SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 3.20.09
BILL NO. HB156

RESOLUTION 2004 - 28

HB 156

AN AMENDMENT TO PROVIDE FOR UNIFORM PENALTIES FOR VIOLATIONS OF PARTS 1, 2 AND 3 ZONING REGULATIONS.

It is the intent of the Montana Association of Counties to support legislation that amends current statutes to provide for uniform penalty provisions for violations of zoning regulations for Part 1 (petition created), Part 2 (county created) and Part 3 (municipal) zoning.

WHEREAS, Part 1 zoning provides for enforcement of violations, but does not provide for penalties; and

WHEREAS, Part 2 zoning provides for enforcement of violations, but only allows for criminal penalties; and

WHEREAS, Part 3 zoning provides for enforcement of violations and also provides for both civil and criminal penalties; and

WHEREAS, zoning regulations are of little use without the ability to enforce the regulations because of the lack of penalty provisions; and

WHEREAS, having different penalty provisions between types of zoning makes enforcement difficult and confusing.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties support amending current statutes to provide for uniform enforcement and penalty provisions for all types of zoning.

PRIOR ACTIONS

SPONSOR:	Gallatin County
PRIORITY:	High
ADOPTED:	Annual Conference, Missoula, MT, September 29, 2004
ADOPTED:	Annual Conference, Bozeman, MT, September 27, 2006

2008 ACTION

RECOMMENDATION:	Do Pass
PRIORITY:	High
REFERRED TO:	MACo Land Use Planning & Development Committee
ADOPTED:	Annual Conference, Hamilton, MT, September 24, 2008