter 5, Part 1 Montana Code Annotated; and

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WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that the establishment and alteration of fees and charges imposed by the City be undertaken in a uniform and consistent manner through the passage of resolutions.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. It is the intention of the Commission of the City of Helena to re-establish the specific amounts for the fees and charges currently imposed by city ordinance through resolution of the commission in the manner provided in Title 7, Chapter 5, Part 1, Montana Code Annotated.

Section 2. The specific fees and charges currently imposed by city ordinance, and the specific amounts that the Helena City Commission intends to re-establish through resolution, are outlined on the document attached hereto as Appendix "A".

Section 3. The Helena City Commission shall hold a public hearing on a resolution re-establishing the specific fee and charge amounts reflected on Appendix "A" in the Commission Chambers, 316 North Park Avenue, Helena, Montana, at **6:00 P.M.**

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on the 10th day of June, 2013. At such time, all interested parties may appear and express their views of approval or disapproval.

Section 4. Notice of the above-referenced public hearing and passage of this resolution of intention shall be given by publication as required by § 7-1-4127, MCA.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 20th DAY OF MAY, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION

FEE SETTING RESOLUTION
Appendix A
Establishing Fees and Charges Previously Set by Ordinance

City Code References	Dept. Ref.	Fee
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Department References:

Administrative Services	ASD
City Attorney	Atty
Community Development	CD
Community Facilities	CF
Municipal Court	court
Fire	Fire
Park & Recreation	P&R
Police	Pol
Public Works	PW
Engineering	Eng
Helena Parking Commission	HPC

Title 1 General Provisions

Chapter 1-5	Taxation and Revenue						
	Special Assessment Split Application	1-5-10 (C)	Eng	\$	50.00	base fee	
	Over 5 parcels in proposed split	1-5-10 (C)	Eng	\$	5.00	additional per parcel over 5	

Title 2 Boards, Departments and Officers

Chapter 2-8	Municipal Court						
	Posting Bond	2-8-6 (A)	court	\$	5.00	in addition to the regular bond	
	Court Fee	2-8-6 (B)	court	\$	20.00	in addition to regular fine and surcharges	
	Civil Cases	2-8-7					
	Complaint Filing	2-8-7 (A)	court		as provided by law	City Code Section Deleted	
	Defendant Appearance	2-8-7 (B)	court		as provided by law	City Code Section Deleted	
	Prevailing Party	2-8-7 (C)	court		as provided by law	City Code Section Deleted	
	Judgment by Confession Services	2-8-7 (D)	court		as provided by law	City Code Section Deleted	
	Filing Notice of Appeal and Transcript	2-8-7 (E)	court		as provided by law	City Code Section Deleted	
	Additional Surcharges	2-8-7 (F)	court		as provided by law	City Code Section Deleted	

Title 3 Building Regulations

Chapter 3-6	Moving of Buildings						
	Moving of Buildings Application	3-6-2	CD	\$	25.00		
Chapter 3-14	Flood Plain Regulations						
	Flood Plain Permit Application	3-14-4-5	CD	\$	25.00		

Title 4 Business Regulations

Chapter 4-1	General Licenses						
	Billiard, Pool or Bagatelle	4-1-9	ASD			<i>no license required for exclusive family use</i>	
	Billiard, Pool or Bagatelle License	4-1-9 (A)	ASD	\$	50.00	per year	
	Auctioneer 72 hour License	4-1-9 (B)	ASD	\$	15.00		
	Auctioneer Annual License	4-1-9 (B)	ASD	\$	45.00		
	Denial of Business License Minimum	4-1-16-10	ASD	\$	20.00	or the license fee, whichever is less	
	License Late Renewal Penalty	4-1-16-16	ASD			<i>equal to the fee in City Code 4-1-16-10</i>	
	Additional License Late Renewal Penalty	4-1-16-16	ASD		2.00%	of the license fee per month	
	Home Occupation	4-1-16-20	ASD	\$	10.00		
	Business License 1 - 4 FTEs	4-1-16-20	ASD	\$	25.00	Annually	
	Business License 5 - 10 FTEs	4-1-16-20	ASD	\$	50.00	Annually	
	Business License 11 - 20 FTEs	4-1-16-20	ASD	\$	100.00	Annually	
	Business License 21 - 40 FTEs	4-1-16-20	ASD	\$	200.00	Annually	
	Business License 41 or more FTEs	4-1-16-20	ASD	\$	400.00	Annually	

