

Senate Bill 379

In The Senate

February 6, 1981

Introduced and referred
to Committee on Local
Government.

April 23, 1981

Died in Committee.

1 Sen. Thomas BILL NO. 379
 2 INTRODUCED BY Thomas

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DECREASE THE NUMBER
 5 OF DAYS OF NOTICE REQUIRED FOR HEARINGS ON MUNICIPAL ZONING
 6 LAWS AND MUNICIPAL INTERIM ZONING ORDINANCES; AMENDING
 7 SECTIONS 76-2-303 AND 76-2-306, MCA."

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

10 Section 1. Section 76-2-303, MCA, is amended to read:

11 "76-2-303. Procedure to administer zoning laws --
 12 hearing and notice. (1) The city or town council or other
 13 legislative body of such municipality shall provide for the
 14 manner in which such regulations and restrictions and the
 15 boundaries of such districts shall be determined,
 16 established, and enforced and from time to time amended,
 17 supplemented, or changed.

18 (2) However, no such regulation, restriction, or
 19 boundary shall become effective until after a public hearing
 20 in relation thereto at which parties in interest and
 21 citizens shall have an opportunity to be heard. At least ~~15~~
 22 1 days' notice of the time and place of such hearing shall
 23 be published in an official paper or a paper of general
 24 circulation in such municipality."

25 Section 2. Section 76-2-306, MCA, is amended to read:

1 "76-2-306. Interim zoning ordinances. (1) The city or
 2 town council or other legislative body of such municipality,
 3 to protect the public safety, health, and welfare and
 4 without following the procedures otherwise required
 5 preliminary to the adoption of a zoning ordinance, may adopt
 6 as an urgency measure an interim ordinance prohibiting any
 7 uses which may be in conflict with a contemplated zoning
 8 proposal which the legislative body is considering or
 9 studying or intends to study within a reasonable time.

10 (2) Such interim ordinance shall only be applicable
 11 within the city limits and up to 1 mile beyond the corporate
 12 boundaries of the city or town and shall take effect upon
 13 passage; provided, however, a hearing is first held upon
 14 notice reasonably designed to inform all affected parties
 15 and in no event shall notice be less than publication in a
 16 newspaper of general circulation at least 7 3 days before
 17 the hearing.

18 (3) Such interim ordinance shall be of no further
 19 force and effect 6 months from the date of adoption thereof.
 20 However, after notice pursuant to 76-2-303 and pursuant to
 21 public hearing, the legislative body may extend such interim
 22 ordinance for 1 year. Any such extension shall require a
 23 two-thirds vote for passage and shall become effective upon
 24 passage. Not more than two such extensions may be adopted."

-End-

-2- INTRODUCED BILL
 SB 379