

INTRODUCED BILL
provisions nereinafter enactec is nereby declared as a matter of legislative determination to be in the public interest.
(2) When it has determined that unsanitary or unsafe privately owned dwelling accommodations exist within the limits of the dity or town and when it nas further determined tinat the owners of suci accommodations are unable under the prevailing market conditions to finance renabilitation of their dwellings witnout assistance, the governing body of any minicipal corporation may finance the rehabilitation of such unsanitary or unsafe privately owned dwelling accomodations througn the use of grants of funds or property, direct loans, loan guarantees, and other means; and may apply for, anc accept, advances, loans, grants, contrioutions and any other form of financial assistance from the federal governinent, the state, county or other public body, or from any other source, pubiic or private, for the purpose of tilis section, and ay enter into and carry out contracts in comection therewiti.

Section 2. Section 1i-960. R.C.A. 1947, is amended co read as Eollows:
"il-966. Purposes for which indebteaness may be incurred--limitation--additional indebtedness for sewer or water system--procuring water suppiy and system--jurisaiction of public works appurtenances. The city
or town souncil has power: (1) to contract an indebtediess on benalf of a city or town, upon the creait thereof, by borrowing money or issuing bonds for the following purposes, to wit: Erection of public buildings, construction of sewers, sewage treatment and disposin plants, bridges, docks, wharves, breakwaters, piers, jetties, moles, waterworks, reservoirs and reservoir sites, lighting plants, supplying the city or town with water by contract, the purchase of fire apparatus, street and other equipment, the construction or purchase of canals or ditches and water rights for supplying the city or town with water, builaing, purcnasing, constructing and maintaining devices intended to protect the safety of the public from open ditches carrying irrigaiion or otner water, to acquire, open and/or wicen any street and to improve the same by constructing, reconstructing and repairing pavement, gutters, curbs and venicle parking strips and to pay ali or any portion of tine cost thereof, and the funcing of outstanding warrants and maturing bonds; the rehabilitation of unsanitary or unsafe privately owned dwelling accommodations; provided, that tire total amount of indebtedness autiorized to be contracted in any form, incluäing the then existing inceoteaness, rust not, at any time, exceed five per centum (58) of the total value of the taxavle property of the city or town, as ascertained by the last assessalent for seate and councy
taxes; provided, that no money must be borroved on bonds issued for the construction, purchase, or securing of a water plant, water system, water supply, sewage treatment and disposal plant, or sewerage systen, until tne proposition has been swonitted to a vote and the majority vote cast in favor taereof; anu, further provided, that an adilional indebteciness siall be incurred, when necessary, to construct a sewerage system or procure a water supply for the said city or town, which shali own or control said water supply and devote the revenue derived therefrom to the payment of tile deot.
(2) The adaitional indebtedness authorizea, incluãing all indebtedness theretofore contracted, which is unpaia or outstanding, for the construction of a sewarage system, or for the procurenent of a water supply, or for potn such purposes, shall not exceed in the aggregate ten'per centum (10\%) over and above tine five per centum (5\%) neretofore referred to, of the total valuation of the taxable property of the city or town as ascertained by the last assessment For state and county taxes; and, proviced furtiner, that the above limit of five per centum ( $5 \vec{a}$ ) snall not bo extended, inless the question sirall have been submitted to a vote and carried in the affirmative by a vote of the majority of the electors who vote upon such question.
(3) It is furtner provided, that whenever a franchise
has been granted to, or a contract made with, any person or persons, corporation or corporations, and such person or persons, corporation or corporations, in pursuance thereof, or otherwise, have established of maintained a system of water supply, or have valuable water rights or a supply of water desired by the city or town for supplying the said city or town with water, the city or town granting such franchise or entering in such contract or desiring such water supply, shall, by the passage of an ordinance, give notice to such person or persons, corporation or corporations, that it desires to purchase the plant and franchise and water suppiy of such person or persons. corporation or corporations, and it snall have the right to so purchase the said plant or water supply, upon such terms as the partias agree; in case they cannot agree, then the city or town shall proceed to acquire the same under the laws relating to the taking of private property for public use, and any city or town acquiring property uncier the laws relating to the taking of private property for public use, saall make payment to the owner or owners of the plant or water supply of the vaiue tisereof legally cetermineó, within six (6) montis rrom and after final jadgment is entered in the condemnation proceedings. For the purpose of provicing the city or town with an adequate water supply for municipal and domestic purposes, the city or town council shall
procure an appropriate water rights and title to the same, and the necessary real and personal property to make said rights and supply available, by purchase, appropriation, location, condemation, or otnerwise.
(4) Cities and towns shall have jurisdiction and control over the territory occupied by their public works, and over and along tie line of reservoirs, streams, trenches, pipes, drains, and other appurtenances used in the construction and operation of such works, and also over the source of stream for winicn water is taken, for the enforcement of its sanitary ordinances, the abatement of nuisances, and the general preservation of the purity of its water supply, with power to enact all ordinances and regulations necessary to carry the powers hereby conferred into effect. For this purpose the city or town shall be authorized to conciemn private property in the manner provided by law, and shall have authority to levy a just and equitable tax on all consumers of water for the purpose of defraying the expenses of its procurement."

