

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20356

A RESOLUTION OF INTENTION TO SPECIFY THE ASSESSMENT OPTION FOR STREET MAINTENANCE AND IMPROVEMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2018, LEVY AND ASSESS ALL PROPERTY WITHIN THE DISTRICT, AND AMEND THE BOUNDARIES OF THE DISTRICT

WHEREAS, the Helena City Commission (“Commission”) created Street Maintenance District No. 1 (“District”) for the maintenance and improvements of all or part of the public streets in the District; and

WHEREAS, §7-1-8, Helena City Code, provides the methods of providing maintenance and improvements and paying for street maintenance and improvements; and

WHEREAS, the Commission has estimated, as near as practical, the cost of maintenance and improvements of streets in the District; and

WHEREAS, lots and parcels have been annexed into the corporate limits of the City that are benefiting from the District’s street maintenance and improvements, but are not included within the District for assessment; and

WHEREAS, each lot or parcel of land within the District may be assessed for that part of the cost that its assessable area bears to the assessable area of the entire District; and

WHEREAS, the Commission has determined that commercial properties generate a larger amount of vehicle trips than residential, vacant and mobile home properties and such disparate vehicle trip generation results in a higher level of impacts to streets within the District; and therefore should pay a higher annual assessment than residential, vacant and mobile home properties; and

WHEREAS, all lots and parcels benefiting from the District should be included in the District and assessed for street maintenance and improvements; and

WHEREAS, by this Resolution of Intention the Commission intends to specify the District assessment option and amount of assessments to be levied on all the property within the District to defray the cost of street maintenance and improvements; and

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

Section 1. It is the intention of the Helena City Commission to establish the assessment option for the Street Maintenance and Improvement District No. 1 for fiscal year 2018, levy and assess all property within the District, and amend the boundaries of the District.

Section 2. That to defray the cost of maintenance and improvements of streets in the District, it is the intent of the Helena City Commission to consider a rate increase up to 7.0% for residential, vacant and mobile home properties and up to 13.5% for commercial properties for fiscal year 2018. The method and proposed maximum rate of assessment for each class of property is as follows:

<u>Class of Property</u>	<u>Proposed Maximum Assessment Rate and Method</u>
Vacant or Residential	Flat rate of \$160.71 per lot or parcel of land
Mobile Home Park	\$ 64.27 per manufactured home or mobile home site
Commercial lots with an area of less than 6,000 square feet	\$176.10 flat rate per lot or parcel
Commercial lots with an area of 6000 square feet or more	\$0.02935 per square foot for the first 1 million square feet per lot or parcel

Section 3. For purposes of this Resolution, a lot or parcel of land is classified as follows:

- a. "Vacant" is a lot or parcel of land that:
 - i. does not have structures or fixtures thereon, other than fences, walls or a surface parking lot;
 - ii. is not used for storage of commercial inventory or business equipment or property; or
 - ii. is public recreational facility, such as sport fields, athletic courts,

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parks, or playgrounds, or public open space.

- b. “Residential” is a lot or parcel that has one building thereon containing at least one (1) dwelling unit, but no more than four (4) dwelling units, and has no other principal commercial purpose except for rent or lease for residential use.
- c. “Mobile Home Park” is a lot or parcel of land designed to provide sites for the accommodation of manufactured homes or mobile homes and licensed as such.
- d. “Commercial” is all other lots or parcels of land not otherwise classified.

Section 4. The lots or parcels of land to be assessed are those shown on the list of all lots or parcels of land maintained by the Department of Administrative Services 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 multiple lots or parcels. The list includes the property tax ID, the name of the owner(s) if known, and the amount levied thereon. The lots or parcels of land to be assessed do not include cemetery lands owned by associations. The assessable lots or parcels of land are all such other lots or parcels of land inside the City limits and include:

1. vacant lots or parcels;
2. lots or parcels adjacent to a street or alley right-of-way; and
3. lots or parcels that have access to the City’s street system by a private road or other means.

Section 5. Difficulty in developing a lot or parcel of land is not a factor in determining whether or not the lot or parcel is assessable property or in calculating the amount of the assessment on that lot or parcel of land.

Section 6. The City Commission for the City of Helena, Montana, will meet in session in the Commission Chambers in the City-County Administration Building at 316 North Park Avenue in Helena, Montana, on the 21st day of August, 2017, at 6:00 p.m. and conduct a public hearing to hear objections to the assessment option and amounts of assessments proposed to be levied.

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Section 7. That 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 24th DAY OF JULY, 2017.

 /S/ JAMES E. SMITH
MAYOR

ATTEST:

 /S/ DEBBIE HAVENS
CLERK OF THE COMMISSION