

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1346

AN ORDINANCE REVISING CITY CODE SECTIONS 7-57 THROUGH 7-62 PERTAINING TO THE CITY OF MILES CITY URBAN RENEWAL DISTRICT BOARD OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Miles City has previously adopted resolutions finding that: (1) one or more blighted areas exist in the City of Miles City, (2) the rehabilitation, redevelopment, or a combination thereof of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and (3) its intent to establish an Urban Renewal District in order to address said conditions in accordance with Section 7-15-4210, Section 7-15-4216 and Section 7-15-4280 MCA; and

WHEREAS, the City Council of the City of Miles City has adopted Ordinances 1279, 1294, and 1321 adopting and the Miles City Downtown Urban Renewal Plan establishing said District and governing provisions, codified in City Code Chapter 7 (Community Development) Article III (Urban Renewal), and the Council desires to amend the same. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THE FOLLOWING:

Section 1: City Code Sections 7-57 through 7-62 are hereby amended to read as follows:

Sec. 7-57. Same - Appointment of commissioners. That the Chief Executive, by and with the advice and consent of the City Council, shall appoint a board of five commissioners of the Agency.

Sec. 7-58. Same - certificate of appointment. The initial membership shall consist of one commissioner appointed for one (1) year, one for two (2) years, one for three (3) years, and two for four (4) years. Each subsequent appointment must be for 4 years. A certificate of appointment or reappointment shall be filed with the Clerk of the City, and shall be conclusive evidence of the due and proper appointment of such commissioner.

Sec. 7-59. Same - Succession; qualifications; Each commissioner shall hold office until a successor has been appointed and qualified. Any adult persons may be appointed if they reside within the City of Miles City. A majority of the commissioners of an urban renewal agency exercising powers pursuant to this part shall not hold any other public office under the municipality other than their commissionership or office with respect to such urban renewal agency, department, or office, pursuant to Section 7-15-4235.

Sec. 7-60. Same - Removal. A commissioner may be removed for inefficiency, neglect, or misconduct in office.

Sec. 7-61. Quorum; bylaws. The powers and responsibilities of the Agency shall be exercised by the Commissioners in accordance with the Miles City Urban Renewal Board of Commissioners Bylaws, which may

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be amended from time to time by resolution of the City Council. majority of the commissioners shall constitute a quorum.

Sec. 7-62. Annual Report. The Agency shall file with the City Council, on or before September 30 of each year, a report of its activities for the preceding calendar year, including a complete financial report. The report must include a complete financial statement setting forth its assets, liabilities, income, and operating expenses and the amount of the tax increment as of the end of the fiscal year. The report must describe the expenditures of tax increment in the preceding fiscal year and how the expenditures comply with the approved urban renewal plan or comprehensive development plan for the district. At the time of filing said report, the Agency shall publish in a newspaper of general circulation within the municipality a notice to the effect that such been filed and is available for inspection in the office of the Clerk of the City and in the Agency office.

Section 2: Any powers granted in MCA 7-15-4233 that are not included in this Ordinance as powers of the Urban Renewal Agency in lieu thereof may only be exercised by the local governing body. **Section 2.** This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 13th day of April, 2021.

ATTEST:



Mary Rowe, City Clerk



John Hollowell, Mayor

FINALLY PASSED AND ADOPTED this 27th day of April, 2021.

ATTEST:



Mary Rowe, City Clerk



John Hollowell, Mayor