

HOUSE BILL NO. 164

INTRODUCED BY DONALDSON, WINSLOW

IN THE HOUSE

January 11, 1983	Introduced and referred to Committee on Local Government.
January 18, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
January 19, 1983	On motion rules suspended and bill placed on second reading this day. Second reading, do pass.
January 20, 1983	Considered correctly engrossed.
January 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 22, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 28, 1983	Committee recommend bill be concurred in. Report adopted.
February 1, 1983	Second reading, pass consideration. On motion taken from second reading and referred to Committee on Local Government.

March 10, 1983

Committee recommend bill be
concurrent in. Report adopted.

March 12, 1983

Second reading, concurrent in.

March 15, 1983

Third reading, concurrent in.
Ayes, 41; Noes, 7.

IN THE HOUSE

March 15, 1983

Returned to House.

March 16, 1983

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 164
2 INTRODUCED BY Donaldson Winslow
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO RENAME MUNICIPAL
5 SPRINKLING DISTRICTS TO MUNICIPAL MAINTENANCE DISTRICTS AND
6 TO DEFINE THE SERVICES THAT MAY BE PROVIDED BY SUCH
7 DISTRICTS; AMENDING SECTIONS 7-3-1332, 7-6-4222, 7-12-4401
8 THROUGH 7-12-4407, 7-12-4421, 7-12-4423, 7-12-4424 THROUGH
9 7-12-4429, AND 7-14-4107, MCA; AND PROVIDING AN EFFECTIVE
10 DATE."

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

13 Section 1. Section 7-3-1332, MCA, is amended to read:

14 "7-3-1332. Public works and improvements. (1) Any
15 local public work may be done or any local public works or
16 improvements may be constructed, reconstructed, repaired,
17 maintained, or operated, either by contract or directly by
18 the municipality, as may be determined by the commission.
19 Before authorizing that any local public works or
20 improvements be directly constructed, reconstructed,
21 repaired, maintained, or operated, detailed plans and
22 estimates for each such work or improvement shall be
23 submitted to the commission by the manager, and there shall
24 be separate accounting for each work or improvement so
25 executed.

1 (2) The municipality shall have the same power and
2 authority to create special improvement districts and for
3 like purposes and to create special lighting districts and
4 ~~sprinkling maintenance~~ districts ~~as provided by the laws of~~
5 ~~the state for cities and towns as provided by the laws of~~
6 ~~the state.~~

7 (3) The director of public works shall be the engineer
8 in charge of all such work, works, or improvements. The
9 provisions of the general law of the state regarding special
10 improvement districts, special lighting districts, and
11 ~~sprinkling maintenance~~ districts in cities and towns shall
12 apply to and control the establishment under this part of
13 special improvement districts, special lighting districts,
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15 municipality and the procedure according to which any local
16 public work or the construction, reconstruction, repair,
17 maintenance, or operation of any local public work or
18 improvement is to be provided for when the cost thereof is
19 to be paid in whole or in part by assessments upon the
20 property within any such district, and such general law
21 shall also apply to the manner of levying and collecting
22 such assessments."

23 Section 2. Section 7-6-4222, MCA, is amended to read:

24 "7-6-4222. Exclusion of certain items from estimate
25 and budget. There may not be included in the estimate or in

-2- INTRODUCED BILL

HB 164

either the preliminary or final budget of a municipality any part of that cost which is to be paid by special assessments against the property within the districts or any part of the cost in sprinkling maintenance districts which is to be defrayed by special assessments against the property in the sprinkling maintenance districts."

Section 3. Section 7-12-4401, MCA, is amended to read:

"7-12-4401. Street sprinkling maintenance district authorized ~~--- definition. (1)~~ Whenever the council of any city or town desires to ~~sprinkle create a district for the~~ maintenance of all or any part of the streets or avenues of its city or town with ~~water, oil, salt, or any other dust~~ pettitive as provided in this part, it shall provide by ordinance a method of doing said work and of paying for the same under the following restrictions and regulations provided in this part.

