

# ORDINANCES OF THE CITY OF HELENA, MONTANA

## ORDINANCE NO. 3213

### AN ORDINANCE AMENDING SECTION 7-1-8 OF THE HELENA CITY CODE TO PROVIDE AND PAY FOR STREET IMPROVEMENTS WITHIN STREET MAINTENANCE DISTRICT NO. 1

#### BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA

That Section 7-1-8 of the Helena City Code is hereby amended by adding the following:

#### 7-1-8: **STREET MAINTENANCE AND IMPROVEMENTS:**

- A. The city's method of providing maintenance and improvements in street maintenance districts is as follows:
1. Maintenance and improvements may be accomplished by city employees, through contract for services by outside parties, or any combination thereof.
  2. City may purchase, rent, lease, or borrow any equipment necessary to perform the maintenance and improvements.
  3. City may procure necessary materials, supplies, or other goods necessary to perform the maintenance and improvements.
  4. Maintenance and improvements consists of any of the tasks, ~~and~~ repairs, and improvements defined by Sections 7-12-4401 and 4405, Montana Code Annotated, as being appropriate for street maintenance and improvements.
  5. The level and types of maintenance and improvements are determined in accordance with priorities established by the city

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and to the extent of the availability of adequate funding.

- B. The city's method of paying for street maintenance and improvement costs will be an assessment against all assessable real property within the city that receives the benefit of the maintenance or improvement. The assessment will be based upon an assessment option or combination of options provided for by Section 7-12-4422, Montana Code Annotated, for street maintenance and improvement assessments. The improvement costs may be assessed in a single year, assessed over multiple years to match project completion timing, or assessed over multiple years for scheduled debt payments incurred to finance the improvements. The selected assessment methodology and the assessment rate will be set annually by resolution adopted by the city commission.
- C. During the annual budget development as provided in Title 7, Chapter 6, Part 40, Montana Code Annotated, street maintenance district improvements shall be determined, listed, and included in the Street Maintenance District Fund budget.
- D. Ten percent (10%) of the total actual cost for each improvement project listed in the annual Street Maintenance and Improvement District Fund budget must be set aside in a reserve fund dedicated for non-motorized improvements within the street

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maintenance district. The city commission may waive this requirement only if it is clearly established that an individual project has non-motorized improvements that amount to ten percent (10%) of the total actual cost for the improvement project.

- E. Any proposed improvement that is not listed in the annual Street Maintenance District Fund budget must be approved by the city commission before the project can proceed.
- F. Any remaining improvement budget may be carried over from year to year as necessary for the completion of the improvements.
- EG. No change. (Ord. 2993, 6-21-2004; amd. Ord. \_\_\_\_\_, \_\_-\_\_-2015)

**FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,  
THIS 19<sup>th</sup> DAY OF OCTOBER, 2015.**

/S/ James E. Smith  
MAYOR

**ATTEST:**

/S/ Debbie Havens  
CLERK OF THE COMMISSION

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FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,  
THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2015.

/S/ James E. Smith  
MAYOR

ATTEST:

/S/ Debbie Havens  
CLERK OF THE COMMISSION