FEE SETTING RESOLUTION
Appendix A
Establishing Fees and Charges Previously Set by Ordinance

		City Code References	Dept. Ref.	Fee		
Chapter 4-2	Liquor, Beer and Wine Regulations					
	All Beverage License	4-2-2	ASD	5/8	of the State All Beverage License fee	
	Beer or Beer & Wine License	4-2-2	ASD	100%	of the State Beer or Beer & Wine License	
	Brewer License - less than 60,000 barrels/year	4-2-2	ASD	\$ 200.00		
	License Transfer Fee	4-2-2	ASD	\$ 10.00		
	Temporary Permit - Alcoholic Beverage	4-2-13	ASD	5/8	of the corresponding State All Beverage License fee	
	Special Beer and Table Wine Permit	4-2-14 (B)	ASD	100%	of the State Beer or Beer & Table Wine License fee	
Chapter 4-3	Pawnbrokers, Junk Dealers and Secondhand Dealers					
	Pawnbrokers Application Fee	4-3-2(A)	ASD	\$ 100.00	initial application fee	Before July 1
	Pawnbrokers Application Fee	4-3-2(A)	ASD	\$ 50.00	initial application fee	After July 1
	Pawnbrokers Annual License	4-3-2(A)	ASD	\$ 100.00	per year	
	Secondhand and Junk Dealer Application Fee	4-3-2(B)	ASD	\$ 75.00	initial application fee	
	Secondhand and Junk Dealer Annual License	4-3-2(B)	ASD	\$ 75.00	per year	
Chapter 4-4	Peddlers and Solicitors					
	Peddler License - Immediate Delivery	4-4-3(A)	ASD	\$ 25.00	per two (2) week period	
	Peddler License - Delayed Delivery	4-4-3(B)	ASD	\$ 50.00	per two (2) week period	
Chapter 4-5	Sound Trucks and Amplifiers					
	Noncommercial Use of Sound Trucks Registration	4-5-2	ASD	\$ 15.00		
Chapter 4-6	Commercial Parking Lots					
	Commercial Parking Lot Quarterly License	4-6-3	ASD	\$ 0.50	per parking stall or space per month	
Chapter 4-9	Business Sales					
	Going Out of Business Sale License	4-9-4 (B)	ASD	\$ 10.00	Application Fee	
	Going Out of Business Sale License Renewal	4-9-4 (B)	ASD	\$ -	for each renewal	
	Relocation of Business Sale License	4-9-4 (B)	ASD	\$ 10.00	Application Fee	
	Relocation of Business Sale License Renewal	4-9-4 (B)	ASD	\$ -	for each renewal	
	Fire and Other Altered Stock Sale License	4-9-4 (B)	ASD	\$ 10.00	Application Fee	
	Fire and Other Altered Stock Sale License Renewal	4-9-4 (B)	ASD	\$ -	for each renewal	
Chapter 4-10	Coin Operated Amusements					
	Coin Operated Amusement Game or Machine License	4-10-2	ASD	\$ 50.00	per machine	
Title 5	Police Regulations					
Chapter 5-2	Animal Control					
	Dog License - Male Altered to be Infertile	5-2-3 (A)	ASD	\$ 15.00	each per year	
	Dog License - Spayed Female over the age of 6 months	5-2-3 (A)	ASD	\$ 15.00	each per year	
	Dog License - Unspayed Female over the age of 6 months	5-2-3 (A)	ASD	\$ 25.00	each per year	
	Dog License - Male Not Altered to be Infertile	5-2-3 (A)	ASD	\$ 25.00	each per year	
	Kennel License	5-2-6	ASD	\$ 50.00	per year or any part thereof	
	Dog or Kennel License Late Fee (after March 1st)	5-2-3 (A)	ASD	\$ 1.00		
	Duplicate Dog Tag Fee	5-2-3 (B)	ASD	\$ 0.25		
	Animal Impoundment Fee	5-2-20	ASD	\$ 25.00		
	Animal Shelter Daily Fee				determined by the L&C County Humane Society	
	Animal License Transfer Fee	5-2-32	ASD	\$ 1.00		
	Dangerous Dog Registration Fee	5-2-34 (B4)	ASD	\$ 25.00	each	
Chapter 5-3	Animals					
	Animal Running at Large Impoundment Fee	5-3-2	Pol	\$ 5.00	per animal	
	Animal Running at Large Impoundment Sustainance Fee	5-3-2	Pol	\$ 2.50	per animal for each 24 hours kept	
	Animal Running at Large Subsequent Offense Fee	5-3-2	Pol	\$ 5.00	additional per animal per subsequent offence	
	Apiary License	5-3-7 (B)	ASD	\$ 15.00		