(2) "Maintenance" as used in this part includes but is not limited to sprinkling, graveling, oiling, chip sealings, seal coatings, overlaying, treating, general cleanings, sweeping, flushing, snow removal, and leaf and debris removal."

Section 4. Section 7-12-4402, MCA, is amended to read:

"7-12-4402. Creation of sprinkling maintenance districts. A resolution ~~shall be adopted~~ dividing the whole or any part of their ~~the~~ city or town into sprinkling

maintenance districts, to be known and designated by numbers ~~shall be passed.~~ Said resolution shall plainly define the boundaries of the ~~several district or~~ districts or ~~enumerate~~ and describe the streets, alleys, and public places or any part thereof constituting the different district or districts."

Section 5. Section 7-12-4403, MCA, is amended to read:

"7-12-4403. Alteration of sprinkling maintenance districts. When once defined, sprinkling maintenance districts ~~shall~~ may not be changed during the same calendar year but may be changed by resolution the ~~following year or~~ any year thereafter in any succeeding year."

Section 6. Section 7-12-4404, MCA, is amended to read:

"7-12-4404. Manner of providing sprinkling ~~services~~ maintenance. The sprinkling maintenance in districts so established may be done by contract or by forces employed by the city or town or by both, in such manner as the council may elect."

Section 7. Section 7-12-4405, MCA, is amended to read:

"7-12-4405. Improvements within sprinkling maintenance districts -- ordinance required. (1) Cities and towns are hereby authorized and empowered to prepare and improve streets, avenues, and alleys within the sprinkling maintenance districts so that the sprinkling-and-applying-of ~~water, oil, and salt or any other dust pettitive or~~

preventive ~~maintenance~~ will be of a durable and continuing benefit. The city or town council shall provide by ordinance a method or methods of doing said work and improvements.

(2) Cities and towns are authorized to maintain the work and improvements made under subsection (1).

(3) At least ~~±~~ 12 days must elapse between the day on which said proposed ordinance is introduced and the day on which final action thereon is taken."

Section 8. Section 7-12-4406, MCA, is amended to read:

"7-12-4406. Notice of ordinance for improvements. The city or town clerk must give notice of the introduction of such proposed ordinance and of the time it will be up for passage final adoption:

(1) by publication three times in a daily newspaper or ~~a newspaper printed and published every day except Sunday or~~ in a weekly newspaper for two successive issues in such city or town; or

(2) if there be no such newspaper, then by posting for at least 10 days in three public places in each of the wards of said city or town."

Section 9. Section 7-12-4407, MCA, is amended to read:

"7-12-4407. Protest against ordinance for improvements. If 40% or more of the abutting property owners protest in writing to said city or town council against the passage of said proposed ordinance, then no further action

shall be taken thereon ~~and the same shall lapse upon the~~ proposed district for 1 year."

Section 10. Section 7-12-4421, MCA, is amended to read:

"7-12-4421. Choice in manner of making assessments. The assessments for the costs and expenses of ~~sprinkling~~ maintaining streets, alleys, and public places shall be made against all of the property embraced within each ~~sprinkling~~ maintenance district by one of the three methods provided in 7-12-4422 through 7-12-4424."

Section 11. Section 7-12-4423, MCA, is amended to read:

"7-12-4423. Assessment of costs -- frontage option. Each lot or parcel of land within such district abutting upon ~~some~~ a street upon which ~~sprinkling~~ maintenance is done shall be assessed for that part of the whole cost which its street frontage bears to the street frontage of the entire district."

Section 12. Section 7-12-4424, MCA, is amended to read:

"7-12-4424. Assessment of costs -- combined area-frontage option. A portion of the total cost to be assessed in each ~~sprinkling~~ district may be assessed against the several lots or parcels of land within the district by the method provided in ~~7-12-4422~~ 7-12-4423 on a frontage

basis and the remainder of such cost by the method provided in ~~7-12-4425~~ 7-12-4422 on an area basis. The proportion to be assessed in each district by each such method shall be determined and fixed by the city or town council."

