

AGENDA
CITY COUNCIL MEETING
CITY OF SHELBY
October 4, 2021
6:30 P.M.

ROLL CALL OF MEMBERS
PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING

- Notice to Show Cause Hearing re: Abate Dangerous Building – Rowland Seeds, 609 Ash Ave (pgs. 5-18)
- Notice to Show Cause Hearing re: Abate Dangerous Building – Rena Petersen, 341 7th Ave S (pgs. 19-43)
- Zone Change Request re: 709 Oilfield Ave (pgs. 44-56)
- Notice of Show Cause Hearing re: Shipping Container at 300 Front Street

APPROVAL OF MINUTES

- Regular Council Meeting, 09/20/21 (pgs. 57-58)

APPEARANCE REQUESTS

- Agenda Items
- Non-Agenda Items

CLAIMS REPORT 09/30/21 (pgs. 59-73)

BUILDING INSPECTOR

- Building Inspector Report, September 2021 (pg. 74)

CLOSE PUBLIC HEARING

COMMITTEE REPORTS

- Minutes of Park & Rec Meeting, 9/27/21 (pgs. 75-76)

CITY ATTORNEY

- Parking Prohibited at Skate Park

CITY FINANCE OFFICER

•

CITY SUPERINTENDENT

COMMUNITY DEVELOPMENT DIRECTOR

•

OTHER MATTERS

- Motel Sign
-
-

ADJOURN

CITY OF SHELBY MEETING SCHEDULE

October 4, 2021

6:00 p.m. **Audit Committee**
(Mayor, Finance Officer, Clark, Frydenlund, Moritz)

6:30 p.m. **Regular City Council Meeting**

October 12, 2021 (Due to Columbus Day Holiday)

6:30 p.m. **City-County Planning Board**
(Mayor, Deputy Clerk, Bldg Inspector, Flesch, Clark)

October 18, 2021

6:30 p.m. **Regular City Council Meeting**

October 25, 2021

6:30 p.m. **Park & Recreation Meeting**
(Mayor, Superintendent, Frydenlund, Kimmet)

CITY COUNCIL PACKET LISTING

A. Agenda

B. Agenda Items

1. Notice to Show Cause Hearing re: Abate Dangerous Building, Rowland Seeds, 609 Ash Ave
2. Notice to Show Cause Hearing re: Abate Dangerous Building, Rena Petersen, 341 7th Ave S
3. Zone Change Request re: Cooper & Brown, 709 Oilfield Ave
4. Minutes of Regular Council Meeting, 09/20/2021
5. Claims Report, 09/30/2021
6. Building Inspector Report, September 2021
7. Minutes of Park & Rec Meeting, 9/27/21

C. Correspondence

1. 9/22/21 Letter from Amy Deitchler, Great West Engineering, Inc re: City of Shelby Wellfield Improvements Project Completion
2. 9/21/21 Toole County Local Emergency Planning Committee Minutes
3. 9/22/21 Letter to Sara(h) Benolken re: Forbidden on property
4. 9/22/21 Letter to Deanna Olson re: Tree Trimming - alley

D. Reports

- 1.

E. Handouts

- 1.

Policy on Conduct and Manner of Addressing Council

The public is invited to speak on any item after recognition by the presiding officer.

1. Public comments will be accepted only on items within the jurisdiction of the City of Shelby.
2. Comments shall be limited to 5 minutes per meeting, unless such time is extended by a majority vote of the Council members.
3. While the Council is in session, those in attendance must preserve order and decorum. No member of the public shall delay or interrupt the Council proceedings; disturb any member who may be speaking; or refuse to obey the orders of the Council or its presiding officer.
4. Prepared statements are welcome and should be given to the Finance Officer prior to a Council meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements for public hearings shall become part of the hearing record.
5. All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff.
6. Public members recognized by the presiding officer, shall:
 - a. Stand, if able
 - b. For the record, give his/her name and address
 - c. If applicable, give the person, firm or organization he/she represents
 - d. Limit comments to the matter of fact
 - e. Address the Council as a body and not to any individual member of the Council or City Staff
 - f. Ask no questions of individuals who are Council members, staff or other public members, except through the presiding officer
 - g. Limit comments to a maximum of 5 minutes, unless such time is extended by a majority vote of Council members.

The Council thanks public members for respectfully and courteously providing constructive and valuable information.

CITY OF SHELBY

112 First Street South
Shelby, MT 59474
Telephone: (406) 434-5564
FAX: (406) 434-2039
www.shelbymt.com



Mayor: Garry McDermott
Council: Sanna Clark, Pat Frydenlund,
Bill Moritz, Lyle Kimmet,
Joe Flesch, Aaron Heaton
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkotch

"NOTICE TO ABATE DANGEROUS BUILDING"

August 16, 2021

Rowland Seeds USA LLC BY CERTIFIED MAIL
P.O. box 182
Shelby, MT . 59474

RE: Abatement of 609 Ash Ave. (home, garage, property)
 Lots 1-3; Block 59; Shelby Heights Add

Owner listed as Rowland Seeds USA LLC

Dear Rowland Seeds USA LLC:

At the request of the Mayor and the Shelby City Council, I inspected the above described premises. This was done in accordance with the provisions outlined in Section 15.28.040 (Duties of the Building Inspector) Shelby Municipal Code (S.M.C.).

Statement of Particulars:

1. The property in question is mobile home, garage and property
2. The siding needs repair and paint.
3. The wooden fence is dilapidated and falling down.
4. The garage is dilapidated, broken glass, siding is decaying.
5. Garage walls are out of plumb.
6. Addition on home is pulling away from wall.

The overall deterioration of the mobile home constitute unsafe, unsanitary and a dangerous condition which enables me to make the determination these buildings are a dangerous building as defined by Chapter 15.28 of the Shelby Municipal Code.

Section 15.28.040 S.M.C .states "Nuisances. All dangerous buildings within the terms of Section 15.28.010 are declared to be public nuisances and shall be repaired, vacated or demolished as hereinbefore and hereinafter provided." (Ordinance 504 §3, 1974).

You are hereby ordered to repair or demolish this structure

In accordance with Section 15.28.040 S.M.C., "The mortgagee, agent or other person having an interest in the building may at his own risk repair, vacate, or demolish the building or have such work or act done; provided, that any person notified under this section to repair, vacate or demolish any building shall be given such reasonable time not exceeding **thirty** days, as may be necessary to do, or have done, the work or act required by the notice provided for herein."

A "show cause hearing" will be held before the Shelby City Council on October 4th, 2021 at 6:30pm in the city council chambers.

