

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20465

**A RESOLUTION OF INTENTION TO ESTABLISH FEES FOR EQUIPMENT PURCHASES FROM AND SERVICES PERFORMED BY THE UTILITY MAINTENANCE DIVISION, A MONTHLY CURBSIDE RECYCLING CHARGE, DAMAGE DEPOSITS FOR PERMITS TO CONSUME ALCOHOL ON PUBLIC PLACES, AND ENCROACHMENT PERMIT AGREEMENTS AND REPEAL RESOLUTION NOS. 20359, 20360, and 20397**

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

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

**WHEREAS**, the City Commission passed Resolution No. 20305 on September 12, 2016, which amended Resolution No. 20003;

**WHEREAS**, the City Commission passed Resolution No. 20397 on August 21, 2017, which reestablished various fees charged by the city and which repealed Resolution Nos. 20003 and 20305;

**WHEREAS**, Resolution Nos. 20359 and 20360, passed on July 24, 2017 established water and wastewater service charges for equipment purchases and various services performed by the Utility Maintenance Division;

**WHEREAS**, section 4-2-11 of Helena City Code was amended on January 22, 2018 and previously required the payment of a \$50.00 damage deposit for a permit to consume alcohol in public places;

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**WHEREAS**, the City contracts with Helena Recycling for curbside recycling pickup and places the subscriber cost for such service on the property owner's monthly water and wastewater utility;

**WHEREAS**, the city desires to subsidize a portion of the subscriber charge Helena Recycling;

**WHEREAS**, section 7-13-3, Helena City Code, provides for the granting of encroachment permits for objects or fixtures placed upon the right of way;

**WHEREAS**, the public works and city attorney's office processes approximately twenty (20) applications for encroachment permits each year; and

**WHEREAS**, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that the above mentioned fees and charges be established in a consolidated fee resolution.

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

**Section 1.** It is the intention of the Helena City Commission to re-establish fees and charges for water and wastewater equipment

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purchases from and services performed by the Utility Maintenance Division, establish a monthly curbside recycling charge, a damage deposit for permits to consume alcohol on public places in the city, and a charge for the review and processing of encroachment permit agreements, as shown on Appendix A attached hereto.

**Section 2.** It is also the intention of the Helena City Commission to repeal Resolution Nos. 20359, 20360, and 20397.

**Section 3.** A public hearing will be held on this matter in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. on the 27<sup>th</sup> day of August, 2018. At such time, all interested parties may appear and express their views of approval or disapproval.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 16<sup>th</sup> DAY OF JULY, 2018.**

/S/ WILMOT J. COLLINS  
MAYOR

**ATTEST:**

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION

**FEE SETTING RESOLUTION**

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**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

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**Appendix A**

**Establishing Fees and Charges Previously Set by Ordinance**

		<b>City Code References</b>	<b>Dept. Ref.</b>	<b>Fee</b>		
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		
	<b>Damage Deposit for Open Container Permits</b>	<b>4-2-11</b>	<b>ASD</b>	<b>\$ 50.00</b>	<b>per application</b>	
	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	
<b>Title 5</b>	<b>Police Regulations</b>					
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	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**

<b>Resolution</b>	<b>Transfer Station - Recycling Fee</b>					
	<b>Curbside Pickup Fee</b>		<b>PW</b>	<b>\$</b>	<b>8.00</b>	<b>per month</b>

Chapter 6-2	Water Regulations							
	Sewer Mains - Tapping Fee	6-2-4 (A)	PW	\$	10.00			
	Water System Development Fee (SDF)					<table border="1"><tr><th>capacity units</th><th>charge /unit</th></tr></table>	capacity units	charge /unit
capacity units	charge /unit							
	SDF 3/4 inch or smaller water meter	6-2-9 (A)	PW	\$	483.75	1.50 \$ 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		

**Fireline Fees**

4" and smaller	6-2-9 (C)	PW	\$	182.00
6"	6-2-9 (C)	PW	\$	293.00
8"	6-2-9 (C)	PW	\$	513.00

**Positive Displacement Disc Meters:**

3/4" T-10 Complete	6-2-5 (B)(2)	PW	\$	270.00
3/4" T-10 Complete PIT	6-2-5 (B)(2)	PW	\$	312.00
1" T-10 Complete	6-2-5 (B)(2)	PW	\$	350.00
1" T-10 Complete PIT	6-2-5 (B)(2)	PW	\$	394.00
1 1/2" T-10	6-2-5 (B)(2)	PW	\$	635.00
1 1/2" T-10 PIT	6-2-5 (B)(2)	PW	\$	670.00
2" T-10	6-2-5 (B)(2)	PW	\$	770.00
2" T-10 PIT	6-2-5 (B)(2)	PW	\$	800.00

