

HOUSE BILL NO. 181

INTRODUCED BY E. ARNTZEN

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A CONDOMINIUM UNIT TO BE COUNTED INDIVIDUALLY FOR PURPOSES OF A MUNICIPAL ZONING PROTEST; AMENDING SECTION 76-2-305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 76-2-305, MCA, is amended to read:

"76-2-305. Alteration of zoning regulations -- protest. (1) A regulation, restriction, and boundary may be amended, supplemented, changed, modified, or repealed. The provisions of 76-2-303 relative to public hearings and official notice apply equally to all changes or amendments.

(2) An amendment may not become effective except upon a favorable vote of two-thirds of the present and voting members of the city or town council or legislative body of the municipality if a protest against a change pursuant to subsection (1) is signed by the owners of 25% or more of:

(a) the area of the lots included in any proposed change; or

(b) those lots or units, as defined in 70-23-102, 150 feet from a lot included in a proposed change."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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