BY ORDER OF THE CITY OF SHELBY

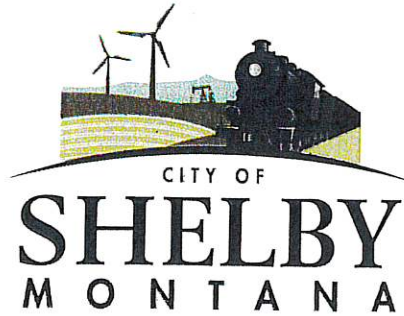
DATED THIS 16th day of AUGUST, 2021

Building Inspector

cc: Mayor (via e-mail)
City Attorney (via e-mail)
County Sanitarian (via e-mail)

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August 12, 2021

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BY ORDER OF THE CITY OF SHELBY

DATED THIS 12th day of AUGUST, 2021

Building Inspector

cc: Mayor (via e-mail)
City Attorney (via e-mail)
County Sanitarian (via e-mail)





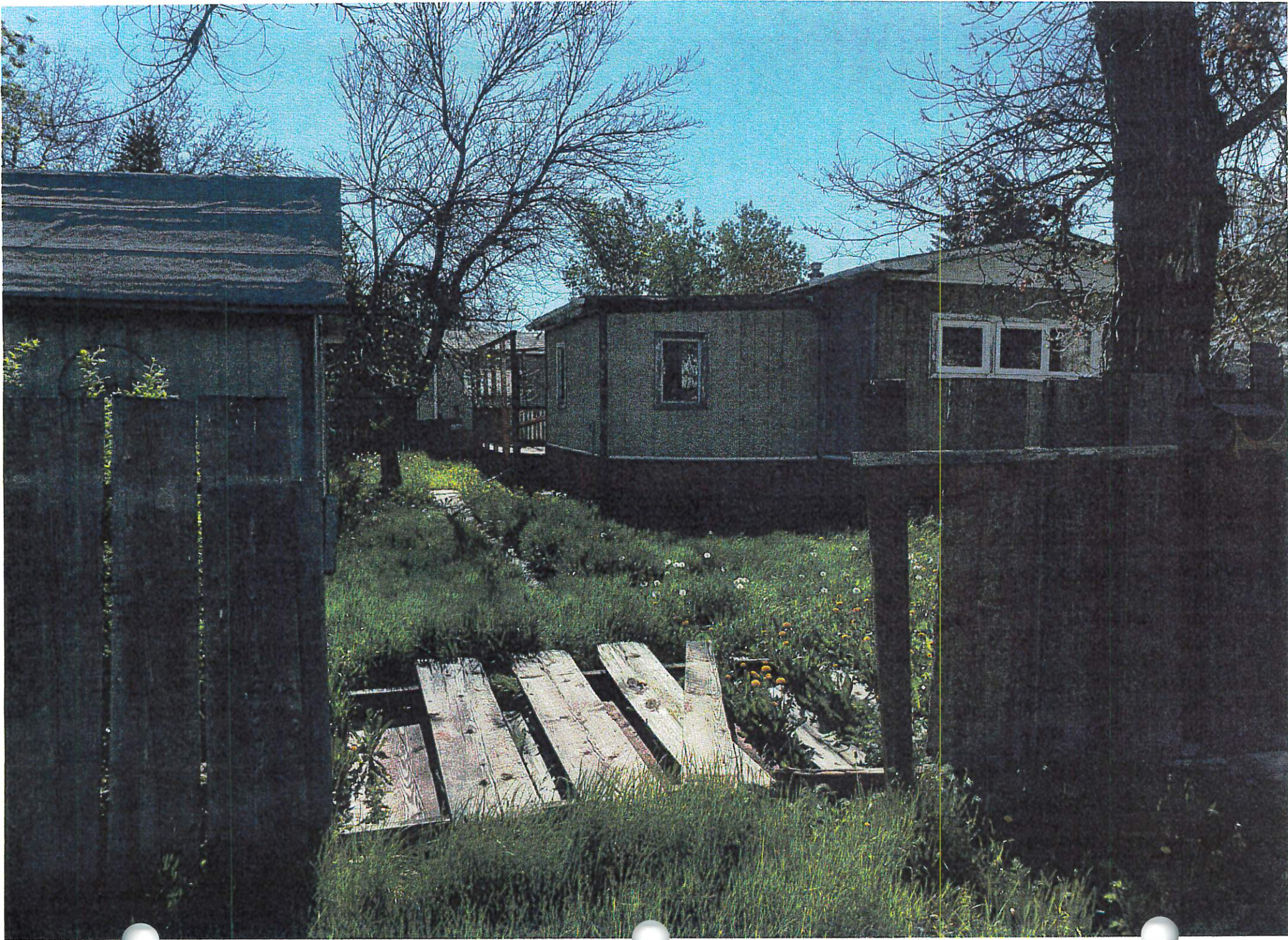


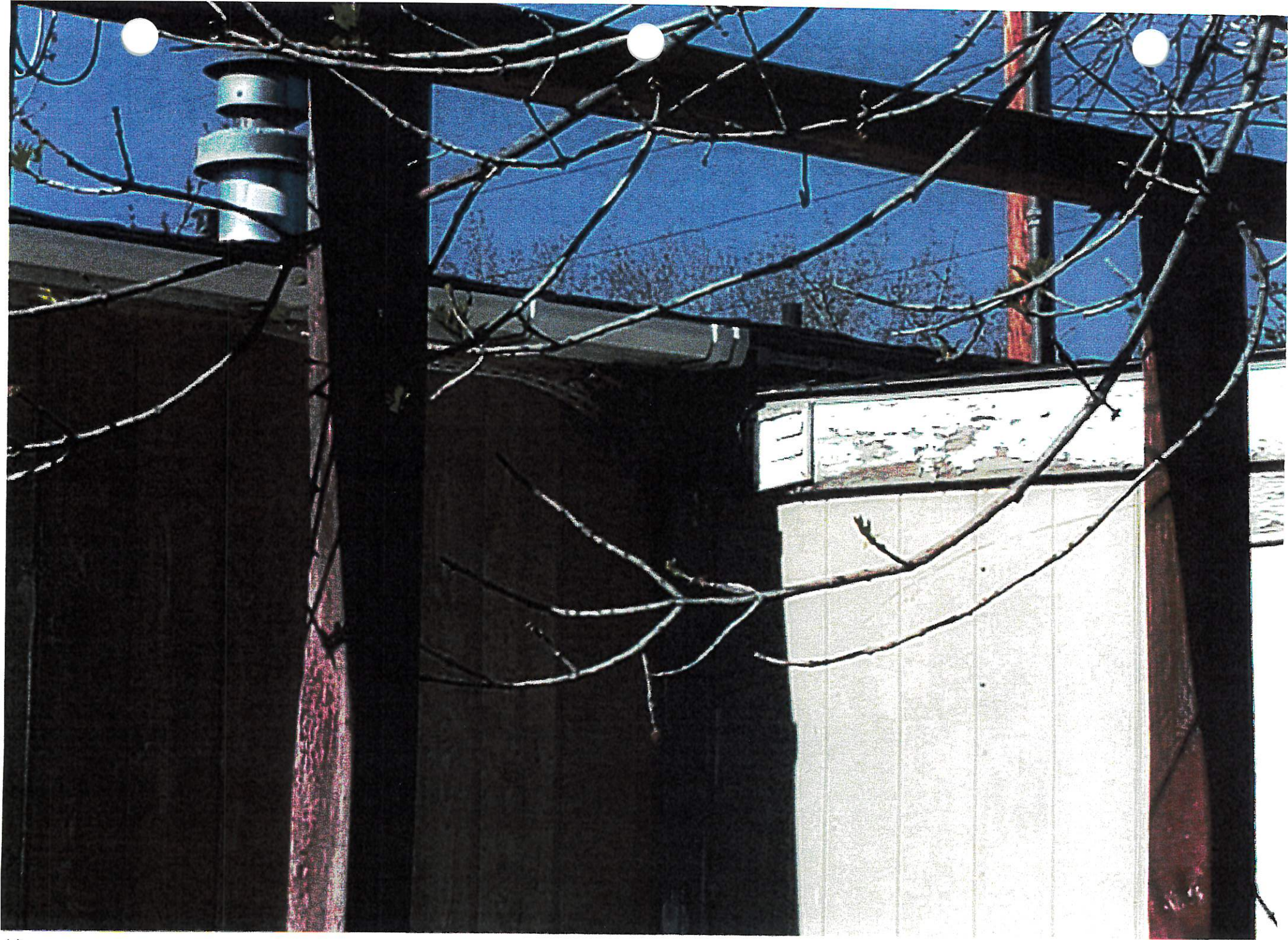


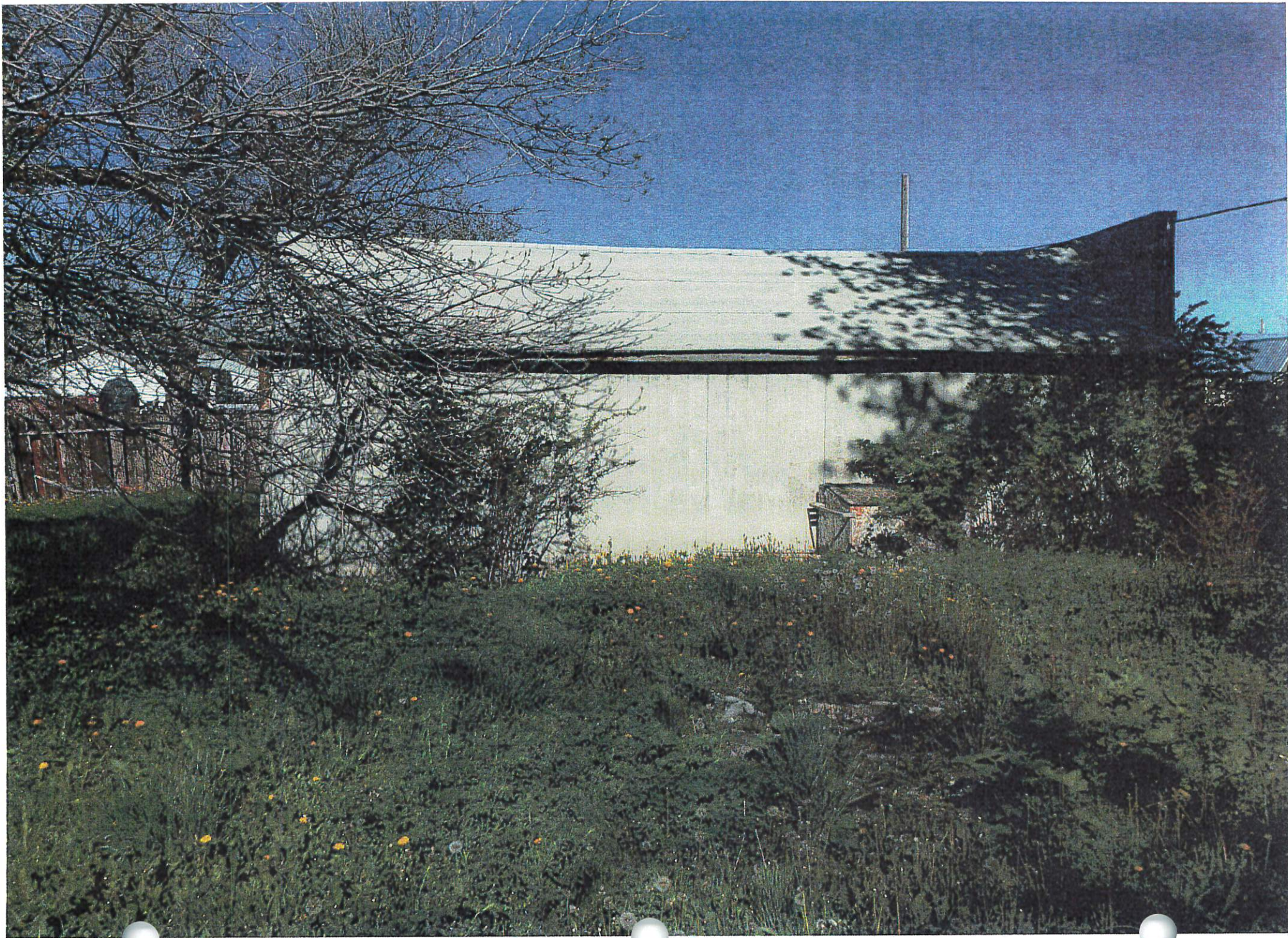












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Judge: Joe Rapkoch

"NOTICE TO ABATE DANGEROUS BUILDING"

August 16, 2021

Rena Petersen BY CERTIFIED MAIL
P.O. box 83
Dillon, MT 59725

RE: Abatement of 341 7th Ave. South (House and property)
 Lot E2 of 9; Block 47; Rosedale Addition to Shelby

Owner listed as Rena Petersen

Dear Mrs. Petersen:

At the request of the Mayor and the Shelby City Council, I inspected the above described premises. This was done in accordance with the provisions outlined in Section 15.28.040 (Duties of the Building Inspector) Shelby Municipal Code (S.M.C.).