**Compound Meters:**

2" Tru/Flo	6-2-5 (B)(2)	PW	\$	2,235.00
3" Tru/Flo	6-2-5 (B)(2)	PW	\$	3,236.00
4" Tru/Flo	6-2-5 (B)(2)	PW	\$	4,161.00
6" Tru/Flo	6-2-5 (B)(2)	PW	\$	7,085.00

**High Performance Turbine Meter:**

1 1/2" HP Turbine	6-2-5 (B)(2)	PW	\$	1,170.00
2" HP Turbine	6-2-5 (B)(2)	PW	\$	1,336.00
3" HP Turbine	6-2-5 (B)(2)	PW	\$	1,977.00
4" HP Turbine	6-2-5 (B)(2)	PW	\$	2,582.00
6" HP Turbine	6-2-5 (B)(2)	PW	\$	4,707.00
8" HP Turbine	6-2-5 (B)(2)	PW	\$	7,145.00
12" HP Turbine	6-2-5 (B)(2)	PW	\$	11,165.00

**Curb Box Turn Ons / Turn Offs:**

Delinquent - Water Turn-off		PW	\$	75.00
Delinquent - Water Turn-on		PW	\$	50.00
User Request - Water Turn-off		PW	\$	50.00
User Request - Water Turn-on	6-2-5	PW	\$	25.00

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**Water Hourly Rates:**

Water Supervisor	PW	\$ 43.25
Utility Maintenance Worker	PW	\$ 36.00
Backhoe	PW	\$ 79.00
Pickup/Utility Truck	PW	\$ 26.00
Compressor	PW	\$ 20.00
Dump Truck	PW	\$ 67.00

**Water Tapping Fee:**

3/4 to 1 inch (includes corps)	6-2-4	PW	\$ 242.00
1.5 inch	6-2-4	PW	\$ 206.00
2 inch	6-2-4	PW	\$ 221.00
4 inch	6-2-4	PW	\$ 254.00
6 inch	6-2-4	PW	\$ 296.00
8 inch	6-2-4	PW	\$ 331.00
10 inch	6-2-4	PW	\$ 396.00
12 inch	6-2-4	PW	\$ 475.00
14 inch and up (market - minimum)	6-2-4	PW	\$ 550.00

Water Station Card	PW	\$ 10.00
Fire Hydrant Meter Charge	PW	\$ 25.00
Freezing Machine Service Charge	PW	\$ 75.00

**Chapter 6-3 Wastewater Regulations**

				capacity units	charge /unit
<b>Wastewater System Development Fee (SDF)</b>					
SDF	3/4 inch or smaller water meter	6-3-7 (A)	PW	\$ 750.00	1.00 \$ 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

Septic Dumping Fees	6-3-5 (C)	PW	\$ 80.00 per 1,000 gallons
Industrial Pretreatment Application Fee	6-4-14 (F)	PW	\$ 75.00 each
Industrial Pretreatment Permit Fee	6-4-14 (F)	PW	\$ 75.00 each
TV-ING Sewer Lines	6-3-3	PW	\$ 1.20 per foot
Jetting Sewer Lines	6-3-3	PW	\$ 180.00 per hour
Vac Sewer Lines	6-3-3	PW	\$ 180.00 per hour

**Title 7 Public Ways and Property**

<b>Chapter 7-1</b>	<b>Streets</b>				
	Street Closure or Vacation Application Fee	7-1-7	PW	\$ 250.00	
<b>Chapter 7-2</b>	<b>Excavations</b>				
	Street & Alley Opening Application Fee	7-2-5	PW	\$ 70.00	
	Street & Alley Opening Permit (Private Service Lines)	7-2-5	PW	\$ 295.00	
	Street & Alley Opening Permit (Private Utilities)	7-2-5	PW	\$2.00	per square foot
<b>Chapter 7-5</b>	<b>Construction of Curb Cuts and Driveways</b>				
	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
<b>Chapter 7-8</b>	<b>Snow and Ice Removal From Sidewalks</b>				
	Snow Removal Fee	7-8-1 (E)	PW	\$0.18	per square foot of sidewalk cleared
	Penalty	7-8-1 (E)	PW	\$50 or 30%	of billed costs, whichever is greater
<b>Chapter 7-13</b>	<b>Encroachment Permits</b>	7-13-3 (B)	PW	\$200	per permit

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**Title 8 Traffic Regulations**

Resolution	Police Services Extra Work for Special Events	by resolution	Pol	\$	60.00	per hour
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 On Street Commercial Loading Zone Permit Bus and Taxicab Zone Permit Privately Owned Parking Annual Enforcement Fee	8-14-2 8-14-5 8-14-6 8-14-11	HPC HPC HPC HPC	\$ \$ \$ \$	5.00 43.00 60.00 1.50	per year 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