

ORDINANCE NO. 2016-01

AN ORDINANCE TO PROVIDE AND PAY FOR STREET MAINTENANCE WITHIN STREET MAINTENANCE DISTRICT NO. 1 OF THE TOWN OF TERRY, MONTANA

WHEREAS, pursuant to Mont. Code Ann. § 7-12-4402, the Town Council adopted Resolution 2015-435 creating a street maintenance district of the Town of Terry, known as Street Maintenance District No. 1; and

WHEREAS, pursuant to Mont. Code Ann. § 7-12-4401, whenever the council of a town desires to create a district for the maintenance of all or part of the streets or avenues of its town, it shall provide by ordinance a method of doing the maintenance and of paying for the maintenance.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF TERRY, MONTANA, as follows:

Section _____: Street Maintenance

- A. The Town’s method of providing maintenance in street maintenance districts is as follows:
 - 1. Maintenance may be accomplished by Town employees, through contract for services by outside parties, or any combination thereof.
 - 2. The Town may purchase, rent, lease, or borrow any equipment necessary to perform the maintenance.
 - 3. The Town may procure necessary materials, supplies, or other goods necessary to perform the maintenance.
 - 4. Maintenance includes but is not limited to any of the tasks and repairs listed in Section 7-12-4401, MCA, as being appropriate for street maintenance.
 - 5. The level and types of maintenance are determined in accordance with priorities established by the Town and to the extent of the availability of adequate funding.

- B. The Town’s method of paying for street maintenance costs will be an assessment against all assessable real property within the Town that receives the benefit of the maintenance. The assessment will be based upon an assessment option or combination of options provided for by Section 7-12-442, MCA, for street maintenance assessments. The

maintenance 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 maintenance. The selected assessment methodology and the assessment rate will be set annually by resolution adopted by the Town Council.

- C. The Town Council hereby rescinds any previous ordinances that established a method for maintenance and assessment of street maintenance districts.

DATE OF EFFECT:

This ordinance shall take effect thirty (30) days from the date of its final passage by the Town Council.

FIRST READING AND PASSAGE by a majority vote of the members present this 24 day of March, 2016

YEAS 3

NAYS 0

Rolane Christofferson
Mayor

ATTEST:

[Signature]
Town Clerk

POSTED IN THREE (3) PUBLIC PLACES AND MADE AVAILABLE TO THE PUBLIC this 25 day of March, 2016.

[Signature]
Town Clerk

SECOND READING AND PASSAGE by a majority vote of the members present this _____
day of _____, 2016

YEAS _____

NAYS _____

Mayor

ATTEST:

Town Clerk