

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20564

### A RESOLUTION SPECIFYING THE ASSESSMENT OPTION FOR THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEARS 2020 AND 2021 AND LEVYING AN ASSESSMENT ON ALL PROPERTIES WITHIN THE DISTRICT

**WHEREAS**, § 7-12-4102, MCA, authorized the City Commission to create special improvement districts;

**WHEREAS**, Resolution No. 19439, passed on January 29, 2007, created the Open Space Maintenance District No. 1 ("District") to protect, maintain, preserve, restore, and care for the City of Helena's open space lands and natural parks;

**WHEREAS**, § 7-12-4179, MCA, requires the City Commission to pass and finally adopt a resolution specifying the special improvement district assessment option and levying an assessment on all the property within the special district;

**WHEREAS**, § 7-12-4161, MCA, authorized the City Commission to assess the properties within the District using any combination of the assessment options provided by statute;

**WHEREAS**, the property in the District must be assessed to defray the cost of the maintaining the District;

**WHEREAS**, the City Commission has estimated, as near as practicable, the cost of maintenance and improvements within the District for fiscal years 2020 and 2021;

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20564

**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;

**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**, a public hearing on this resolution was held by the City Commission on August 26, 2019, in the City Commission Chambers, 316 North Park Avenue, in Helena, Montana.

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

**Section 1.** To defray the cost of maintenance and improvements within the District for fiscal years 2020 and 2021, the City Commission hereby levies an assessment against all properties within the District according to the following methodology:

	<b>FY2020</b>	<b>FY2021</b>
Base assessment	\$20.00	\$20.00
Additional assessment for lots/properties with more than 2,222 sq. ft. of impervious area	\$0.006310	\$0.006310

All assessments are annual.

**Section 2.** A fifty percent (50%) assessment reduction will be

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20564

applied for lots or parcels of land that qualify for the State of Montana Property Tax Assistance Program under Title 15, Chapter 6, MCA.

**Section 3.** For purposes of this resolution the following definitions apply:

A. "Impervious area" is the developed part of a lot or parcel that is impermeable to storm water infiltration, excluding:

1. all rights-of-way and publicly owned streets, runways, and taxiways;
2. all privately-owned streets within licensed mobile home parks; and
3. City-owned storm water facilities, water storage reservoirs, and public utility sites.

B. "Single parcels" are those parcels that are combined under common ownership and use and are assigned a single state-issued property ID number.

**Section 3.** A list of properties subject to this assessment is maintained by the Finance Department for the City of Helena. The lots or parcels of land to be assessed are represented by the property tax identification number (ID) assigned by the State of Montana, Department of Revenue. One property ID may contain

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20564

multiple lots or parcels. The list includes the description of the lots or parcels of land, the name of the owner, if known, and the amount levied thereon. The list is available at the Finance Department for the City of Helena, 316 North Park Avenue, Helena, Montana, and is available upon request for inspection and copying during normal business hours.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 26<sup>th</sup> DAY OF AUGUST, 2019.**

**/S/ WILMOT J. COLLINS**  
**MAYOR**

**ATTEST:**

**/S/ DEBBIE HAVENS**  
**CLERK OF THE COMMISSION**