

HOUSE BILL NO. 510
INTRODUCED BY W. STAHL

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A CITY COUNCIL TO ASSESS THE COST OF A SPECIAL IMPROVEMENT LIGHTING DISTRICT EQUALLY AGAINST EACH LOT OR PARCEL IN THE DISTRICT; AND AMENDING SECTION 7-12-4323, MCA."

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

Section 1. Section 7-12-4323, MCA, is amended to read:

"7-12-4323. Assessment of costs -- area or taxable valuation option -- equal assessment option.

(1) The city council may assess the entire cost of ~~such the lighting~~ improvement against the entire district, each lot or parcel of land within ~~such the~~ district to be assessed for that part of the whole cost ~~which that~~ its:

(a) area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places;

or

(b) taxable valuation, including improvements, bears to the taxable valuation of the entire district.

(2) The city council may assess the cost equally against each of the lots or parcels located within the district.

~~(2)(3)~~ The council, in its discretion, ~~shall have the power to~~ may pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds ~~in its hands~~ available for that purpose or ~~to~~ include the whole or any part of ~~such the~~ costs within the amount of the assessment to be paid by the property in the district.

~~(3)(4)~~ In order to apportion the cost of any of the improvements provided in this part between the corner lot and the inside lots of ~~any a~~ block, the council may, in the resolution creating ~~any a~~ district, provide that whenever any of the improvements provided in this part ~~shall be~~ are located along ~~any a~~ side street or bordering or abutting upon the side of ~~any a~~ corner lot of ~~any a~~ block, the amount of the assessment against the property in ~~such the~~ district to defray the cost of ~~such the~~ improvements ~~shall be so~~ must be assessed so that each square foot of the land embraced within ~~any such the~~ corner lot ~~shall bear~~ bears double the amount of the cost of ~~such the~~ improvement that a square foot of ~~any an~~ inside lot ~~shall bear~~ bears."

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