

**ORDINANCE NO. 803 – 1<sup>st</sup> Amendment**

**AN ORDINANCE OF THE CITY OF RED LODGE, MONTANA, RE-ESTABLISHING THE CITY PLANNING BOARD MEMBERSHIP, RECOGNIZING THE BOARDS' ADDITIONAL DUTIES AS THE ZONING COMMISSION, AND AMENDED BOARD BYLAWS**

**WHEREAS**, the initial purpose of this ordinance was to establish a City Planning Board in accordance with the duties and by the authority provided by State law, Sec. 761-1-106, MCA; and

**WHEREAS**, the City Planning Board has also been operating as the City's Zoning Commission since the establishment of the Board, in accordance with the duties and by the authority provided by State law, Sec. 76-2-301, 76-2-307, MCA; and

**WHEREAS**, the adopted bylaw amendments of the City Planning Board and Zoning Commission (the Board), of July 2023, are no longer in alignment with Ordinance No. 803 that first established the Board in 1995, causing the need for amendment to this Ordinance.

**NOW THEREFORE BE IT ORDAINED** BY CITY COUNCIL:


1. **Purpose.** The purpose of this Ordinance is to maintain establishment of the Board, clarify the duties of the Board to serve as both the City Planning Board and Zoning Commission, and to align the Ordinance with the Board-adopted bylaws of July 12, 2023.
2. **Authority.** The City of Red Lodge Planning Board and Zoning Commission is re-established under the authority of 76-1-101, 76-2-301 and 76-2-307, MCA.
3. **Membership.** The board shall consist of not less than seven members to be appointed per state code 76-1-221, MCA, as follows:
  - (a) one member to be appointed by the city council from its membership;
  - (b) one member to be appointed by the city council, who may in the discretion of the city council be an employee or hold public office in the city or county in which the city is located;
  - (c) one member to be appointed by the mayor upon the designation by the county commissioners of the county in which the city is located;
  - (d) four citizen members to be appointed by the mayor, two of whom shall be resident freeholders within the urban area, if any, outside of the city limits over which the planning board has jurisdiction under this chapter and two of whom shall be resident freeholders within the city limits.
4. **Length of Terms.** The term of the Council Member appointed to the Board (Section 3A) shall be coextensive with his or her term in office. All other members appointed shall serve terms of 3 years, beginning from March in the year of their initial appointment.

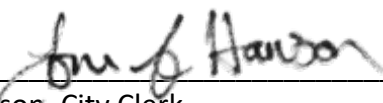
5. **Certification.** The City Clerk shall provide certification of appointment to all members named above and copies of those certificates shall be recorded in the minutes of the Red Lodge City Council and the minutes of the first meeting of the Board. The City Clerk shall sign the certificate for the City Council member appointed. The Mayor shall sign the remaining certificates.
6. **Organization.** The Red Lodge City Council hereby directs the Board, as appointed above, and from the approved date of this amended Ordinance, to hold an organizational meeting within 15 days to adjust and determine staggered 3-year term memberships impacted by the change from 2-year to 3-year appointments.
7. **Guiding Documents.** The Red Lodge City Council hereby directs the Board to review and consider guiding documents and regulations as updated for the benefit of making the best, informed and knowledgeable decisions for the City of Red Lodge. Guiding documents and regulations include but are not limited to the Revitalization Master Plan and Growth Policy, the Comprehensive Parks Plan, Floodplain Zoning and Mapping, the Beartooth Trails Active Transportation Plan, and the City's Zoning and Subdivision Regulations.
8. **Effective Date.** This Ordinance shall be effective 30-days after approval of second reading by the City Council of the City of Red Lodge, Montana.

**PASSED AND APPROVED** on the first reading by the City Council of the City of Red Lodge on the 25<sup>th</sup> day of July, 2023.

**PASSED AND APPROVED** on the second reading by the City Council of the City of Red Lodge on the 28 day of November, 2023.

City of Red Lodge

By:   
Kristen Cogswell, Mayor

ATTEST:   
Loni Hanson, City Clerk