

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20265

### A RESOLUTION OF INTENTION TO AMEND THE BOUNDARIES AND LEVY AN ASSESSMENT UPON ALL PROPERTY IN THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 TO DEFRAY MAINTENANCE COSTS IN THE DISTRICT FOR FISCAL YEAR 2017

**WHEREAS**, the City Commission of the City of Helena, Montana, created Open Space Maintenance District No.1 (“District”) ; and

**WHEREAS**, the general purposes of the District are to protect, maintain, preserve, restore, and care for the City of Helena’s open space lands or natural parks as defined or designated by ordinance or resolution and designated to be left in a natural state; and

**WHEREAS**, the property in the District must be assessed to defray the cost of open space maintenance, 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 lots or parcels of land within the exterior boundaries of the City of Helena, including all lots or parcels of land annexed into the City, up to and including the date of adoption of the assessment resolution; and

**WHEREAS**, a list of all lots or parcels of land assessed, with the name of the owner thereof, if known, description of the lots or parcels of land and the amount levied thereon set opposite, is maintained by the Department of Administrative Services for the City of Helena.

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

**Section 1.** It is the intention of the City Commission to finally adopt a resolution

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Res. No. 20265**

levying an assessment upon all lots or parcels of land in the Open Space Maintenance District No. 1 to defray the cost of open space maintenance for fiscal year 2017.

**Section 2.** Open Space Maintenance District No. 1 is amended to include all lots or parcels of land within the exterior boundaries of the City of Helena and all lots or parcels of land annexed into the City, up to and including the date of adoption of the assessment resolution.

**Section 3.** 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,
  - all privately-owned streets within licensed mobile home parks, and
  - City-owned stormwater 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 geo-code number.

**Section 4.** To defray the costs of maintaining the district for fiscal year 2017 it is the intent of the City Commission to consider increasing the charge on all lots or parcels within the district by up to 27 percent (27%). The assessment rates are to be computed as follows:

- \$ 17.78 minimum charge on all lots or parcels of land, plus;
- \$0.00281 per square foot of impervious area in excess of 2,222 square feet,
- with a 50% assessment reduction for lots or parcels of land which qualify for the State of Montana Property Tax Assistance Program under Title 15, Chapter 6, MCA.

**Section 5.** The Commission of the City of Helena, Montana, will be in session in the Commission Chambers at the City-County Administration Building, 316 N. Park Ave., in Helena, MT, on the 22<sup>nd</sup> day of August, 2016, at 6:00 p.m. for a public hearing,

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Res. No. 20265**

at which time and place the said Commission will hear objections to the final adoption of this resolution.

**Section 6.** Notice of the passage of this Resolution of Intention shall be given by publishing as required in §7-1-4127 MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official newspaper of the City of Helena.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,  
MONTANA, THIS 11<sup>th</sup> DAY OF JULY, 2016.**

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

**ATTEST:**

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