Section 13. Section 7-12-4425, MCA, is amended to read:

"7-12-4425. Resolution for assessment of costs of sprinkling maintenance. (1) ~~It~~ The city council shall be the duty of said council to estimate, as near as practicable, the cost of sprinkling maintenance in such districts so each established for the session and before district annually, not later than the first ~~second~~ Monday in November of each year, they August. The council shall pass and finally adopt a resolution levying and assessing all the property within the several districts with an amount equal to not less than 75% of the entire cost of said work, exclusive of the cost of sprinkling parks and public places.

(2) The resolution levying the assessment to defray the cost of sprinkling maintenance shall contain ~~or refer to~~ a list in which shall be described the lot or parcel of land assessed, with the name of the owner thereof if known, and the amount levied thereon set opposite.

(3) Such resolution shall be kept on file in the office of the city clerk."

Section 14. Section 7-12-4426, MCA, is amended to

read:

"7-12-4426. Notice of resolution for assessment of sprinkling costs. (1) A notice, signed by the city clerk, stating that the resolution levying a special assessment to defray the cost of sprinkling maintenance in the several district or districts is on file in his office and subject to inspection for a period of 5 days, shall be published at least once in a newspaper published in the city or town.

(2) The notice shall state the time and place at which objections to the final adoption of the resolution will be heard by the council. The time for the hearing shall be not less than 5 days after the publication of the notice."

Section 15. Section 7-12-4427, MCA, is amended to read:

"7-12-4427. Hearing on resolution for assessment of sprinkling costs. (1) At the time so set, the council shall meet at their regular place of meeting and hear all objections which may be made to such assessment or any part thereof and may adjourn from time to time for that purpose and may by resolution modify such assessment in whole or in part.

(2) A copy of such ~~the~~ resolution, certified by the city clerk, must be delivered to the city treasurer or before the first Monday in October financial officer, and such assessment ~~the assessments~~ shall be placed upon the tax

1 roll and collected in the same manner as other taxes."

2 Section 16. Section 7-12-4428, MCA, is amended to
3 read:

4 "7-12-4428. Assessment of costs of improvements and
5 maintenance of improvements. Cities and towns are authorized
6 to assess the cost of the work, improvements, and
7 maintenance authorized by 7-12-4405 against the property in
8 ~~such-sprinkling maintenance~~ districts in the manner and as
9 provided in 7-12-4421 through 7-12-4424 to meet the payments
10 required to be made each year."

11 Section 17. Section 7-12-4429, MCA, is amended to
12 read:

13 "7-12-4429. Financial assistance from the United
14 States. Cities and towns are authorized to:

15 (1) enter into suitable agreements with the United
16 States of America for loans of money and for receiving
17 financial assistance to do the work and improvements
18 contemplated by 7-12-4405; and

19 (2) provide for the repayment thereof by yearly
20 payments from funds derived from ~~such-sprinkling~~ districts
21 created under 7-12-4405, apportioned over a period of time
22 not exceeding 20 years."

23 Section 18. Section 7-14-4107, MCA, is amended to
24 read:

25 "7-14-4107. ~~Sprinkling Maintenance~~ of trafficways. The

1 city or town council ~~has power to~~ may provide for the
2 ~~sprinkling maintenance~~ of the streets, alleys, and public
3 places of the city or town and to may fix the rates to
4 defray the cost of said work as provided in Title 7, chapter
5 12, part 44."

6 NEW SECTION. Section 19. Effective date. This act is
7 effective July 1, 1983.

-End-

Approved by Comm.
on Local Government

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1 shall be taken thereon ~~and the same shall lapse~~ upon the
2 proposed district for 1 year."

