

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19774

A RESOLUTION ESTABLISHING STREET MAINTENANCE DISTRICT #1 ASSESSMENTS FOR FISCAL YEAR 2011

WHEREAS, the Helena City Commission created Street Maintenance District #1 (“District”) for the purpose of providing maintenance to public streets; and

WHEREAS, on July 26, 2010, the City Commission adopted Resolution No. 19754 which amended the district boundaries, specified the district assessment option and levied an assessment rate upon all property in said district; and

WHEREAS, a notice signed by the City Clerk stating that Resolution No. 19754 is on file in the City Clerk’s Office and subject to inspection, was published; and

WHEREAS, the City Commission held a public hearing on August 23, 2010 at 6:00 p.m. in the Commission Chambers at 316 North Park Avenue in Helena, Montana, to hear all objections made to the assessment.

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

Section 1. The City Commission is not modifying the District assessments that were adopted in Resolution No. 19754. As adopted in Resolution No. 19754, to defray the cost of maintaining the services in the District, for fiscal year 2011, there is hereby levied an assessment rate increase of **11.72%** upon all property in said district. The assessment rates with the increase are as follows for fiscal year 2011:

<u>Type of Property</u>	<u>Assessment Rates</u>
Vacant or Residential lots	\$ 124.12 flat rate per lot or parcel
Manufactured or Mobile Home Dwelling Units, located within a licensed mobile home park	\$ 49.65 flat rate per dwelling unit
Commercial lots (6,000 square feet or more)	\$0.02068 per assessable square foot
Commercial lots (less than 6,000 square feet)	\$ 124.12 flat rate per lot or parcel

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 19774

Section 2. As stated in Resolution No. 19754, street maintenance assessments are to be charged against each lot or parcel or dwelling unit pursuant to the following criteria:

A. Properties to be Assessed: All assessable properties will be charged a street maintenance assessment. Assessable properties are all lots or parcels of land inside the City limits, excluding cemetery lands owned by associations, and including:

- i. vacant lots or parcels;
- ii. properties that are adjacent to a street or alley right-of-way;
- iii. properties that have access to the City's street system by a private road or other means; and
- iv. manufactured or Mobile Home Dwelling Units within mobile home parks shall be assessed at a flat rate per mobile home dwelling unit equal to 40% of the flat rate per residential lot or parcel, and not otherwise assessed per lot or parcel.

B. Parcel Development Potential: Difficulty in developing a lot or parcel is not a factor in determining whether or not the property is assessable property or in calculating the amount of street maintenance assessment against that lot or parcel.

C. Classifications: Lots or parcels are classified for assessment as follows:

- i. "Vacant"
 - if they are not used for storage of personal property;
 - if they contain no structures or fixtures other than fences or surface parking lots;
 - if they contain public recreational facilities such as sport fields, athletic courts, parks, open space, or playgrounds;
- ii. "Residential" if they have one (1) dwelling unit and up to four (4) dwelling units in one structure; and
- iii. "Commercial" for all other lots or parcels.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 19774

D. Commercial Property Caps and Floors:

- i. Commercial lots or parcels greater than one million (1,000,000) square feet in area are assessed only on the first 1,000,000 square feet.
- ii. Commercial lots or parcels of less than six thousand (6,000) square feet in area are assessed on a flat rate.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 23rd DAY OF AUGUST, 2010.**

**/S/ James E. Smith
MAYOR**

ATTEST:

**/S/ Debbie Havens
CLERK OF THE COMMISSION**