Statement of Particulars:

1. The property in question is two (2) story home.
2. The siding has lost most of its paint and deteriorating.
3. The homes plumb lines are badly out of plumb.
4. From the outside there appears to be foundation damage (deterioration).
5. The yard is badly overgrown and has an accumulation of debris.

The overall deterioration of the home constitute the unsafe, unsanitary and a dangerous condition which enables me to make the determination this building is a dangerous building as defined by Chapter 15.28 of the Shelby Municipal Code.

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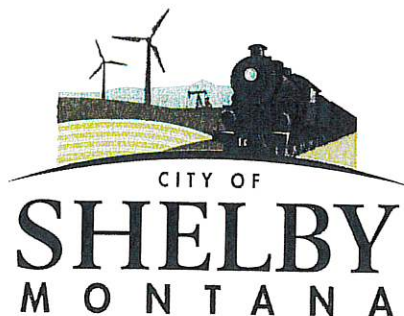
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Building Inspector

cc: Mayor (via e-mail)
City Attorney (via e-mail)
County Sanitarian (via e-mail)

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"NOTICE TO ABATE DANGEROUS BUILDING"

August 16, 2021

Rena Petersen BY CERTIFIED MAIL
P.O. box 83
Dillon, MT 59725

RE: Abatement of 341 7th Ave. South (House and property)
 Lot E2 of 9; Block 47; Rosedale Addition to Shelby

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Dear Mrs. Petersen:

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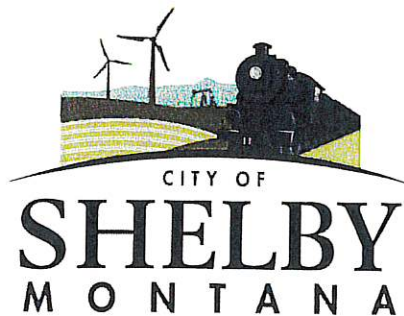
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cc: Mayor (via e-mail)
City Attorney (via e-mail)
County Sanitarian (via e-mail)

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Building Inspector: Rob Tasker
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkoch

"NOTICE TO ABATE DANGEROUS BUILDING"

August 10, 2021

Rena Petersen BY CERTIFIED MAIL
2500 ½ Blacktail Rd
Dillon, MT 59725

RE: Abatement of 341 7th Ave. South (House and property)
 Lot E2 of 9; Block 47; Rosedale Addition to Shelby

Owner listed as Rena Petersen

Dear Mrs. Petersen:

At the request of the Mayor and the Shelby City Council, I inspected the above described premises. This was done in accordance with the provisions outlined in Section 15.28.040 (Duties of the Building Inspector) Shelby Municipal Code (S.M.C.).

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A "show cause hearing" will be held before the Shelby City Council on September 20th, 2021 at 6:30pm in the city council chambers. A notice of that hearing is included with this notice.

BY ORDER OF THE CITY OF SHELBY

DATED THIS 10th DAY AUGUST 2021

Building Inspector

cc: Mayor (via e-mail)
City Attorney (via e-mail)
County Sanitarian (via e-mail)

















CITY OF SHELBY

112 First Street South
Shelby, MT 59474
Telephone: (406) 434-5564
FAX: (406) 434-2143
www.shelbymt.com



Mayor: Gary McDermot
Council: Debbie Clark, Trent Tustian,
Bill Moritz, Lyle Kimmet,
Joe Flesch, Aron Heaton.
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
City Planner: Jim Yeagley
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkoch

August 19, 2019

Rena Petersen
P.O. Box 83
Dillon, MT. 59725

Rena Petersen,

The City of Shelby would like to thank you for the recent improvements on your yard. Enclosed is a list of things that need to be removed from your yard and sidewalk in order to come in compliance with the City of Shelby ordinances. If you have any questions I can be reached at 406-434-5564.

Thank You,

Robert Tasker
Building Inspector / Code Official
City of Shelby

CITY OF SHELBY

112 First Street South
Shelby, MT 59474

Telephone: (406) 434-5222

FAX: (406) 434-2039

www.shelbymt.com



Mayor: Gary McDermott
Council: Joe Flesch, Deb Clark, Aaron Heaton,
Lyle Kimmet, Bill Moritz, Trent Tustian
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Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
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Finance Officer: Jade Goroski
Judge: Joe Rapkoch

"NOTICE OF SHOW CAUSE HEARING"

July 9, 2019

Rena Petersen
P.O. Box 83
Dillon, MT 59725

RE: 341 7th Ave. South (Community Decay)
Block 47, E2 of 9, Rosedale Addition to Shelby

A show cause hearing was held on July 1, 2019 at 6:30 in front of the Shelby City Council. The Council determined to continue the hearing for 30 days.

You are hereby notified to appear again at the hearing to be held on August 5th, 2019, 6:30pm, City Hall, 112 1st Street South, City of Shelby, Toole County, Montana, to show cause why the above described property, which has been reported to be a community decay violation in accordance with the building inspector's notice, dated April 15th, 2019 a copy of which is attached hereto.

This hearing shall be held pursuant to Title 4, Chapter 6 of the Shelby Municipal Code. A copy of the code is available for your review at the Shelby City Hall. If requested from Bill Hunt, City Attorney, 201 Main Street, Shelby, Montana, a copy of all relevant code sections will be provided to you for your review prior to said hearing. At this hearing, you are free to testify or bring other persons to testify on your behalf. At the conclusion of the hearing, the City of Shelby City Council will make its determination, based on the evidence, whether said property is in fact in a Condition of Community Decay and should or should not be abated in accordance with the statement of particulars hereinabove referenced to. You are, of course, entitled to an attorney, at your expense, to represent you at said hearing. You may appeal any unfavorable decision to District Court. Your failure to appear may cause a decision unfavorable to you. An unfavorable decision to you could lead to a lien being placed upon the property, if the City of Shelby has the above described property abated as requested in the April 15th, 2019 "Notice of Community Decay" hereinabove referred to. Any such lien placed on your property would be in the nature of a tax lien and could lead to a forced sale of the property, in the event the amount of the lien is not paid in full.