3 Section 10. Section 7-12-4421, MCA, is amended to
4 read:

5 "7-12-4421. Choice in manner of making assessments.
6 The assessments for the costs and expenses of ~~sprinkling~~
7 maintaining streets, alleys, and public places shall be made
8 against all of the property embraced within each ~~sprinkling~~
9 maintenance district by one of the three methods provided in
10 7-12-4422 through 7-12-4424."

11 Section 11. Section 7-12-4423, MCA, is amended to
12 read:

13 "7-12-4423. Assessment of costs -- frontage option.
14 Each lot or parcel of land within such district abutting
15 upon ~~some~~ a street upon which ~~sprinkling~~ maintenance is done
16 shall be assessed for that part of the whole cost which its
17 street frontage bears to the street frontage of the entire
18 district."

19 Section 12. Section 7-12-4424, MCA, is amended to
20 read:

21 "7-12-4424. Assessment of costs -- combined
22 area-frontage option. A portion of the total cost to be
23 assessed in each ~~sprinkling~~ district may be assessed against
24 the several lots or parcels of land within the district by
25 the method provided in ~~7-12-4422~~ 7-12-4423 on a frontage

1 basis and the remainder of such cost by the method provided
2 in ~~7-12-4425~~ 7-12-4422 on an area basis. The proportion to
3 be assessed in each district by each such method shall be
4 determined and fixed by the city or town council."

5 Section 13. Section 7-12-4425, MCA, is amended to
6 read:

7 "7-12-4425. Resolution for assessment of costs of
8 ~~sprinkling maintenance.~~ (1) ~~It is the duty of said council to~~ the city council shall be the
9 ~~duty of said council to~~ estimate, as near as practicable,
10 the cost of ~~sprinkling maintenance in such districts so each~~
11 ~~established for the season and before district annually,~~
12 ~~not later than the first second Monday in November of each~~
13 ~~year they August.~~ The council shall pass and finally adopt
14 a resolution levying and assessing all the property within
15 the several districts with an amount equal to not less than
16 75% of the entire cost of said work ~~exclusive of the cost~~
17 ~~of sprinkling parks and public places.~~

18 (2) The resolution levying the assessment to defray
19 the cost of ~~sprinkling maintenance~~ shall contain or refer to
20 a list in which shall be described the lot or parcel of land
21 assessed, with the name of the owner thereof if known, and
22 the amount levied thereon set opposite.

23 (3) Such resolution shall be kept on file in the
24 office of the city clerk."

25 Section 14. Section 7-12-4426, MCA, is amended to

1 read:

2 "7-12-4426. Notice of resolution for assessment of
3 ~~sprinkling costs.~~ (1) A notice, signed by the city clerk,
4 stating that the resolution levying a special assessment to
5 defray the cost of ~~sprinkling maintenance~~ in the ~~several~~
6 ~~district or~~ districts is on file in his office and subject
7 to inspection for a period of 5 days, shall be published at
8 least once in a newspaper published in the city or town.

9 (2) The notice shall state the time and place at which
10 objections to the final adoption of the resolution will be
11 heard by the council. The time for the hearing shall be not
12 less than 5 days after the publication of the notice."

13 Section 15. Section 7-12-4427, MCA, is amended to
14 read:

15 "7-12-4427. Hearing on resolution for assessment of
16 ~~sprinkling costs.~~ (1) At the time so set, the council shall
17 ~~meet at their regular place of meeting~~ and hear all
18 objections which may be made to such assessment or any part
19 thereof and may adjourn from time to time for that purpose
20 and may by resolution modify such assessment in whole or in
21 part.

22 (2) A copy of such ~~the~~ resolution, certified by the
23 city clerk, must be delivered to the ~~city treasurer on or~~
24 ~~before the first Monday in October~~ financial officer, and
25 ~~such assessment the assessments~~ shall be placed upon the tax

roll and collected in the same manner as other taxes."

