

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COUNTY ZONING LAWS; ALLOWING FOR THE
5 TERMINATION OF A ZONING DISTRICT IF THE COUNTY HAS OPTED INTO THE MONTANA LAND USE
6 PLANNING ACT OR IF THE ZONING DISTRICT IS TO BE INCLUDED IN ANOTHER ZONING DISTRICT;
7 AND AMENDING SECTIONS 76-2-118 AND 76-2-229, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 76-2-118, MCA, is amended to read:

12 **"76-2-118. ~~Referendum to terminate~~ Termination of zoning district.** (1) (a) Real property owners
13 in a zoning district may petition the board of county commissioners to submit a referendum to the registered
14 electors residing in the zoning district to terminate the zoning district. The petition must be in writing and contain
15 the signatures and addresses of 20% or more of the real property owners in the zoning district. The petition
16 requesting a referendum for the termination of a zoning district must be delivered to the county clerk and
17 recorder, who shall endorse on it the date when the petition was received and validate the signatures within 60
18 days of receipt of the petition. If the petition contains valid signatures of at least 20% of the real property owners
19 within the zoning district, the county clerk and recorder shall notify the county commissioners.

20 (2) (b) On receipt of a valid petition described in subsection (1)(a), the county commissioners shall
21 submit the referendum to the registered electors residing in the district in an election conducted pursuant to
22 Title 13, chapter 1, part 4 or 5.

23 (3) (c) If the referendum described in subsection (1)(a) and conducted under subsection (2) (1)(b) is
24 not successful, the real property owners in the zoning district may not bring forth a subsequent referendum
25 petition for 3 years from the date that the original referendum was submitted to the registered electors pursuant
26 to subsection (2) (1)(b).

27 (2) The board of county commissioners may, after providing notice as required in 76-2-106(1) and
28 holding a public hearing, pass a resolution to terminate a zoning district if the county:

