

ORDINANCE NO. 375

AN ORDINANCE AMENDING TITLE 7 CHAPTER 4 OF THE WHITE SULPHUR SPRINGS MUNICIPAL CODE BY PROVIDING SPECIFIED LOT SIZE UPON WHICH TO BASE A FEE FOR WEED ABATEMENT AND ASSESSMENT OF COSTS; AND MAKING AMENDMENTS AS TO STYLE AND FORM FOR PURPOSES OF REFERENCE AND CODIFICATION.

WHEREAS, the City of White Sulphur Springs has adopted and recently amended Title 7 Chapter 4 regulating Weeds; and

WHEREAS, the City of White Sulphur Springs has determined the cost for abatement of weeds is insufficiently specified as it does not take into account the variability of lot size and a consistent cost requires a known size; and

WHEREAS, the City Council has determined it is necessary to establish a fee based on the specified lot size and a mechanism for converting that fee when delinquent;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of White Sulphur Springs Montana, that Title 7 Chapter 4, be amended by adding as follows:

Section 1

7.04.040 Cost of Weed Abatement

The cost of weed abatement shall be based upon an average lot size, and an average lot size shall be deemed to be approximately one-fifth of an acre or approximately 8,600 square feet. Lots less than this size shall be treated as equal to this size for purposes of assessment, and lots greater than this size shall be assessed based on the proportion of the average size to the existing lot. For example: a lot of between 8,601 and 12,900 square feet shall be charged at 1.5 times the rate, while a lot between 12,901 and 17,200 square feet shall be charged at twice the rate; and a lot equal to an acre shall be charged five times the rate. The rate assessed shall be set by the City Council by resolution.

7.04.050 Assessing Delinquent Charges

The City may include weed abatement as part of the annual resolution assessing delinquent accounts. The resolution shall provide:

- A. The property owner's name;
- B. The property owner's mailing address;
- C. The property street address;
- D. The property legal description; and
- E. Parcel number of the property in question.

Section 2

Repealer. All resolutions, ordinances, and sections of the White Sulphur Springs Municipal Code and parts thereof in conflict herewith are hereby repealed.

Section 3

Severability. If any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.


Section 4

EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5


CODIFICATION. Upon Final Passage and Adoption, the City Clerk is authorized to publish the foregoing ordinance, making amendments as to referenced code sections, notations, and grammar as well as style to be consistent with the ordinance as passed and shall insert this ordinance and shall remove the prior provisions inconsistent with the current ordinance, as passed and adopted, in any official publication or on-line version of the White Sulphur Springs Municipal Code.

PASSED by the City Council and the City of White Sulphur Springs, Montana, on first reading at a regular session thereof held on the 3rd day of August, 2020.




Rick Nelson, Mayor

ATTEST:




Michelle Stidham, City Clerk

PASSED, ADOPTED, AND APPROVED by the City Council and the City of White Sulphur Springs, Montana, on second reading at a regular session thereof held on the 1st day of September, 2020.



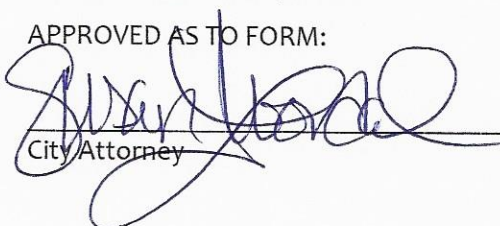
Rick Nelson, Mayor

ATTEST:



Michelle Stidham, City Clerk

APPROVED AS TO FORM:



City Attorney