Approved by Comm. on Local Government

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(2) When it has determined that unsanitary or unsafe privately owned dwelling accommodations exist within the limits of the city or town and when it as further determined that the owners of suci accommodations are unable under the prevailing market conditions to finance rehabilitation of their dwellings without assistance, tha governing body of any manicipal corporation may finance tha rehabilitation of such unsanitary or unsafe privately owned dwelling accomodations through the use of grants of funds or property, direct loans, loan guarantees, and other means; and may apply for, and accept, advances, loans, grants, contributions and any other form of financial assistance from the federal government, the state, county or other public oody, or from any otner source, puolic or private, for the purpose of this section, and may enter into and carry out contracts in connection therewiti.

Section 2. Section 11-966, R.C.M. 1947, is amended to read as foliows:
"11-966. Purposes for which indebteaness may be incurred--limitation--additional indebtedness for sewer or water system--procuring water supply and system--jurisaiction of public works appurtenances. The city

[^1]taxes; provided, that no money must be borrowed on bonds issued for the construction, purchase, or securing of a water plant, water system, water supply, sewage treatinan and disposal plant, or sewerage system, until the proposition has been sumitted to $a$ vote and the majority vote cast in favor thereof; ana, Eurtiner provided, that an additional indebtedness sinall be incurrea, when necessary, to construct a sewerage system or procure a water supply for the saici city or town, which shall own or control said water supply and devote the revenue derived therefrom to tie payment of the debt.
(2) The additional indebtedness authorized, including all indebtedness theretofore contracted, which is. unpaid or outstanding, for the construction of a sewerage syster, or for the procurement of a water supply, or for both such purposes, shall not exceed in the aggregate ten per centum (10\%) over and above the five per centum (5\%) ineretofore referred to, of the total valuation of the taxable property of the city or town as ascertained by the last assessinent for state and county taxes; and, provided further, that tne above limit of five per centum (5\%) shall not be extencied, unless the question shall have been submitted to a vote and carried in the affirmative by a vote of the majority of tine electors who vote upon such question.
(3) It is further provided, that whenever a franchise
nas been granted to, or a contract maāe with, any person or persons, corporation or corporations, and such person or persons, corporation or corporations, in pursiance thereof, or otherwise, have established or maintained a system of water supply, or have valuable water rignts or a supply of water desired by the city or town for supplying the said city or town with water, the city or town granting such franchise or entering in such contract or desiring such water supply, shall, by the passage of an ordinance, give notice to such person or persons, corporation or corporations, that it desires to purchase the plant and franchise and water supply of such person or persons, corporation or corporations, and it siall have the right to so purchase the said plant or water supply, upon such terms as the partias agree; in case they cannot agree, then the city or town shall proceed to acquire the same under the laws relating to the taking of private property for public use, and any city or town acquiring property uncer the laws relating to tie taking of private property for public use, snall mase payment to the owner or owners of the plant or water supply of the value thereof legally determined, within six (6) montas from and after final judgment is entered in the condemation proceedings. For the purpose of providing the city or tom witi an adequate water supply for municipal and domestic purposes, the city or town council shall
procure an appropriate water rights and titie to the same, and the necessary real and personal property to make said rights and supply available, by purchase, appropriation, location, condemation, or otherwise.
(4) Cities and towns shall have jurisaiction and control over the territory occupied jy their public works, and over and along the line of reservoirs, streams, trenches, pipes, drains, and other appurtenances used in tine construction and operation of such works, and also over tine source of stream for which water is taken, for the enforcement of its sanitary ordinances, the abatement of nuisances, and the general preservation of the purity of its water supply, with power to enact all ordinances and regulations necessary to carry the powers hereby conferred into effect. For this purpose the city or town sinall be autiorized to conciemn private property in the manner provided by law, and shall have authority to levy a just and equitable tax on all consumers of water for the purpose of defraying the expenses of its procurement."