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Chapter 5-11	Alarm Monitoring Services						
	Alarm Monitoring Service Permit Application Fee	5-11-7 (F.)	ASD	\$	50.00	nonrefundable	
	Alarm Monitoring Service Permit Renewal Fee	5-11-7 (F.)	ASD	\$	50.00		
	Alarm Monitoring Service Fee - Private Residence	5-11-7 (F.)	ASD	\$	70.00	per year	
	Alarm Monitoring Service Fee - Other than Private Residence	5-11-7 (F.)	ASD	\$	100.00	per year	
	False Alarm Service 1	5-11-20	ASD	\$	-	1st False Alarm per year	
	False Alarm Service 2		ASD	\$	20.00	2nd False Alarm per year	
	False Alarm Service 3		ASD	\$	30.00	3rd False Alarm per year	
	False Alarm Service 4		ASD	\$	40.00	4th False Alarm per year	
	False Alarm Service 5 and all subsequent		ASD	\$	50.00	5th and all subsequent False Alarms per year	

Chapter 5-12	Covered Load Regulations						
	Uncovered Solid Waste Load Charge	5-12-5	PW	\$	10.00	per load	

Title 6 Public Utilities

Chapter 6-2	Water Regulations						
	Sewer Mains - Tapping Fee	6-2-4 (A)	PW	\$	10.00		
	Water Mains - Tapping Fee - 3/4 & 1 inch	6-2-4 (B)	PW	\$	75.00		
	Water Mains - Tapping Fee - 1 1/2 & 2 inch	6-2-4 (B)	PW	\$	90.00		
	Water Mains - Tapping Fee - 4 thru 8 inch	6-2-4 (B)	PW	\$	190.00		
	Water Mains - Tapping Fee - 10 inch and up	6-2-4 (B)	PW	\$	240.00		
	Water System Development Fee (SDF)						
	SDF 3/4 inch or smaller water meter	6-2-9 (A)	PW	\$	483.75	capacity units 1.50	charge /unit \$ 322.50
	SDF 1 inch water meter	6-2-9 (A)	PW	\$	806.25	2.50	\$ 322.50
	SDF 1 1/2 inch water meter	6-2-9 (A)	PW	\$	1,612.50	5.00	\$ 322.50
	SDF 2 inch water meter	6-2-9 (A)	PW	\$	2,580.00	8.00	\$ 322.50
	SDF 3 inch water meter	6-2-9 (A)	PW	\$	4,837.50	15.00	\$ 322.50
	SDF 4 inch water meter	6-2-9 (A)	PW	\$	8,062.50	25.00	\$ 322.50
	SDF 6 inch water meter	6-2-9 (A)	PW	\$	16,125.00	50.00	\$ 322.50
	SDF 8 inch water meter	6-2-9 (A)	PW	\$	29,025.00	90.00	\$ 322.50

