

RESOLUTION 2017-108

**RESOLUTION TO INCREASE THE FIRE SERVICE AREA FEE WITHIN THE YORK
VOLUNTEER FIRE SERVICE AREA**

WHEREAS, pursuant to Section 7-33-2401 MCA, Lewis and Clark County (the County) previously and formally established the York Fire Service Area; and

WHEREAS, pursuant to Section 7-33-2404(3) MCA, the County shall collect the funds necessary to operate a fire service area by imposing a special assessment on the owners of property with a structure in the fire service area and shall collect the assessments with the general taxes of the County, such assessment being a lien on the property; and

WHEREAS, pursuant to Section 7-33-2404(1) and (2) MCA, the current special assessments of the owners of property with a structure within the York Fire Service Area were established pursuant to Resolution 2005-86 by the County at the annual rate of \$150.00 per property with a structure that are benefited by the serviced offered by the York Fire Service Area; and

WHEREAS, pursuant to Section 7-33-2404(1) MCA, the County shall, as necessary after the creation of a fire service area, establish a schedule of rates to be charged upon the owners of property with a structure in the respective Fire Service Area; and

WHEREAS, the Board of Trustees for the York Fire Service Area voted to request that the County approve a fee increase in the amount of \$50.00, for a total resulting fee of \$200.00, on all properties with a structure in the York Fire Service Area; and

WHEREAS, based upon Section 7-33-2404(1), the County has scheduled a Public Hearing for August 22, 2017, at 9:00 a.m. to examine the merit of increasing the rate charged to owners of property with a structure benefited by the York Fire Service Area from the existing \$150.00 to \$200.00; and

WHEREAS, the County has authorized and caused to be published, on August 6, 2017, and August 13, 2017, in accord with Section 7-1-2121 MCA, a Notice of Public Hearing (Notice); and

WHEREAS, pursuant to Section 7-33-2401(3) MCA, the County, at the Public Hearing, has received budgetary justification from the trustees of the York Fire Service area for a fee modification and increase, and (i) accepted written or oral protests from property owners within the York Fire Service Area and (ii) received general protests and comments relating to the proposed fee increase; and

WHEREAS, pursuant to Section 7-33-2401(3), the County, in its discretion and based upon testimony received at the public hearing, may adopt the proposed fee schedule or may establish a different fee schedule than proposed.

NOW, THEREFORE, BE IT RESOLVED that the Lewis and Clark County Board of Commissioners hereby pass the Resolution to Increase the Fire Service Area Fee for the York Fire Service Area reflecting an increase \$50.00 increase from \$150.00 to \$200.00 per property with a structure.



DATED this 22 day of August, 2017.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

ATTEST:



Paulette DeHart, Clerk of the Board