| 1 | SENATE BILL NO. 301 |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| 2 | INTRODUCLD BY Brown |  |  |  |
| 3 |  |  |  |  |
| 4 | A 3ILL FOR AN ACT ENTITLED: | *AN ACT AUTHORIZING | MUNIC | PAL |
| 5 | CORPORATIONS TO FINANCE | REHABILITATION OF | UNSAFE | OR |
| 6 |  |  |  |  |
| 7 |  |  |  |  |
| 8 |  |  |  |  |
| 9 | Be it enacted by the legislature of the state of montana |  |  |  |
| 0 | Section 1. There is a new R.C.M. section that reads as |  |  |  |
| 1 | follows: |  |  |  |
| 2 | Purpose and policy, (l) It is hereby. declared that |  |  |  |
| 3 | unsanitary or unsafe privately owned dwelling accommodations |  |  |  |
| 4 | exist in urban areas throughout the state and that these |  |  |  |
| 5 | conditions cause an increase in and spread of disease and |  |  |  |
| 6 | crime and constitute a menace to the health, morals and |  |  |  |
| 7 | welfare of the citizens of the state and impair economic |  |  |  |
| 8 | values; that in many instances the owners of such |  |  |  |
| 9 | accommodations, due to poverty, unavailability of credit and |  |  |  |
| 20 | increased costs, are unable to finance the rehabilitation of |  |  |  |
| 1 | their dwellings; that the municipal corporations of the |  |  |  |
| 22 | state are uniquely able to render financial assistance to |  |  |  |
| 3 | these owners of unsafe and | unsanitary dwellings | and | hat |
| 4 | such assistance is a public | e and purpose for wh | ch pu | lic |
| 25 | money may be spent; and | that the necessit | for | the |

## SENATE BILL NO. 301

 LNTRODUCED BY BROWNprovisions hereinafter enacted is hereby declared as a matter of legislative determination to be in the public interest.
(2) When it has determined that unsanitary or unsafe privately owned dwelling accommodations exist within the limits of the city or town and when it has further determined that the owners of such accomodations are unable under the prevailing market conditions to finance rehabilitation of their dwellings without assistance, the governing body of any municipal corporation may finance the rehabilitation of such unsanitary or unsafe privately ownea dwelling accommodations through the use of grants of funds or property, direct loans, loan guarantees, and other means; and may apply for, and accept, advances, loans, grants, contributions and any other form of financial assistance from the federal government, the state, county or other public body, or from any other source, public or private, for the purpose of this section, and may enter into and carry out contracts in connection therewith.
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S3 301



#### Abstract

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-End-

SENATE BILL NO． 301
INTRODUCED BY BROWN

A BILL FOR AN ACT ENTITLED：＂AN ACT AUTHORIZING MUNICIPAL CORPORATIONS TO FINANCE REHABILITATION OF UNSAFE OR UNSANITARY FRIVATELY OWNED HOUSING ANO－ 4 － YHERBF

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA：
Section 1．There is a new R．C．M．section that reads as follows：

