

ORDINANCE NO. 558

AN ORDINANCE TO WITHDRAW THE PARTICIPATION OF THE CITY OF POLSON FROM THE CITY-COUNTY BOARD OF ADJUSTMENT, AND TO CREATE A CITY BOARD OF ADJUSTMENT.

WHEREAS, the City of Polson has participated in a City-County Board of Adjustment pursuant to action taken by the City Council of the City of Polson; and,

WHEREAS, the City of Polson deems it advisable to withdraw from the City-County Board of Adjustment and to create a new, independent City of Polson Board of Adjustment, pursuant to the laws of the State of Montana.

BE IT NOW ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON:

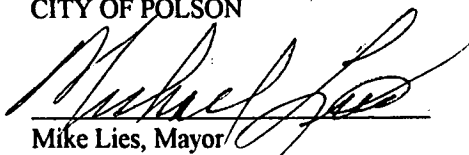
- Section 1. That the City of Polson withdraw its participation in and support of the consolidated City-County Board of Adjustment and by copy of this Ordinance advise the Commissioners of the County of Lake, State of Montana, of this action.
- Section 2. That a City of Polson Board of Adjustment is hereby created and charged to address any and all subjects properly within its jurisdiction according to the laws of the State of Montana and any applicable ordinance or resolution of any political subdivision thereof, excepting any subjects otherwise addressed herein.
- Section 3. The Mayor with the advice and consent of the Council shall appoint seven members to the City of Polson Board of Adjustment, two for one year, three for two years, and two for three years, each to serve a term of three years thereon, eligible for reappointment at the discretion of the Mayor and Council, and any interim vacancies to be filled by appointment as and when necessary.
- Section 4. That the City of Polson Board of Adjustment may, in appropriate cases and circumstances and subject to appropriate conditions and safeguards, make special exceptions to the terms of the applicable zoning ordinances in force within the City limits of the City of Polson that are in harmony with the general purposes and intent of the subject zoning ordinances and in accordance with the general or specific rules therein contained.
- Section 5. The members of the City of Polson Board of Adjustment shall meet as soon as possible after the confirmation of all appointments thereto, and shall elect between themselves a chairperson. Further meetings of the Board of Adjustment shall be held at the call of the chairperson and at such other times as the board may determine.
- Section 6. The chairperson or, in his or her absence, the acting chairperson may administer any necessary oaths and may compel the attendance of witnesses.
- Section 7. The Board of Adjustment shall adopt rules in accordance with this ordinance and in accordance with any laws or ordinances on subjects within its jurisdiction, for approval by the City Council of the City of Polson.
- Section 8. The administration and procedure of the Board of Adjustment shall be governed by any laws of the State of Montana, and in particular by those appearing in Title 76, Chapter 2, Part 3 of the Montana Codes Annotated, together with any rules adopted by the Board in accordance with Section 7 hereof and not in conflict with the laws of the State of Montana.
- Section 9. Any ordinances or parts of ordinances in conflict herewith are, to the extent of conflict, repealed.

FIRST READING: December 21, 1998
SECOND READING: January 4, 1999

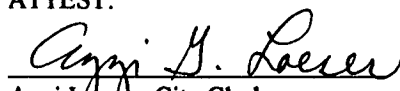
NOW THEREFORE, it is resolved that the subject Ordinance shall become effective on February 3, 1999.

PASSED AND ADOPTED THIS 4th day of January, 1999

CITY OF POLSON


Mike Lies, Mayor

ATTEST:


Aggi Loeser, City Clerk