

ORDINANCE NO. 1402

AN ORDINANCE ADOPTED TO EXTEND ORDINANCE NO. 1398 FOR ONE YEAR PURSUANT TO THE MONTANA INTERIM ZONING STATUTE CONTAINED IN SECTION 76-2-306, MCA; AN INTERIM ZONING ORDINANCE PERTAINING TO THE APPLICATION OF MUNICIPAL ZONING DISTRICTS AND THE ZONING CODE TO THE LAST CHANCE SUBDIVISION AFTER ANNEXATION INTO THE CITY OF MILES CITY; AND PROVIDING FOR A HEARING THEREON

WHEREAS, the City Council of the City of Miles City passed and adopted Ordinance No. 1398 on September 23, 2025, which is an ordinance adopted pursuant to the Montana interim zoning statute contained in §76-2-306, MCA, adopting an interim zoning ordinance pertaining to the application of municipal zoning districts and the zoning code to the Last Chance Subdivision after annexation into the City of Miles City, Montana;

AND WHEREAS, Ordinance No. 1398 became effective on September 23, 2025 and expires six (6) months from the date of passage, being March 23, 2026, unless extended in accordance with §76-2-306, MCA;

AND WHEREAS, according to §76-2-306(3), MCA, an interim zoning ordinance may be extended for one year, and any extension requires a two-thirds vote for passage and becomes effective upon passage;

AND WHEREAS, according to §76-2-306(3), MCA, to extend an interim zoning ordinance requires notice pursuant to §76-2-303, MCA and a public hearing;

AND WHEREAS, §76-2-303, MCA, as referenced in §76-2-306(3), MCA requires that the determination, establishment, enforcement, amendment, supplement, change, modification, or repeal of a regulation, restriction, or boundary may not become effective until after a public hearing in relation to the regulation, restriction, or boundary at which parties in interest and citizens have an opportunity to be heard has been held; notice of the time and place of the hearing must be published as provided in §7-1-4127, MCA for a time period in accordance with §7-1-4127(7)(b), MCA;

AND WHEREAS, according to §7-1-4127(7)(b), MCA, notice of the hearing must be published twice, with the first notice published at least 15 business days before the hearing or action to be taken;

AND WHEREAS, notice of the March 24, 2026 City Council hearing and the ordinance extending the interim ordinance was published in the February 28 & March 7, 2026 editions of the Miles City Star as required by §76-2-303, §76-2-306(3), and §7-1-4127, MCA;

AND WHEREAS, a public hearing on this ordinance was duly held on March 24, 2026, parties in interest and citizens have had an opportunity to be heard, and public comments have been considered by the City Council;

AND WHEREAS, the City Council has determined it is in the City’s best interest to extend Ordinance No. 1398 for a period of one year while the City considers adoption of long-term zoning for the Last Chance Subdivision.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Miles City, Montana, that this ordinance shall extend the applicability of Ordinance No. 1398 and its exhibits, become effective immediately upon adoption, and shall expire one (1) year from the date of passage unless further extended in accordance with §76-2-306, MCA, or superseded through adoption and effectiveness of long-term zoning for the Last Chance Subdivision.

PASSED AND ADOPTED THIS 24TH DAY OF MARCH, 2026 BY A TWO-THIRDS VOTE OF THE CITY COUNCIL.

C.A. Grenz , Mayor

ATTEST:

Mary Rowe, City Clerk