Section 16. Section 7-12-4428, MCA, is amended to read:

"7-12-4428. Assessment of costs of improvements and maintenance of improvements. Cities and towns are authorized to assess the cost of the work, improvements, and maintenance authorized by 7-12-4405 against the property in such-sprinkling maintenance districts in the manner and as provided in 7-12-4421 through 7-12-4424 to meet the payments required to be made each year."

Section 17. Section 7-12-4429, MCA, is amended to read:

"7-12-4429. Financial assistance from the United States. Cities and towns are authorized to:

(1) enter into suitable agreements with the United States of America for loans of money and for receiving financial assistance to do the work and improvements contemplated by 7-12-4405; and

(2) provide for the repayment thereof by yearly payments from funds derived from such-sprinkling districts created under 7-12-4405, apportioned over a period of time not exceeding 20 years."

Section 18. Section 7-14-4107, MCA, is amended to read:

"7-14-4107. Sprinkling Maintenance of trafficways. The

city or town council has--power--to may provide for the sprinkling maintenance of the streets, alleys, and public places of the city or town and to may fix the rates to defray the cost of said work as provided in Title 7, chapter 12, part 44."

NEW SECTION. Section 19. Effective date. This act is effective July 1, 1983.

-End-

HOUSE BILL NO. 164

INTRODUCED BY DONALDSON, WINSLOW

A BILL FOR AN ACT ENTITLED: "AN ACT TO RENAME MUNICIPAL SPRINKLING DISTRICTS TO MUNICIPAL MAINTENANCE DISTRICTS AND TO DEFINE THE SERVICES THAT MAY BE PROVIDED BY SUCH DISTRICTS; AMENDING SECTIONS 7-3-1332, 7-6-4222, 7-12-4401 THROUGH 7-12-4407, 7-12-4421, 7-12-4423, 7-12-4424 THROUGH 7-12-4429, AND 7-14-4107, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-3-1332, MCA, is amended to read:

"7-3-1332. Public works and improvements. (1) Any local public work may be done or any local public works or improvements may be constructed, reconstructed, repaired, maintained, or operated, either by contract or directly by the municipality, as may be determined by the commission. Before authorizing that any local public works or improvements be directly constructed, reconstructed, repaired, maintained, or operated, detailed plans and estimates for each such work or improvement shall be submitted to the commission by the manager, and there shall be separate accounting for each work or improvement so executed.

(2) The municipality shall have the same power and authority to create special improvement districts and for like purposes and to create special lighting districts and ~~sprinkling maintenance districts as provided by the laws of the state for cities and towns as provided by the laws of the state.~~

(3) The director of public works shall be the engineer in charge of all such work, works, or improvements. The provisions of the general law of the state regarding special improvement districts, special lighting districts, and ~~sprinkling maintenance districts~~ in cities and towns shall apply to and control the establishment under this part of special improvement districts, special lighting districts, and ~~sprinkling maintenance districts~~ in and for the municipality and the procedure according to which any local public work or the construction, reconstruction, repair, maintenance, or operation of any local public work or improvement is to be provided for when the cost thereof is to be paid in whole or in part by assessments upon the property within any such district, and such general law shall also apply to the manner of levying and collecting such assessments."

Section 2. Section 7-6-4222, MCA, is amended to read:

"7-6-4222. Exclusion of certain items from estimate and budget. There may not be included in the estimate or in

1 either the preliminary or final budget of a municipality any
 2 part of that cost which is to be paid by special assessments
 3 against the property within the districts or any part of the
 4 cost in sprinkling maintenance districts which is to be
 5 defrayed by special assessments against the property in the
 6 sprinkling maintenance districts."

7 Section 3. Section 7-12-4401, MCA, is amended to read:

8 "7-12-4401. Street sprinkling maintenance district
 9 authorized -- definition. (1) Whenever the council of any
 10 city or town desires to sprinkle create a district for the
 11 maintenance of all or any part of the streets or avenues of
 12 its city or town with water, city, sewer or any other dust
 13 pollutative as provided in this part, it shall provide by
 14 ordinance a method of doing said work and of paying for the
 15 same under the following restrictions and regulations
 16 provided in this part.