DATED THIS 9th day of July, 2019

BY ORDER OF THE SHELBY CITY COUNCIL

William Hunt
City Attorney

CITY OF SHELBY

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Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkoch

"NOTICE OF SHOW CAUSE HEARING"

June 12, 2019

Rena Petersen
P.O. Box 11
Alder, MT 59710

RE: 341 7th Ave. South (Community Decay)
Block 47, E2 of 9, Rosedale Addition to Shelby

You are hereby notified to appear at a hearing to be held on July 1, 2019, 6:30pm, City Hall, 112 1st Street South, City of Shelby, Toole County, Montana, to show cause why the above described property, which has been reported to be a community decay violation in accordance with the building inspector's notice, dated April 15th, 2019 a copy of which is attached hereto.

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DATED THIS 12th day of June, 2019

BY ORDER OF THE SHELBY CITY COUNCIL

William Hunt
City Attorney

CITY OF SHELBY

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Harvey Hawbaker, Lyle Kimmet,
Don Lee, John "Chip" Miller, Jr.
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
City Planner: Jim Yeagley
Community Development: Lorette Carter
Finance Officer: Teri Ruff
Judge: Sherrie Murphy
Recreation Director: Cindy Florez
Superintendent: Bill Moritz

April 15, 2019

Rena Petersen
P.O. Box 11
Alder, MT 59710

Dear Miss Petersen:

You are in violation of Title 4, Chapter 6 of the Shelby Municipal Code (S.M.C.), regarding the junk in your yard located at 341 7th Ave. South. The S.M.C. defines a "nuisance" as:

11. "Nuisance" means anything which is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or which unlawfully obstructs to free passage or use, in the customary manner, or any navigable lake, river, bay, stream, canal or basin or any public park, square, street, or highway including but not limited to:

- A. any junk; or,
- B. any junk vehicle; or
- C. dead animal(s); or
- D. animal waste; or
- E. appliances; or
- F. blighted premises; or a mobile home that is not skirted

4-6-5. Abatement and Mitigation. The abatement or mitigation of conditions which constitute a public nuisance prohibited by this Ordinance shall be accomplished under the provisions of this section.

- A. Upon its own initiative, or within thirty (30) days of receiving a written, signed complaint that a condition of community decay exists, the department shall inspect the subject property to determine whether there is a violation of this ordinance.
- B. If it is determined that there is a violation of this Ordinance, the department shall notify the owner, manager or lessee of the property, or other responsible party in writing of the violation by certified mail, return receipt, and order its abatement or mitigation within thirty (30) days of their receipt of the letter. The notice of violation shall:

1. Include a statement specifically describing the violation;
 2. Specify that the owner, manager, or lessee, or other responsible party has thirty (30) days from the receipt of such notice to bring the property into compliance, or to submit a corrective action plan to comply with this ordinance by means of removal, shielding or mitigation of the conditions; and
 3. Advise the owner, manager, or lessee, or other responsible party that if the violation is not resolved, the City of Shelby may undertake abatement or mitigation and assess the costs to the owner.
- C. Upon receipt of a notice of violation, the owner, manager, or lessee, or other responsible party, may submit a plan to the department which shall include.
1. A complete description of the plan to be undertaken.
 2. The date for commencement of the corrective action.
 3. The date for completion of the corrective action. An extension may be granted at the discretion of the department.
- D. The department may accept or reject the plan, accept the plan with modifications, or request additional information before making a final determination.
- E. The owner, manager, or lessee, or other responsible party may appeal the department's final decision according to the procedure set forth in Section 6.

4-6-6. Appeal Process. An alleged violator may appeal a department's decision in writing via certified mail to the Shelby City Council within ten (10) days of the department's final decision regarding:

1. A determination that a community decay violation exists,
2. Rejection of a corrective action plan, or
3. The assessment of a fine for noncompliance.

The City Council shall hold a hearing within forty-five (45) days from the date that the appeal was received. The City Council shall, in writing, affirm, modify or withdraw the department's decision within thirty (30) days after the hearing. Once an appeal for a hearing has been made, the department's decision shall be stayed until the City Council has held the hearing and affirmed, modified or withdrawn the determination of the department. The City Council will issue an order of the City Council's findings signed by the Mayor. The order shall include what, if any, corrective actions are required, the time period for the corrective actions, and that the department or City of Shelby is authorized to remedy the violation and assess costs to the responsible party.

If a violator fails to resolve a violation upon order from the City Council, the department shall be authorized to remedy the violation, and assess costs to the property owner, manager, or lessee, or other responsible party. In the event that a violator does not appeal the department's decision and fails to resolve the violation, the department will bring the matter before the City Council for authorization to complete the corrective action, and assess costs to the property owner, manager, or lessee, or other responsible party. If the assessment is not paid, it shall become a lien upon the property and may be enforced, as is non-payment of property taxes.

4-6-7 Enforcement and Penalties. A violation of this Ordinance, or plan approved under this Ordinance or order issued under this Ordinance shall constitute a misdemeanor. Any person who shall violate any of the provisions of this Chapter shall, upon conviction, thereof, be punishable

as provided in Section 1.08.010 Shelby Municipal Code. Each day the violation is in existence may be considered a separate violation. Any court or judge before whom there may be pending any proceeding for the violation of any of the provisions of this chapter, in addition to any fine or other punishment which it may impose for such violation, may order such nuisance abated.

You have until May 15, 2019 to comply with this ordinance

BY ORDER OF THE CITY OF SHELBY, MONTANA

Robert Tasker
Building Inspector/Code Official
City of Shelby

CITY OF SHELBY

112 First Street South
Shelby, MT 59474
Telephone: (406) 434-5564
FAX: (406) 434-2039
www.shelbymt.com



Mayor: Garry McDermott
Council: Debbie Clark, Trent Tustian,
Bill Moritz, Lyle Kimmet,
Joe Flesch, Aron Heaton
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
City Planner: Jim Yeagley
Community Development: Lorette Carter
Finance Officer: Jade Garoski
Judge: Joe Rapkotch

April 15, 2019

Rena Petersen
341 7th Ave. South
Shelby, MT. 59474

Dear Mrs. Petersen,

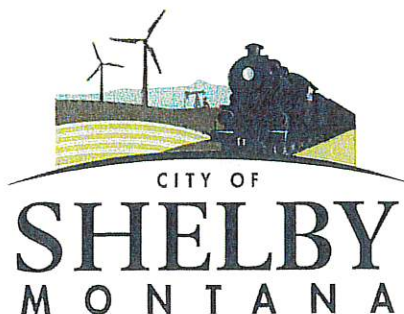
The City of Shelby has received several complaints on the property located at 341 7th Ave. South, Shelby, MT. 59474. I was asked to do an inspection on this property and found a violation that needs to be corrected. There was a large amount of objects covering the sidewalk and throughout the yard. These items have to be removed within 30 days or they will be removed by the city at the owners expense. The City of Shelby has asked me to contact and work with you on resolving these issues. I have enclosed a copy of the City of Shelby Ordinances pertaining to these violations. Please feel free to contact me at (406)434-5564.

