

ORDINANCE NO. 1524

*Judy M.
994-1905*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA, STATING THE COMMISSION'S INTENT TO PLACE THE QUESTION OF AMENDING THE FORM OF GOVERNMENT UNDER WHICH THE CITY OF BOZEMAN OPERATES FROM THE "MUNICIPAL COMMISSION - MANAGER" FORM OF GOVERNMENT, WITH GENERAL GOVERNMENT POWERS, TO THE "COMMISSION - MANAGER" FORM OF GOVERNMENT, WITH SELF-GOVERNMENT POWERS AND DEFINING THE APPLICABLE STRUCTURAL SUBOPTIONS.

WHEREAS, the City of Bozeman implemented the Municipal Commission - Manager form of government on the 10th day of October 1921, as approved by the electors on the 4th day of October 1921, under Title 11, Chapters 32 and 33, Revised Codes of Montana, which have subsequently been incorporated under Title 7, Chapter 3, Parts 43 and 44, Montana Code Annotated; and

WHEREAS, Article XI of the Constitution of the State of Montana provides for self-government powers for local governments; and

WHEREAS, Title 7, Chapter 1, Part 1, Montana Code Annotated, provides the basis for self-government powers for local governments; and

WHEREAS, Title 7, Chapter 3, Part 3, Montana Code Annotated, provides for the adoption of the Commission - Manager form of government with either general government powers or self-government powers; and

WHEREAS, the existing Municipal Commission - Manager form of government established under Title 7, Chapter 3, Parts 43 and 44, Montana Code Annotated, does not provide for the adoption of self-government powers; and

WHEREAS, the City Commission has determined it is in the community's best interests to place on the ballot the adoption of an alternative form of government, under which the City of Bozeman would operate under the Commission - Manager form of government, as set forth in Title 7, Chapter 3, Part 3, Montana Code Annotated.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Bozeman, Montana, that

Section 1

The following issue be placed on the November 7, 2000, general election ballot:

- FOR adoption of commission-manager form of government with self-government powers and proposed structural suboptions as set forth in Bozeman Ordinance No. 1524.
- FOR the existing form of government.

Section 2

The following structural suboptions be established to further define the structural characteristics of the proposed form of government:

1. All members of boards, other than temporary advisory committees established by the manager, shall be appointed by the commission.
2. The commission shall be elected at large.
3. Local government elections shall be conducted on a nonpartisan basis.
4. The chairman of the commission shall be selected as provided by ordinance.
5. Commission members shall be elected for overlapping terms of office.
6. The Commission shall consist of five (5) members.
7. Community councils to advise commissioners may be authorized by ordinance.
8. The term of office of elected officials shall be four (4) years.

Section 3

Repealer.

All resolutions, ordinances and sections of the Bozaman Municipal Code and parts thereof in conflict herewith are hereby repealed.

Section 4

Severability.

If any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Section 5

Savings Provision.

This ordinance does not affect the rights or duties that matured, penalties and assessments that were incurred or proceedings that were begun before the effective date of this ordinance.

Section 6

Effective Date.

This ordinance shall be in full force and effect thirty (30) days after adoption.

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PASSED by the City Commission of the City of Bozeman, Montana, on first reading at
a regular session thereof held on the 7th day of August 2000.


MARCIA B. YOUNGMAN, Mayor

ATTEST:


ROBIN L. SULLIVAN
Clerk of the Commission

PASSED, ADOPTED AND APPROVED by the City Commission of the City of Bozeman,
Montana, on second reading at a regular session thereof held on the 21st day of
August 2000.


MARCIA B. YOUNGMAN, Mayor

ATTEST:


ROBIN L. SULLIVAN
Clerk of the Commission

APPROVED AS TO FORM:


PAUL J. LUWE
City Attorney