

# Local Government Powers

Gov. unit has the powers prescribed by law

Includes legislative, administrative, and other powers

**General Powers**  
Art. XI, Sec. 4  
MT Constitution

**Self-Governing Powers**  
Art. XI, Sec. 6  
MT Constitution

Gov. unit may exercise any power not prohibited by law

Charter for executive, legislative, and administrative structure & organization is superior to statutory provisions<sup>1</sup>

Statute applies until superseded by ordinance or resolution.<sup>3</sup>  
Power must be consistent with state law/regulation (may not be less stringent)<sup>4</sup>

Gov. unit **IS** subject to laws for:

- Annexation/abandonment;
- Legislative procedures;
- Elections;
- Planning & zoning;
- Budget & finance;
- Officer & employee mandates;
- Eminent domain;
- Mill levy limitation (15-10-420, MCA)<sup>2</sup>

1. [Art. XI, Sec. 5, MT Constitution](#)

2. [7-1-114, MCA](#)

3. [7-1-105, MCA](#)

4. [7-1-113, MCA](#)