Thank You,

Robert Tasker
Building Inspector/ Code Official
City of Shelby

CITY OF SHELBY

112 First Street South
Shelby, MT 59474
Telephone: (406) 434-5222
FAX: (406) 434-2039
www.shelbymt.com



Mayor: Larry J. Bonderud
Council: Cindy Doane, Eugene Haroldson,
Harvey Hawbaker, Lyle Kimmet,
Don Lee, John "Chip" Miller, Jr.
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
City Planner: Jim Yeagley
Community Development: Lorette Carter
Finance Officer: Teri Ruff
Judge: Sherrie Murphy
Recreation Director: Cindy Florez
Superintendent: Bill Moritz

April 15, 2019

Rena Petersen
P.O. Box 11
Alder, MT 59710

Dear Miss Petersen:

You are in violation of Title 4, Chapter 6 of the Shelby Municipal Code (S.M.C.), regarding the junk in your yard located at 341 7th Ave. South. The S.M.C. defines a "nuisance" as:

11. "Nuisance" means anything which is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or which unlawfully obstructs to free passage or use, in the customary manner, or any navigable lake, river, bay, stream, canal or basin or any public park, square, street, or highway including but not limited to:

- A. any junk; or
- B. any junk vehicle; or
- C. dead animal(s); or
- D. animal waste; or
- E. appliances; or
- F. blighted premises; or a mobile home that is not skirted

4-6-5. Abatement and Mitigation. The abatement or mitigation of conditions which constitute a public nuisance prohibited by this Ordinance shall be accomplished under the provisions of this section.

- A. Upon its own initiative, or within thirty (30) days of receiving a written, signed complaint that a condition of community decay exists, the department shall inspect the subject property to determine whether there is a violation of this ordinance.
- B. If it is determined that there is a violation of this Ordinance, the department shall notify the owner, manager or lessee of the property, or other responsible party in writing of the violation by certified mail, return receipt, and order its abatement or mitigation within thirty (30) days of their receipt of the letter. The notice of violation shall:

1. Include a statement specifically describing the violation;
 2. Specify that the owner, manager, or lessee, or other responsible party has thirty (30) days from the receipt of such notice to bring the property into compliance, or to submit a corrective action plan to comply with this ordinance by means of removal, shielding or mitigation of the conditions; and
 3. Advise the owner, manager, or lessee, or other responsible party that if the violation is not resolved, the City of Shelby may undertake abatement or mitigation and assess the costs to the owner.
- C. Upon receipt of a notice of violation, the owner, manager, or lessee, or other responsible party, may submit a plan to the department which shall include.
1. A complete description of the plan to be undertaken.
 2. The date for commencement of the corrective action.
 3. The date for completion of the corrective action. An extension may be granted at the discretion of the department.
- D. The department may accept or reject the plan, accept the plan with modifications, or request additional information before making a final determination.
- E. The owner, manager, or lessee, or other responsible party may appeal the department's final decision according to the procedure set forth in Section 6.

4-6-6. Appeal Process. An alleged violator may appeal a department's decision in writing via certified mail to the Shelby City Council within ten (10) days of the department's final decision regarding:

1. A determination that a community decay violation exists,
2. Rejection of a corrective action plan, or
3. The assessment of a fine for noncompliance.

The City Council shall hold a hearing within forty-five (45) days from the date that the appeal was received. The City Council shall, in writing, affirm, modify or withdraw the department's decision within thirty (30) days after the hearing. Once an appeal for a hearing has been made, the department's decision shall be stayed until the City Council has held the hearing and affirmed, modified or withdrawn the determination of the department. The City Council will issue an order of the City Council's findings signed by the Mayor. The order shall include what, if any, corrective actions are required, the time period for the corrective actions, and that the department or City of Shelby is authorized to remedy the violation and assess costs to the responsible party.

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4-6-7 Enforcement and Penalties. A violation of this Ordinance, or plan approved under this Ordinance or order issued under this Ordinance shall constitute a misdemeanor. Any person who shall violate any of the provisions of this Chapter shall, upon conviction, thereof, be punishable

as provided in Section 1.08.010 Shelby Municipal Code. Each day the violation is in existence may be considered a separate violation. Any court or judge before whom there may be pending any proceeding for the violation of any of the provisions of this chapter, in addition to any fine or other punishment which it may impose for such violation, may order such nuisance abated.

You have until May 15, 2019 to comply with this ordinance

BY ORDER OF THE CITY OF SHELBY, MONTANA

Robert Tasker
Building Inspector/Code Official
City of Shelby

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Building Inspector: Rob Tasker
City Planner: Jim Yeagley
Community Development: Lorette Carter
Finance Officer: Jade Garoski
Judge: Joe Rapkotch
Recreation Director: Cindy Florez

September 21, 2016

Rena Petersen
341 7th Ave. South
Shelby, MT. 59474

Dear Mrs. Petersen,

The City of Shelby has received several complaints on the sidewalk on the property located at 341 7th Ave. South in Shelby, MT. 59474. I was asked to do an inspection on this property and found a violation that needs to be corrected. There was a large amount of objects covering the sidewalk. These items have to be removed immediately or they will be removed by the city at the owners expense. The City of Shelby has asked me to contact and work with you on resolving these issues. I have enclosed a copy of the City of Shelby Ordinances pertaining to these violations. Please feel free to contact me at (406)434-5564.

Thank You,

Robert Tasker
Building Inspector/ Code Official

PUBLIC HEARING NOTICE

Notice is hereby given that on October 4th, 2021, at 6:30 p.m., at Shelby City Hall, Shelby, Montana, a public hearing will be held before the Shelby City Council concerning a proposed zone change from Low Density Residential to Highway Business affecting the following described real property located within the City of Shelby:

709 Oilfield Ave. Shelby, MT 59474, Wilcox First Add, block 1, lots 25-29

All interested parties may attend to express their opinions about said proposed zone change. The Shelby City Council at the conclusion of said public hearing will make a final decision.