Purpose and policy．（1）It is hereby declared that unsanitary or unsafe privately owned dwelling accommodations exist in urban areas throughout the state and that these conditions cause an increase in and spread of disease and crime and constitute a menace to the health，morals and welfare of the citizens of the state and impair economic values；that in many instances the owners of such accomodations，due to poverty，unavailability of credit and increased costs，are unable to finance the rehabilitation of their dwellings；that the municipal corporations of the state are uniquely able to render financial assistance to these owners of unsafe and unsanitary dwellings and that such assistance is a public use and purpose for which public money may be spent；and that the necessity for the
provisions hereinafter enacted is hereby declared as a matter of legislative determination to be in the public interest．
（2）When it has determined that unsanitary or unsafe privately owned dwelling accommodations exist within the limits of the city or town and when it has further determined that the owners of such accommodations are unable under the prevailing market conditions to finance rehabilitation of their dwellings without assistance，the governing body of any municipal corporation may finance the rehabilitation of such unsanitary or unsafe privately owned dwelling accommodations through the use of grants of funds or property，direct loans，loan guarantees，and other means； and may apply for，and accept，advances，loans，grants， contributions and any other form of financial assistance from the federal government，the state，county or other public body，or from any other source，public or private， for the purpose of this section，and may enter into and carry out contracts in connection therewith．
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REFERENCE BILL
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 wehieze－parking－strifps－and－to－pay－atio－or－any－portion－of－the eest－thereefy－and－the－fumbing－of－outstanding－－waryants－－and maturing－－bendst the－xehabiliteation－ef－unsaniteary－or－unsafe Privately－owned－dwetitrg－aecommedetionst providedt－thet－－the tetat－－emeunt－ef－indebtedness－authertzed－to－be－contraeted－in any－fermr－inezuding－the－－then－－existing－－indebteinessy－－must
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terest－providedt－that－no－money－must－be－－borrowed－on－－bonds issued－－for－－the－－eonstruetiont－－purehesef－er－seeuring－of－e water－pianty－water－systemr－water－－suppłyT－－sewage－－treatment and－－－dispernix－－－płantr－－－or－－－sewerage－－syotemt－untiz－－tine propesttion－has－been－submitted－to－a－vote－－the－the－－matortty vote－－east－－in－favor－thereefr－andi－fureher－providedt－that－an addittonat－indebtediness－shait－be－4neuryedt－－when－－neeessary te－eonstruet－a－seweqage－sчэtem－or－proeure－a－water－supply－for the－satd－exty－ot－townt－whteh－sheti－own－or－eshtiret－sati－water supply－－and－－devete－－the－－revehte－－derived－－therefrom－to－the payment－of－the－teber
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#### Abstract

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SB 301
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    A BIEL FOR AN ACT ENTITLED: "AT ACT AUTHORIZING MUNICLPAL CORPORATIONS TO FIIMANCE REHABILITATION OF UNSAFE OR UNSAIITARY PRIVATELY ONINED HOUSING AND TO INCUR INDEBTEDIESS THEREFOR; AND AMENDING SECTION 11-966. R.C.M. 1947."

    BE IT INACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
    section 1. 'There is a new R.C.M. section that reads as follows:

    Purpose ana policy. (1) It is hereby, declared that unsanitary or ansafe privately owned dwelling accommodations esist in urban areas througnout the state and that these conditions cause an increase in and spread of disease anã crime and constitute a menace to the healtin, morals and welfare of the citizens of the state and impair economic values; that in many instances the owners of such accominodations, Gue to poverty, unavailaility of credit ana increased costs, are unable to finance the rehabilitation of their dwellings; tnat the municipal corporations of the state are uniquely able to render financial assistance to these owners of unsafe and unsanitary awellings and that suc: assistance is a puolic use and purpose for winch public wohey may be spent; and that tile necessity for tire

[^1]:    or town council has power: (1) To contract an indebtedness On behalf of a city or town, upon the creait thereof, by borrowing money or issuing bonds for the following purposes, to wit: Erection of public buildings, construction of sewers, sewage treatment and disposal plants, bridges, docks, wharves, breakwaters, piers, jetties, moles, waterworks, reservoirs and reservoir sites, lighting plants, supplying the city or town with water by contract, the purchase of fire apparatus, street and other equipment, the construction or purchase of canals or ditches and water rights for supplying the city or torn with water, building, purchasing, constructing and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water, to acquire, open and/or widen any street and to improve the same by constructing, reconstructing and repairing pavement, gutters, curbs and vehicle parking strips and to pay all or any portion of the cost thereof, and the funding of outstanding warrants and maturing bonds; the rehabilitation of unsanitary or unsafe privately owned dwelling accoramodations; provided, that the total amount of indebtedness authorized to be contracted in any form, incluoing the tinen existing indebtedness, must not, at any tine, exceed five per centum (5\%) of the total value of the taxable property of the city or town, as ascertained by the last assessiment for state and county

