

ORDINANCE NO. 98-5062

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING THE CITY CHARTER OF BILLINGS, MONTANA TO PROVIDE FOR A DEDICATED MILL LEVY FOR FIRE AND POLICE PURPOSES TO MAINTAIN THE LEVEL OF FISCAL YEAR 1998-1999 SERVICES BY INCREASING THE MILL LEVY OVER THE NEXT FOUR FISCAL YEARS, AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA AS FOLLOWS:

Section 1. AMENDMENT. Article I of the City Charter, Billings, Montana, shall be amended as follows:

ARTICLE I--Powers of the City

Section 1.01. Powers of the City. The city shall have all powers possible for a self-government city to have under the Constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

Section 1.02. Mill Levy Limit. The council shall not levy more than 74 mills on real and personal property for all purposes, except as specifically authorized by this charter. The mill levy on real and personal property may be increased only by an affirmative vote of a simple majority of the votes cast in an election on this question.

Section 1.03. Mill Levy for Transit. In addition to the mill levy authorized by subsection 1.02 of Article I, the city council may levy not more than ten (10) mills for transit purposes only.

Section 1.04. Mill Levy for Library. In addition to the mill levies authorized by subsections 1.02 and 1.03 of Article I, the city council may levy not more than five (5) mills for the purpose of providing funds for the operation, maintenance and capital needs of the Parmly Billings Library only.

Section 1.05. Mill Levy to Maintain Level of Fire and Police Services. In addition to the mill levies authorized by subsections 1.02, 1.03 and 1.04 of Article I, the city council may levy not to exceed the amount of mills set out hereafter for the purpose of providing funds to maintain the operation, maintenance and capital needs of the fire department and police department of the city. The increase shall be phased in over the next four fiscal years. The mill levies authorized by this subsection are intended to be permanent,

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are imposed solely to maintain the 1998-1999 level of service funded at \$15,443,284.00, and may only be imposed to pay the additional costs of these services which exceed \$15,443,284.00.

- 1999/2000 - 5 mills
- 2000/2001 - 10 mills
- 2001/2002 - 15 mills
- 2002/2003 - 20 mills

This Ordinance will be repealed and void if Ordinance Number 98-5063 (to maintain and increase current levels of service and funding) passes.

Section 1.056 Construction. The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power stated in this article.

Section 2. REFERRAL TO ELECTORS. That this ordinance shall be referred to the electors of the City of Billings as soon as possible at a regular or primary election by resolution duly and regularly passed by the City Council.

Section 3. EFFECTIVE DATE. That pursuant to law this ordinance shall be effective 30 days after final approval but the amendments to the City Charter shall not be effective until approved by the electors as provided by law.

PASSED by the City Council on first reading this 28 day of July, 1998.

PASSED, ADOPTED and APPROVED on second reading this 10 day of August, 1998.

CITY OF BILLINGS



BY Charles F. Tracy
Mayor

ATTEST:

By Marita Herold
city Clerk