BY ORDER OF THE CITY COUNCIL

JADE GOROSKI, Finance Officer

PUBLISH: 09/08/2021 and 09/15/2021

FURNISH AFFIDAVIT OF PUBLICATION

CITY OF SHELBY

112 First Street South

PO Box 743

Shelby, Montana 59474

(406) 434-5222

APPLICATION AND REQUEST FOR ZONE CHANGE

1. Petitioner's Name

COOPER AND BROWN, LLC

Address

709 OILFIELD, SHELBY MT 59474

Phone Number:

Home # 626-222-1285

Work # 626-833-1285

WILLIAM CEN

DAVID

2. Zone Change Requested

From: ~~Medium~~ ^{Low} density Residential

To: Highway BUSINESS

For: Block:

1

Lots: 25-29

Subdivision: Wilcox FIRST Add

3. Reason for Requested Change:

REFINANCING PURPOSE

Petitioner's Signature

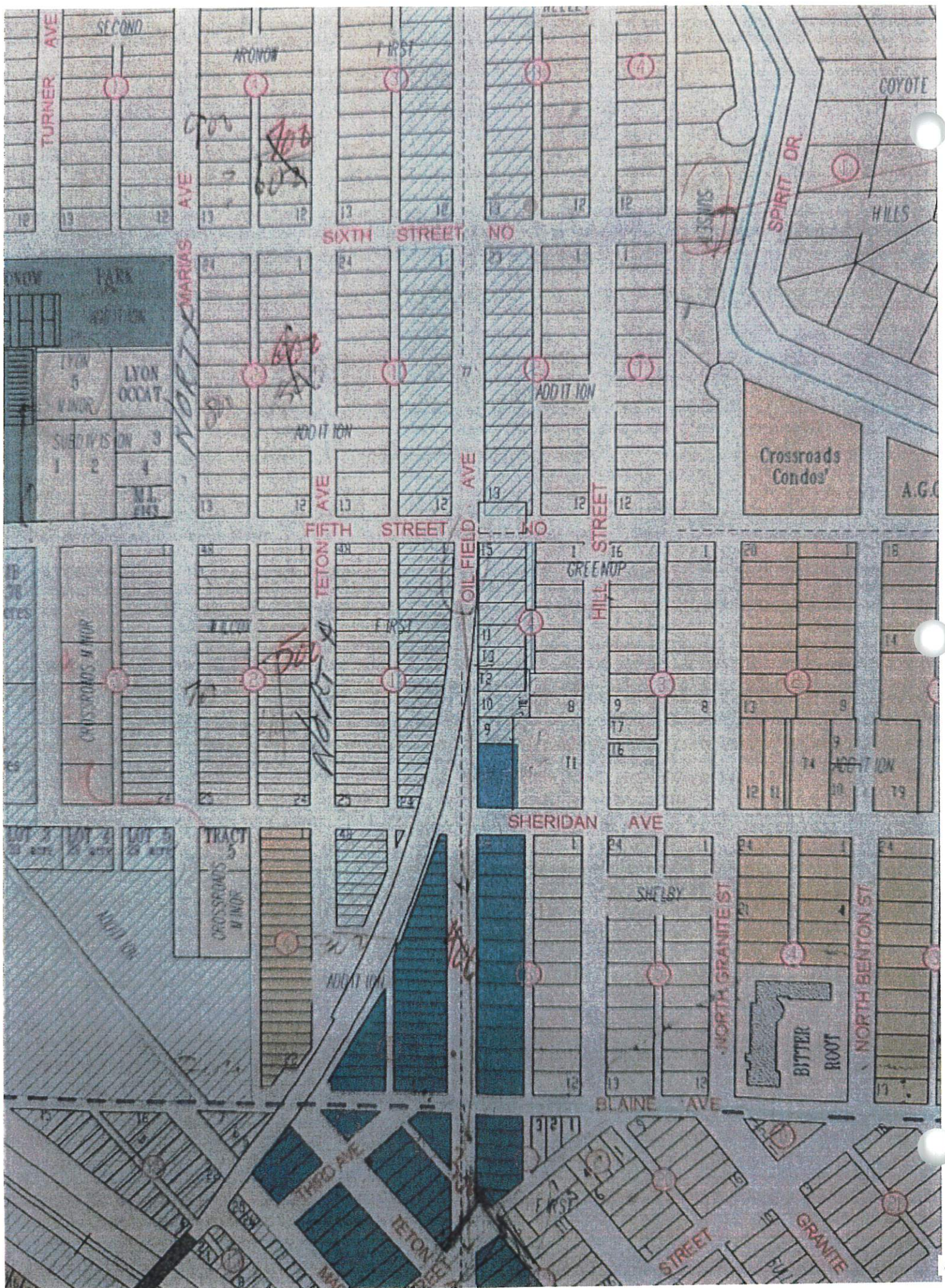
DAVID SMITH

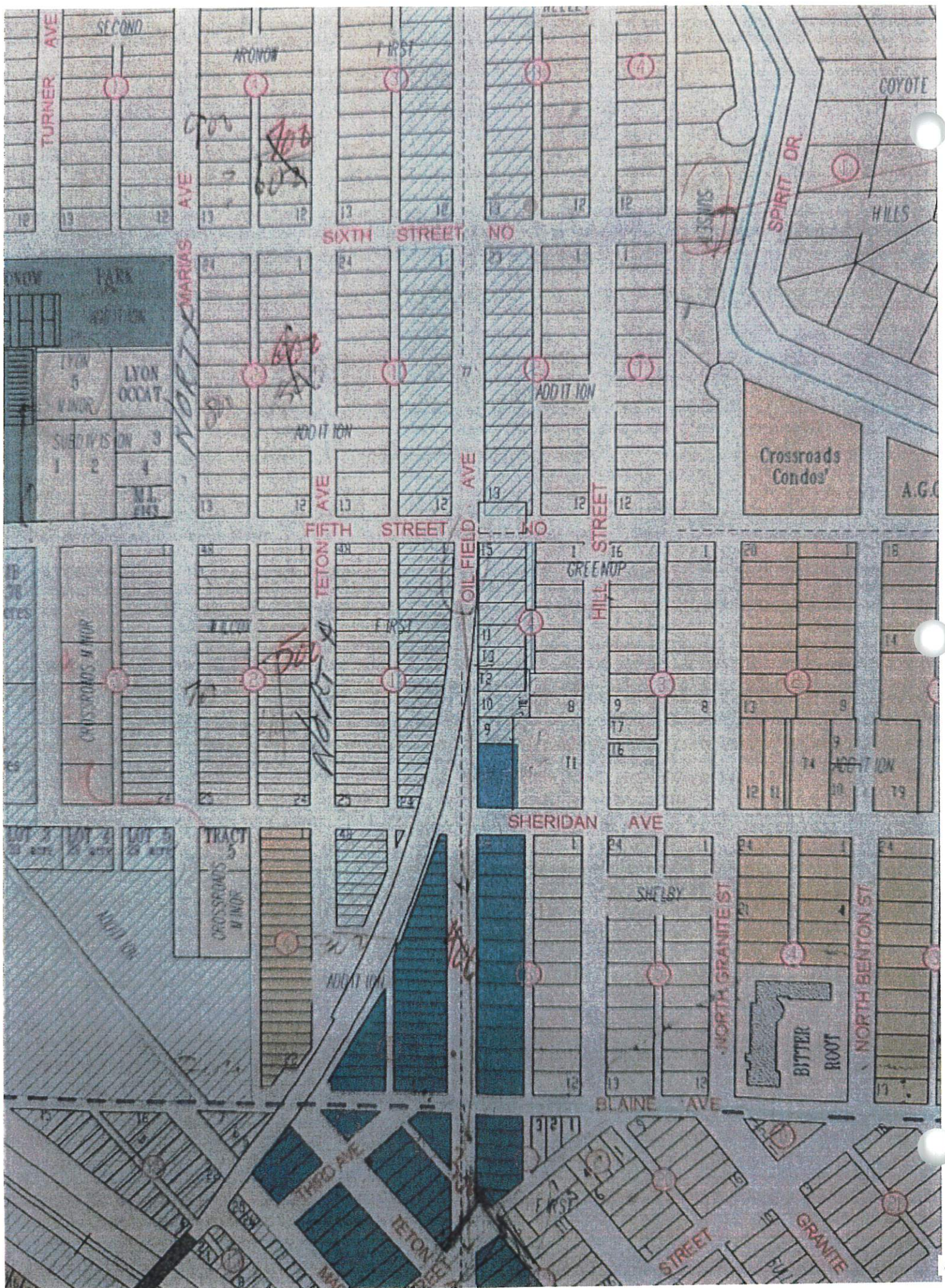
Date

8/24/2022

FOR OFFICE USE ONLY

1. Fee \$ 100.00 Date Paid 8/24/21
2. Postage Costs \$ _____ Date Paid _____
3. Date Petition Received: 8/24/21
4. Toole County Assessor Petition Review
Date Requested _____
Date Received _____
5. Newspaper Publication Dates: _____
(MCA 7-1-4128)
6. Mailed Public Notice and Map to Affected Property Owners:
Date _____
7. Board of Adjustment Action: Granted _____ Denied _____
8. City Council Action : Granted _____ Denied _____
Resolution No. _____ Zoning Map Change (only if granted)





ARTICLE A. LOW DENSITY RESIDENTIAL DISTRICT

SECTION:

13-3A-1: Purpose

13-3A-2: Permitted Principal Uses

13-3A-3: Conditional Uses

13-3A-4: Accessory Uses

13-3A-5: Temporary Uses

13-3A-6: Minimum Lot Size

13-3A-7: Height Requirements

13-3A-8: Yard Requirements

13-3A-9: Parking

13-3A-10: Signs

13-3A-11: Screening And Buffers

13-3A-12: Lighting

13-3A-1: PURPOSE:

The low density residential district is established to provide for the development of single-family and two-family residences within the city limits at a density compatible with existing residential development and where public water supply and sewerage are available. This district is also intended to accommodate those institutional and public uses compatible with residential neighborhoods. (1975 Code § 17.40.010)

13-3A-2: PERMITTED PRINCIPAL USES:

Permitted principal uses in the low density residential district are as follows:

Churches.

Community residential facilities.

Hospitals.

Libraries.

Museums.

Nursing homes.

Public parks and recreational facilities.

Schools.

Single-family dwelling, modular unit.

Single-family dwellings.

Two-family dwellings. (1975 Code § 17.40.020)

13-3A-3: CONDITIONAL USES:

Conditional uses in the low density residential district are as follows:

None permitted. (1975 Code § 17.40.030)

13-3A-4: ACCESSORY USES:

