

ORDINANCE NO. 54

AN ORDINANCE ADOPTING THE 2017 TOWN OF PLEVNA ZONING CODE AND OFFICIAL ZONING MAP #1 FOR THE TOWN OF PLEVNA, MONTANA.

WHEREAS: § 76-2-301 et. seq. of the Montana Code Annotated authorizes the Town of Plevna to adopt and enforce local zoning regulation to promote the public health, safety, morals, or the general welfare of the community; and

WHEREAS: The provisions of Montana Law allow municipal governments to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of the lot that may be occupied; the size of yards, courts and other open spaces; and

WHEREAS: It is in the public and private interest for the Town of Plevna to establish use controls that limit the density of population; and the location and use of buildings, structures, and land for trade, industry, residence or other purposes; and

WHEREAS: The Town of Plevna is a General Powers government; and

WHEREAS: The Town of Plevna Planning Board and Zoning Commission prepared Zoning Regulations and a Zoning Map for the Town of Plevna; and

WHEREAS: The Planning Board and Zoning Commission did on July 11, 2017 conduct a public hearing on the proposed regulations and map; and

WHEREAS: The Planning Board and Zoning Commission on a 2-0 roll call vote recommend that the Town Council adopt by ordinance the Zoning Regulations and Zoning Map for the of Town of Plevna, Montana; and

WHEREAS: The Town of Plevna Council did conduct a duly noticed Public Hearing on August 14, 2017 on the proposed Zoning Regulations and Zoning Map.

Now therefore:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLEVNA, MONTANA:

The Town of Plevna Municipal Code is hereby amended in those parts set forth below to read as follows:

Title 10 Chapter 1 of the Town of Plevna Municipal Code shall be the 2017 Town of Plevna Zoning Regulations including Official Zoning Map #1.

Be it ordained by the Council members of the Town of Plevna.

1. The Town Council of the Town of Plevna hereby adopts the 2017 Town of Plevna Zoning Regulations and Official Zoning Map #1.
2. All ordinances or parts of ordinances inconsistent with the ordinance are repealed on the effective date of this ordinance.
3. It shall be the duty of the Town Clerk to maintain the official zoning map.

4. It shall be the duty of the Town Clerk to file a certified copy of the Ordinance, the Zoning Regulations and Official Zoning Map with the Fallon County, Montana, Clerk and Recorder.
5. This ordinance shall be in full force and effect thirty (30) days after its final adoption by a majority of the elected members of the Town Council

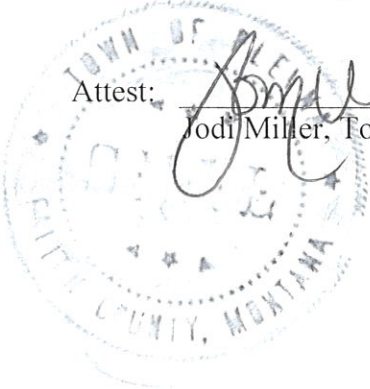
First reading by the Council on the 14th day of August 2017.

Second reading by the Council on the 11th day of September 2017.

PASSED AND APPROVED BY NO LESS THAN THREE MEMBERS OF THE PLEVNA TOWN COUNCIL THIS 11th DAY OF SEPTEMBER 2017.

By: William E Benner
William Benner, Mayor

Attest: Jodi Miller
Jodi Miller, Town Clerk



AFFIDAVIT OF POSTING

I HEREBY CERTIFY that I posted true and exact copies of ORDINANCE No. 54, AN ORDINANCE ADOPTING THE 2017 TOWN OF PLEVNA ZONING CODE AND OFFICIAL ZONING MAP#1 FOR THE TOWN OF PLEVNA, MT on the 16th day of August, 2017 in three public places in the Town of Plevna, Fallon County, Montana, as follows:

1. Bulletin Board in the Post Office in Plevna, Montana
2. Bulletin Board in the entry of the Plevna Bar in Plevna, Montana
3. Front window of the Town Office in Plevna, Montana



Jodi Miller, Town Clerk/Treasurer

State of Montana

County of Fallon ss.

Darlene Hornung, being duly sworn, upon oath, deposes and says:

That she is and at all times herein mentioned has been the publisher/manager of the FALLON COUNTY TIMES, a weekly newspaper of general circulation and published in the City of Baker, County of Fallon, State of Montana.

RE: Public hearing - 2017 Zoning Regulations

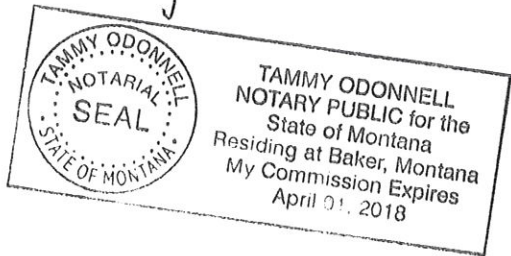
as printed and published in the regular and entire issue of every number of said paper for and during the period and time of publication, on the following dates, to-wit

July 28, August 4, 11, 2017

Darlene Hornung

Subscribed and sworn to before me this 11 day of August 2017

Tammy O'Donnell



PUBLIC HEARING NOTICE

The Plevna Town Council will conduct a public hearing on the Zoning Commission Recommendation on the 2017 Plevna Zoning Regulations and Official Zoning Map. The Town Council hearing is scheduled for 7 p.m., in the Council Chambers, on Monday, Aug. 14, 2017.

The proposed regulations and zoning map are designed to:

- Implement the 2012 Plevna Growth Policy;
- Secure the public from fire and other dangers;
- Promote public health, public safety, and the general welfare; and
- Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

In addition to the above items, the Zoning Commission and City Council will consider the following items in the adoption of zoning regulations:

- The recommendation of the Contract Staff/City Zoning Commission;
- The reasonable provision of adequate light and air;
- The effect on motorized and nonmotorized transportation systems;
- Promotion of compatible urban growth;
- The character of the district and its peculiar suitability for particular uses, and
- Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

The proposed regulations and map will be applicable to and affect all lands located within the Corporate Limits of the Town of Plevna.

A copy of the Zoning Regulations and Zoning Map is available for public review at Plevna Town Hall or at the Office of the Fallon County Planner during regular business hours. Questions may be directed to Forrest Sanderson, Contract Planner at 406-373-7240 or forrest.sanderson@kljeng.com. Public comment is encouraged. 30-32c