

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 20279**

### **A RESOLUTION OF INTENTION TO AMEND RESOLUTION NO. 20003 TO ELIMINATE REDUNDANT AND INCONSISTENT FEES RELATED TO THE TAPPING OF WATER MAINS AND PRODUCTION OF COPIES OF ACCIDENT REPORTS**

**WHEREAS**, the City Commission passed Resolution No. 20003 on June 10, 2013, which re-established various fees previously charged by the City of Helena; and

**WHEREAS**, Resolution No. 20003 included fees previously set by ordinance that are also covered in other resolutions; and

**WHEREAS**, fees for the tapping of water mains are imposed by an annual resolution imposing water system charges; and

**WHEREAS**, fees for the production of copies of accident reports are imposed by Resolution No. 20244; and

**WHEREAS**, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that Resolution No. 20003 be amended to eliminate redundant and inconsistent fees imposed for the tapping of water mains and the production of copies of accident reports.

**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 amend Resolution No. 20003 to remove fees for

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the tapping of water mains and the production of copies of accident reports that are already imposed by other resolutions.

**Section 2.** It is the intention of the Commission to amend Appendix "A" of Resolution No. 20003 as shown and attached hereto.

**Section 3.** The Helena City Commission shall hold a public hearing on a resolution amending Resolution No. 20003 as reflected on Appendix "A" in the Commission Chambers, 316 North Park Avenue, Helena, Montana, at **6:00 P.M. on the 12<sup>th</sup> day of September, 2016.** 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 8<sup>th</sup> DAY OF AUGUST, 2016.**

/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 fe
	Special Beer and Table Wine Permit	4-2-14 (B)	ASD	100%	of the State Beer or Beer & Table Wine License fe
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		
	<del>Water Mains - Tapping Fee - 3/4 &amp; 1 inch</del>	<del>6-2-4 (B)</del>	<del>PW</del>	<del>\$</del>	<del>75.00</del>		
	<del>Water Mains - Tapping Fee - 1 1/2 &amp; 2 inch</del>	<del>6-2-4 (B)</del>	<del>PW</del>	<del>\$</del>	<del>90.00</del>		
	<del>Water Mains - Tapping Fee - 4 thru 8 inch</del>	<del>6-2-4 (B)</del>	<del>PW</del>	<del>\$</del>	<del>190.00</del>		
	<del>Water Mains - Tapping Fee - 10 inch and up</del>	<del>6-2-4 (B)</del>	<del>PW</del>	<del>\$</del>	<del>240.00</del>		
	Water System Development Fee (SDF)						
	SDF 3/4 inch or smaller water meter	6-2-9 (A)	PW	\$	483.75		
	SDF 1 inch water meter	6-2-9 (A)	PW	\$	806.25		
	SDF 1 1/2 inch water meter	6-2-9 (A)	PW	\$	1,612.50		
	SDF 2 inch water meter	6-2-9 (A)	PW	\$	2,580.00		
	SDF 3 inch water meter	6-2-9 (A)	PW	\$	4,837.50		
	SDF 4 inch water meter	6-2-9 (A)	PW	\$	8,062.50		
	SDF 6 inch water meter	6-2-9 (A)	PW	\$	16,125.00		
	SDF 8 inch water meter	6-2-9 (A)	PW	\$	29,025.00		

capacity units	charge /unit
1.50	\$ 322.50
2.50	\$ 322.50
5.00	\$ 322.50
8.00	\$ 322.50
15.00	\$ 322.50
25.00	\$ 322.50
50.00	\$ 322.50
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		
	SDF 1 inch water meter	6-3-7 (A)	PW	\$	1,252.50		
	SDF 1 1/2 inch water meter	6-3-7 (A)	PW	\$	2,497.50		
	SDF 2 inch water meter	6-3-7 (A)	PW	\$	3,997.50		
	SDF 3 inch water meter	6-3-7 (A)	PW	\$	8,002.50		
	SDF 4 inch water meter	6-3-7 (A)	PW	\$	12,502.50		
	SDF 6 inch water meter	6-3-7 (A)	PW	\$	24,997.50		
	SDF 8 inch water meter	6-3-7 (A)	PW	\$	39,997.50		

capacity units	charge /unit
1.00	\$ 750.00
1.67	\$ 750.00
3.33	\$ 750.00
5.33	\$ 750.00
10.67	\$ 750.00
16.67	\$ 750.00
33.33	\$ 750.00
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	\$ <del>5.00</del>	per report copy
Chapter 8-8	Traffic Regulations Bicycle License Bicycle License Transfer	8-8-601	ASD	\$ 1.00	
Chapter 8-14	Parking, Special Use Facilities and Permits Loading or Unloading by Backing Permit Commercial Loading Zone Permit On Street Commercial Loading Zone Permit Bus and Taxicab Zone Permit Privately Owned Parking Annual Enforcement Fee	8-14-2 (A) 8-14-4 (A) 8-14-5 8-14-6 8-14-11 (C)	HPC HPC HPC HPC HPC	\$ 5.00 \$ 5.00 \$ 4.00 \$ 60.00 \$ 0.50	per year per year per foot per year per year per space per parking stall per month
Chapter 8-21	Impoundment, Towing or Immobilization of Vehicles Vehicle Storage on City Property Charge Vehicle Impoundment Notice Charge Vehicle Immobilization	8-21-1 (A) 8-21-1 (B) 8-21-3 (B)	Pol Pol HPC	\$ 15.00 \$ 5.00 \$ 50.00	per day