Accessory uses permitted in the low density residential district include home occupations in accordance with provisions of chapter 8 of this title, on site signs, off street parking ¹, garages, toolsheds, greenhouses, solar panels, and any other structure which the zoning administrator judges to meet the definition of accessory uses. A separate accessory building may be erected in any required yard provided the accessory building is not within five feet (5') of the side or rear property line, and is not within five feet (5') of any other building. No accessory building may be erected in the required front yard. (1975 Code § 17.40.040; amd. 2008 Code)

Notes

- ¹ 1. See title 7, chapter 3, article C of this code.

13-3A-5: TEMPORARY USES:

Temporary structures, storage buildings and storage areas on construction sites, temporary signs, and temporary structures on sites of grading operation shall be removed when the building construction is completed. (1975 Code § 17.40.050; amd. 2008 Code)

13-3A-6: MINIMUM LOT SIZE:

The minimum area of a zoning lot is five thousand five hundred (5,500) square feet per dwelling unit where public water supply and sewerage are available and connection approved. Property annexed into the city after the zoning ordinance codified in this title becomes effective will be seven thousand five hundred (7,500) square feet. (1975 Code § 17.40.060)

13-3A-7: HEIGHT REQUIREMENTS:

No building or structure in the low density residential district shall be erected or structurally altered to exceed thirty five feet (35') in height. (1975 Code § 17.40.070)

13-3A-8: YARD REQUIREMENTS:

For the purpose of measuring depth of required yards, all protruding portions of buildings or structures shall be considered part of the building or structure.

- A. Front Yard: A twenty five foot (25') front yard shall be provided on all frontages.
- B. Side Yards: Side yards abutting interior lot lines shall be not less than five feet (5').
- C. Rear Yard: A rear yard shall be provided not less than twenty feet (20') in depth. (1975 Code § 17.40.080)

13-3A-9: PARKING:

Off street parking as an accessory use is permitted in accordance with title 7, chapter 3, article C of this code. (1975 Code § 17.40.090)

13-3A-10: SIGNS:

On site signs as accessory uses are permitted in accordance with the provisions of chapter 9 of this title. (1975 Code § 17.40.100)

13-3A-11: SCREENING AND BUFFERS:

Screening and buffers must be provided in compliance with chapter 4 of this title. (1975 Code § 17.40.110)

13-3A-12: LIGHTING:

In no event may an illuminated sign or lighting device be placed or directed so that the beams and illumination therefrom cause glare or reflection that may constitute a traffic hazard or nuisance. (1975 Code § 17.40.120)