

House Bill 527

In The House

January 28, 1981	Introduced and referred to Committee on Local Government.
February 14, 1981	Committee recommend bill do pass as amended.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Second reading do not pass.



Approved by Comm.  
on Local Government

HOUSE BILL NO. 527

INTRODUCED BY FABREGA, BLAYLOCK

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE GOVERNING BODY OF A MUNICIPALITY TO SELL MUNICIPAL PARK LAND AFTER NOTICE AND A PUBLIC HEARING WITHOUT OBTAINING VOTER APPROVAL; AMENDING SECTION 7-8-4201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-8-4201, MCA, is amended to read:

"7-8-4201. Disposal or lease of municipal property.

(1) Subject to the provisions of subsection (2), the city or town council may sell, dispose of, or lease any property belonging to the city or town.

(2) (a) Such lease or transfer ~~shall~~ may only be made by an ordinance or resolution passed by a two-thirds vote of all the members of the council and, in the case of a sale or transfer of park land, after a public hearing has been held upon notice published once a week for 2-weeks 30 DAYS in a newspaper of general circulation in the municipality AND UPON WRITTEN NOTICE BY FIRST-CLASS MAIL TO EACH PROPERTY OWNER WHOSE PROPERTY IS LOCATED WITHIN 300 FEET FROM THE PARK BOUNDARIES. IF 51% OF THESE PROPERTY OWNERS SUBMIT WRITTEN PROTEST TO THE GOVERNING BODY OF THE PROPOSED SALE OF PARK LAND WITHIN 30 DAYS OF THE MAILING OF THE NOTICE,

THE GOVERNING BODY MAY NOT SELL THE LAND.

(b) If the property other than park land is held in trust for a specific purpose, the sale or lease thereof must be approved by a majority vote of the electors of the municipality voting at an election called for that purpose.

(3) Nothing contained herein may be construed to abrogate the power of the board of park commissioners to lease all lands owned by the city heretofore acquired for parks within the limitations prescribed by 7-16-4223.

(4) Any proceeds of park land sold pursuant to this section shall be used exclusively for developing and maintaining parks."

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