Chapter 6-3	Wastewater Regulations						
	Wastewater System Development Fee (SDF)						
	SDF 3/4 inch or smaller water meter	6-3-7 (A)	PW	\$	750.00	capacity units 1.00	charge /unit \$ 750.00
	SDF 1 inch water meter	6-3-7 (A)	PW	\$	1,252.50	1.67	\$ 750.00
	SDF 1 1/2 inch water meter	6-3-7 (A)	PW	\$	2,497.50	3.33	\$ 750.00
	SDF 2 inch water meter	6-3-7 (A)	PW	\$	3,997.50	5.33	\$ 750.00
	SDF 3 inch water meter	6-3-7 (A)	PW	\$	8,002.50	10.67	\$ 750.00
	SDF 4 inch water meter	6-3-7 (A)	PW	\$	12,502.50	16.67	\$ 750.00
	SDF 6 inch water meter	6-3-7 (A)	PW	\$	24,997.50	33.33	\$ 750.00
	SDF 8 inch water meter	6-3-7 (A)	PW	\$	39,997.50	53.33	\$ 750.00

Title 7 Public Ways and Property

Chapter 7-1	Streets						
	Street Closure or Vacation Application Fee	7-1-7	PW	\$	250.00		
Chapter 7-2	Excavations						
	Steet & Alley Opening Permit	7-2-5 (A)	PW	\$	40.00		
	Steet & Alley Opening Inspection Fee	7-2-5 (B)	PW	\$	30.00		
Chapter 7-5	Construction of Curb Cuts and Driveways						
	Alley and/or Drive Approach Inspection Testing	7-5-5	PW	\$	30.00	for up to Two (2)	
	Alley and/or Drive Approach Inspection Testing	7-5-5	PW	\$	15.00	per extra approach	
Chapter 7-13	Use of Public Rights of Way						
	Exclusive Right of Way Use Permit - Minimum	7-13-5 (B.8)	PW	\$	50.00	per year	

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Title 8 Traffic Regulations

Chapter 8-7	Accidents and Accident Reports Accident Report Copy	8-7-111	Pol	\$	5.00	per report copy
Chapter 8-8	Traffic Regulations Bicycle License	8-8-601	ASD	\$	1.00	
	Bicycle License Transfer		ASD	\$	1.00	
Chapter 8-14	Parking, Special Use Facilities and Permits					
	Loading or Unloading by Backing Permit	8-14-2 (A)	HPC	\$	5.00	per year
	Commercial Loading Zone Permit	8-14-4 (A)	HPC	\$	5.00	per year
	On Street Commercial Loading Zone Permit	8-14-5	HPC	\$	4.00	per foot per year
	Bus and Taxicab Zone Permit	8-14-6	HPC	\$	60.00	per year per space
	Handicap Parking Permit	8-14-8 (B)	HPC			City Code Section Deleted
	Handicap Parking Temporary Permit	8-14-8 (C)	HPC			City Code Section Deleted
	Privately Owned Parking Annual Enforcement Fee	8-14-11 (C)	HPC	\$	0.50	per parking stall per month
Chapter 8-21	Impoundment, Towing or Immobilization of Vehicles					
	Vehicle Storage on City Property Charge	8-21-1 (A)	Pol	\$	15.00	per day
	Vehicle Impoundment Notice Charge	8-21-1 (B)	Pol	\$	5.00	
	Vehicle Immobilization	8-21-3 (B)	HPC	\$	50.00	
Chapter 8-23	Vehicle Size and Weight					
	Excess Size or Weight Permit	8-23-5 (B)	Pol			City Code Section Deleted
	Excess Size or Weight Single Trip Permit	8-23-5 (B)	Pol			City Code Section Deleted