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House BILL NO. *421*

INTRODUCED BY

DENNY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A MUNICIPALITY TO HOLD A HEARING ON A PROPOSED ANNEXATION IN CONJUNCTION WITH A HEARING ON THE ZONING OF THE PROPOSED ANNEXATION; AND AMENDING SECTION 76-2-303, MCA."

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

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

"76-2-303. Procedure to administer certain annexations and zoning laws -- hearing and notice.

(1) The city or town council or other legislative body of ~~such~~ a municipality shall provide for the manner in which ~~such~~ regulations and restrictions and the boundaries of ~~such~~ districts ~~shall be~~ are determined, established, and enforced and from time to time amended, supplemented, or changed.

(2) However, ~~no such~~ a regulation, restriction, or boundary ~~shall~~ may not become effective until after a public hearing in relation ~~thereto~~ to the regulation, restriction, or boundary at which parties in interest and citizens ~~shall~~ have an opportunity to be heard has been held. At least 15 days' notice of the time and place of ~~such~~ the hearing ~~shall~~ must be published in an official paper or a paper of general circulation in ~~such~~ the municipality.

(3) For municipal annexations, a municipality may conduct a hearing on the annexation in conjunction with a hearing on the zoning of the proposed annexation, provided that the municipality continues on the annexed property a land use comparable to the land use authorized by county zoning. A joint hearing authorized under this subsection fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation.

-END-

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25 -END-

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-END-

1 HOUSE BILL NO. 421

2 INTRODUCED BY DENNY

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