

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20371

A RESOLUTION OF INTENTION TO ELIMINATE UNNECESSARY FEES, TO REVISE FEES FOR STREET AND ALLEY OPENING PERMITS AND STREET LOADING PERMITS, TO SET CHARGES FOR THE COSTS OF SIDEWALK SNOW REMOVAL AND EXTRA WORK SERVICES PERFORMED BY THE HELENA POLICE DEPARTMENT, AND TO REPEAL RESOLUTIONS 20003 AND 20305

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

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

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

WHEREAS, fees for the impoundment of horses, cattle, sheep, goats or other domestic animals pursuant to Section 5-3-2 of the Helena City Code are unnecessary; and

WHEREAS, fees for the use of public rights-of-way are set by Resolution No. 11682; and

WHEREAS, fees for street and alley opening permits and backing and loading permits need to be revised for efficiency purposes; and

WHEREAS, the City Commission passed Ordinance No. 3210 on June 15, 2015, codified at Title 7, Chapter 8, Helena City Code,

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creating an obligation upon property owners adjacent to sidewalks on public rights-of-way to remove snow and ice from sidewalks within a prescribed period of time; and

WHEREAS, each property owner who fails to clear any sidewalk and causes the City to perform such clearing is liable to the City for the cost of such work; and

WHEREAS, the Helena Police Department performs extra duty work for special events; and

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, the above mentioned unnecessary fees be eliminated and charges set for the cost of removal of snow from sidewalks on public rights-of-way and extra work services performed by the Helena Police Department.

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

Section 1. It is the intention of the Helena City Commission to eliminate unnecessary fees, revise fees for street and alley opening permits and backing and loading permits, set charges for the removal of snow from sidewalks on public rights-

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of-way and extra work services performed by the Helena Police Department as shown on Appendix A attached hereto.

Section 2. It is the intention of the Helena City Commission to repeal Resolution Nos. 20003 and 20305.

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 21st day of August, 2017. At such time, all interested parties may appear and express their views of approval or disapproval.

Section 4. Notice of the above-referenced public hearing and passage of this resolution of intention shall be given by publication as required by § 7-1-4127, MCA.

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**

FEE SETTING RESOLUTION
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

		City Code	Dept.	Fee	
		References	Ref.		
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	
	Temporary Permit - Alcoholic Beverage	4-2-13	ASD	5/8	of the corresponding State All Beverage License fe
	Special Beer and Table Wine Permit	4-2-14 (B)	ASD	100%	of the State Beer or Beer & Table Wine License fe
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

Title 5 Police Regulations

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
	Animals				
	Animal Running at Large Impoundment Fee	5-3-2	Pol	\$ 5.00	per animal
	Animal Running at Large Impoundment Sustainance Fee	5-3-2	Pol	\$ 2.50	per animal for each 24 hours kept
	Animal Running at Large Subsequent Offense Fee	5-3-2	Pol	\$ 5.00	additional per animal per subsequent offence
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

Chapter 6-2	Water Regulations						
	Sewer Mains - Tapping Fee	6-2-4 (A)	PW	\$	10.00		
	Water System Development Fee (SDF)						
	SDF 3/4 inch or smaller water meter	6-2-9 (A)	PW	\$	483.75	capacity units 1.50	charge /unit \$ 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

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

Title 7 Public Ways and Property

Chapter 7-1	Streets						
	Street Closure or Vacation Application Fee	7-1-7	PW	\$	250.00		
Chapter 7-2	Excavations						
	Street & Alley Opening Inspection Fee	7-2-5 (B)	PW	\$	30.00		
	Street & Alley Opening Application Fee	7-2-5	PW	\$	70.00		
	Street & Alley Opening Permit	7-2-5 (A)	PW	\$	40.00		
	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	
Chapter 7-5	Construction of Curb Cuts and Driveways						
	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	
Chapter 7-8	Snow and Ice Removal From Sidewalks						
	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	
Chapter 7-13	Use of Public Rights-of-Way						
	Exclusive Right-of-Way Use Permit--Minimum	7-13-5 (B.8)	PW	\$	50.00	per year	

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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 Construction Permit Loading or Unloading by Backing Permit Commercial Loading Zone Permit On Street Commercial Loading Zone Permit On-Street Commercial Loading Zone Permit Bus and Taxicab Zone Permit Privately Owned Parking Annual Enforcement Fee Privately Owned Parking Annual Enforcement Fee	8-14-2 (A) 8-14-2 8-14-4 (A) 8-14-5 8-14-5 8-14-6 8-14-11 8-14-11 (C)	HPC HPC HPC HPC HPC HPC HPC HPC	\$ \$ \$ \$ \$ \$ \$ \$	5.00 5.00 5.00 43.00 4.00 60.00 1.50 0.50	per year per year per year per year per foot per year per year per space per parking stall per month 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