17 (2) "Maintenance" as used in this part includes but is
 18 not limited to sprinkling, graveling, oiling, chip sealing,
 19 seal coating, overlaying, treating, general cleaning,
 20 sweeping, flushing, snow removal, and leaf and debris
 21 removal."

22 Section 4. Section 7-12-4402, MCA, is amended to read:

23 "7-12-4402. Creation of sprinkling maintenance
 24 districts. A resolution shall be adopted dividing the whole
 25 or any part of their the city or town into sprinkling

1 maintenance districts, to be known and designated by numbers
 2 shall be passed. Said resolution shall plainly define the
 3 boundaries of the several district or districts or enumerate
 4 and describe the streets, alleys, and public places or any
 5 part thereof constituting the different district or
 6 districts."

7 Section 5. Section 7-12-4403, MCA, is amended to read:

8 "7-12-4403. Alteration of sprinkling maintenance
 9 districts. When once defined, sprinkling maintenance
 10 districts shall may not be changed during the same calendar
 11 year but may be changed by resolution the following year or
 12 any year thereafter in any succeeding year."

13 Section 6. Section 7-12-4404, MCA, is amended to read:

14 "7-12-4404. Manner of providing sprinkling services
 15 maintenance. The sprinkling maintenance in districts so
 16 established may be done by contract or by forces employed by
 17 the city or town or by both, in such manner as the council
 18 may elect."

19 Section 7. Section 7-12-4405, MCA, is amended to read:

20 "7-12-4405. Improvements within sprinkling maintenance
 21 districts -- ordinance required. (1) Cities and towns are
 22 hereby authorized and empowered to prepare and improve
 23 streets, avenues, and alleys within the sprinkling
 24 maintenance districts so that the sprinkling and applying of
 25 water, city, and sewer or any other dust pollutive or

preventive maintenance will be of a durable and continuing benefit. The city or town council shall provide by ordinance a method or methods of doing said work and improvements.

(2) Cities and towns are authorized to maintain the work and improvements made under subsection (1).

(3) At least 15 12 days must elapse between the day on which said proposed ordinance is introduced and the day on which final action thereon is taken."

Section 8. Section 7-12-4406, MCA, is amended to read:

"7-12-4406. Notice of ordinance for improvements. The city or town clerk must give notice of the introduction of such proposed ordinance and of the time it will be up for passage final adoption:

(1) by publication three times in a daily newspaper or a newspaper printed and published every day except Sunday or in a weekly newspaper for two successive issues in such city or town; or

(2) if there be no such newspaper, then by posting for at least 10 days in three public places in each of the wards of said city or town."

Section 9. Section 7-12-4407, MCA, is amended to read:

"7-12-4407. Protest against ordinance for improvements. If 40% or more of the abutting property owners protest in writing to said city or town council against the passage of said proposed ordinance, then no further action

shall be taken thereon and the same shall lapse upon the proposed district for 1 year."

Section 10. Section 7-12-4421, MCA, is amended to read:

"7-12-4421. Choice in manner of making assessments. The assessments for the costs and expenses of sprinkling maintaining streets, alleys, and public places shall be made against all of the property embraced within each sprinkling maintenance district by one of the three methods provided in 7-12-4422 through 7-12-4424."

Section 11. Section 7-12-4423, MCA, is amended to read:

"7-12-4423. Assessment of costs -- frontage option. Each lot or parcel of land within such district abutting upon some a street upon which sprinkling maintenance is done shall be assessed for that part of the whole cost which its street frontage bears to the street frontage of the entire district."

