

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1161

AN ORDINANCE AMENDING ORDINANCE NO. 796 TO REZONE NE $\frac{1}{4}$ NE $\frac{1}{4}$ GOVERNMENT LOT 1, TRACT 1 OF CERTIFICATE OF SURVEY NO. 62561 IN LOTS 2 AND 3, SECTIONS 22 AND 23, TOWNSHIP 8 NORTH, RANGE 47 EAST, M.P.M., COMMONLY KNOWN AS PIROGUE ISLAND, FROM AGRICULTURAL TO OPEN SPACE ZONE AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS the owner of the below described real property has made application for the property to be rezoned from Agricultural zone to Open Space zone;

AND WHEREAS Sec. 24-8 of the Miles City Code requires that such application be referred to the City zoning commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

AND WHEREAS the Miles City Zoning Commission, on March 1, 2006, held a public hearing upon the above application, pursuant to notice, and following such hearing has recommended the adoption of such zoning change;

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. Ordinance No. 796 is hereby amended to provide that the following described land and property within Custer County, Montana, to-wit:

Township 8 North, Range 47 East, M.P.M.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Government Lot 1; Tract 1 of Certificate of
Survey 62561 in Lots 2 & 3, situated in Sections 22 and 23

be rezoned from Agricultural to Open Space Zone.

Section 2. A public hearing was held upon this proposed zoning changing before the City Council at 7:00 p.m. on the 28th day of March, 2006 at 7:00 p.m. at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 3. The Council finds that the City Clerk gave notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of hearing, in accordance with §76-2-303 and §76-2-305 MCA.

Section 4. The proposed changing in zoning was not protested by protest signed by the owners of 25% or more of the area of the tracts included in the proposed change or those lots 150 feet from a lot included in the proposed change.

Section 5. This Ordinance shall be in full force and effect thirty (30) days after its passage and approval.

SAID ORDINANCE READ AND PUT UPON ITS PASSAGE THIS 18TH DAY OF APRIL, 2006.



Mark D. Ahner, Council President,
in the absence of the Mayor

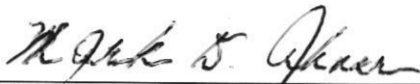
ORDINANCES
MILES CITY, MONTANA

ATTEST:




Patricia D. Huss, City Clerk

**SAID ORDINANCE FINALLY PASSED AND APPROVED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 25TH DAY OF APRIL, 2006.**



Mark D. Ahner, Council President,
in the absence of the Mayor

ATTEST:



Patricia D. Huss, City Clerk