

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19771

**A RESOLUTION AMENDING THE BOUNDARIES AND
LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE STORM WATER
UTILITY DISTRICT TO DEFRAY THE COST OF MAINTAINING SERVICES
IN THE DISTRICT FOR FISCAL YEAR 2011**

WHEREAS, the City Commission of the City of Helena, Montana, created a Storm Water Utility District (“District”) for the purpose of providing storm water drainage operation, maintenance, and capital improvements; and

WHEREAS, the property in the District must be assessed to defray the cost of maintaining said services, each lot or parcel in the district to be assessed by the square-foot area of impervious surface; and

WHEREAS, it appears to be in the best interest of the City of Helena and the inhabitants thereof that certain public property within the District be excluded from the assessment; and

WHEREAS, the exclusion of the impervious area for private streets within licensed mobile home parks would be consistent with the City’s policy to promote all types of affordable housing; and

WHEREAS, the District is all real property within the exterior boundaries of the City of Helena, including all properties annexed into the City, up to and including the date of adoption of the assessment resolution; and

WHEREAS, a public hearing was held on this matter on August 23, 2010, at 6:00 p.m. in the Commission Chambers, City-County Admin. Building, 316 N. Park Ave., Helena, MT.

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

Section 1. The Storm Water Utility District is amended to include all properties within the exterior boundaries of the City of Helena and all properties annexed into the City, up to and including the date of adoption of the assessment resolution.

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Section 2. Assessment Definitions

For purposes of this assessment:

- a. Impervious Area is the developed part of a lot or parcel that is impermeable to storm water infiltration, excluding:
 - all rights-of-way and publicly owned streets, runways, and taxiways, and
 - all privately-owned streets within licensed mobile home parks;
 - City-owned stormwater facilities, water storage reservoirs, and public utility sites.
- b. Single lots or parcels are those lots or parcels that are combined under common ownership and use and are assigned a State-issued geocode designation.

Section 3. Assessments

That to defray the cost of maintaining the services in the District, there hereby is levied an assessment rate increase of **5.72%** for fiscal year 2011. The assessment will be as follows for fiscal year 2011:

- **\$27.79** minimum charge on all parcels, plus
- **\$0.01251** per square foot of impervious area in excess of 2,222 square feet,
- with a 50% assessment reduction for properties which qualify for the State of Montana Property Tax Assistance Program under Title 15, Chapter 6, MCA.

**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