Section 12. Section 7-12-4424, MCA, is amended to read:

"7-12-4424. Assessment of costs -- combined area-frontage option. A portion of the total cost to be assessed in each sprinkling district may be assessed against the several lots or parcels of land within the district by the method provided in 7-12-4422 7-12-4423 on a frontage

basis and the remainder of such cost by the method provided in ~~7-12-4423~~ 7-12-4422 on an area basis. The proportion to be assessed in each district by each such method shall be determined and fixed by the city or town council."

Section 13. Section 7-12-4425, MCA, is amended to read:

"7-12-4425. Resolution for assessment of costs of sprinkling maintenance. (1) ~~It is the duty of said council to~~ the city council shall be the duty of said council to estimate, as near as practicable, the cost of sprinkling maintenance in each district ~~so each~~ established ~~for the season and before district annually,~~ not later than the first second Monday in November ~~of each~~ year, by August. ~~The council shall pass and finally adopt~~ a resolution levying and assessing all the property within the several districts with an amount equal to not less than 75% of the entire cost of said work ~~exclusive of the cost of sprinkling parks and public places.~~

(2) The resolution levying the assessment to defray the cost of sprinkling maintenance shall contain or refer to a list in which shall be described the lot or parcel of land assessed, with the name of the owner thereof if known, and the amount levied thereon set opposite.

(3) Such resolution shall be kept on file in the office of the city clerk."

Section 14. Section 7-12-4426, MCA, is amended to

read:

"7-12-4426. Notice of resolution for assessment of sprinkling costs. (1) A notice, signed by the city clerk, stating that the resolution levying a special assessment to defray the cost of sprinkling maintenance in the several ~~district or~~ districts is on file in his office and subject to inspection for a period of 5 days, shall be published at least once in a newspaper published in the city or town.

(2) The notice shall state the time and place at which objections to the final adoption of the resolution will be heard by the council. The time for the hearing shall be not less than 5 days after the publication of the notice."

Section 15. Section 7-12-4427, MCA, is amended to read:

"7-12-4427. Hearing on resolution for assessment of sprinkling costs. (1) At the time so set, the council shall meet ~~at their regular place of meeting~~ and hear all objections which may be made to such assessment or any part thereof and may adjourn from time to time for that purpose and may by resolution modify such assessment in whole or in part.

(2) A copy of such ~~the~~ resolution, certified by the city clerk, must be delivered to the ~~city treasurer on or before the first Monday in October~~ financial officer, and such assessment ~~the assessments~~ shall be placed upon the tax

1 roll and collected in the same manner as other taxes."

2 Section 16. Section 7-12-4428, MCA, is amended to
3 read:

4 "7-12-4428. Assessment of costs of improvements and
5 maintenance of improvements. Cities and towns are authorized
6 to assess the cost of the work, improvements, and
7 maintenance authorized by 7-12-4405 against the property in
8 such-sprinkling maintenance districts in the manner and as
9 provided in 7-12-4421 through 7-12-4424 to meet the payments
10 required to be made each year."

11 Section 17. Section 7-12-4429, MCA, is amended to
12 read:

13 "7-12-4429. Financial assistance from the United
14 States. Cities and towns are authorized to:

15 (1) enter into suitable agreements with the United
16 States of America for loans of money and for receiving
17 financial assistance to do the work and improvements
18 contemplated by 7-12-4405; and

19 (2) provide for the repayment thereof by yearly
20 payments from funds derived from such-sprinkling districts
21 created under 7-12-4405, apportioned over a period of time
22 not exceeding 20 years."

23 Section 18. Section 7-14-4107, MCA, is amended to
24 read:

25 "7-14-4107. Sprinkling Maintenance of trafficways. The

1 city or town council has--power--to may provide for the
2 sprinkling maintenance of the streets, alleys, and public
3 places of the city or town and to may fix the rates to
4 defray the cost of said work as provided in Title 7, chapter
5 12, part 44."

6 NEW SECTION. Section 19. Effective date. This act is
7 effective July 1, 1983.

-End-