

**LAUREL URBAN RENEWAL AGENCY AND RENEWAL AREA\***

**Chapters:**

- 20.02            Laurel Urban Renewal Agency**
- 20.04            Laurel Urban Renewal Area**

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\*Editor's note—Ord. No. O13-01, adopted Aug. 20, 2013, renumbered former Title 18 as Title 20 as herein set out.

## Chapter 20.02

### LAUREL URBAN RENEWAL AGENCY

#### Sections:

**20.02.010 Creation and establishment of an urban renewal agency.**

**20.02.020 Agency composition and term of offices.**

**20.02.030 Commissioners.**

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**20.02.050 Operation.**

**20.02.060 Agency authority and duties.**

**20.02.070 Control of conflict of interest.**

**20.02.010 Creation and establishment of an urban renewal agency.**

The city council hereby establishes and creates an advisory board to be known as the Laurel Urban Renewal Agency ("agency") in accordance with MCA § 7-15-4232. A board of commissioners ("commissioners") is created as provided herein and shall administer the Agency. The mayor shall appoint all commissioners with approval of the city council.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.02.020 Agency composition and term of offices.**

The board shall constitute five voting commissioners, all of whom must maintain residency in the city limits. For purposes of this chapter, residency is defined as either owning property, a business, or maintaining permanent employment within the city limits. The initial voting membership shall consist of one member appointed for one year, one member for two years, one member for three years, and two members for

four years. Each appointment thereafter shall be for four years. In addition to the five commissioners, the mayor, with approval of the city council, shall appoint four advisory members, as provided herein, who shall not vote but shall provide advice and counsel to the voting commissioners.

(Ord. No. O09-04, 4-21-09; Ord. No. O12-01, 3-6-12; Ord. No. O13-01, 8-20-2013)

**20.02.030 Commissioners.**

A. Each commissioner shall hold office until his/her successor is appointed and has qualified.

B. A commissioner shall receive no compensation for his/her service but is entitled to authorized necessary expenses, including traveling expenses, incurred in the discharge of his/her duties.

C. Any person may be appointed as a commissioner if he/she maintains residency within the city limits. If possible, the preferred composition of the agency should include two residents of the district, two city resident business owners in the district, and one member city resident at large.

D. A commissioner may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. Misconduct in office is defined by MCA § 7-15-4240.

E. A majority of the commissioners shall not hold any other public office under the city other than their membership or office with respect to the agency.

F. The powers and responsibilities of the agency shall be exercised by the commissioners according to adopted bylaws approved by the city council. A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers and responsibilities of the agency and for all other purposes. Action may be taken by the agency

upon a vote of a majority of the commissioners (three) unless the bylaws shall require a larger number.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.02.040 Advisory members.**

A. In addition to the five voting commissioners, the agency shall include a non-voting advisory membership of not more than four individuals. The initial membership shall consist of one member appointed for one year, one for two years, one for three years, and one for four years. Each appointment thereafter shall be for four years. Advisory members must possess a demonstrated interest in the district, specific expertise and/or other qualifications necessary to help the agency implement the renewal plan.

1. Each advisory member shall hold office until his/her successor has been appointed and has qualified.

2. An advisory member shall receive no compensation for his/her services but may be entitled to authorized necessary expenses, including traveling expenses, incurred in the discharge of his/her duties in the discretion of the mayor.

3. An advisory member may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. Misconduct in office is defined by MCA § 7-15-4240.

B. City staff shall perform the agency's administrative duties as assigned, until other funding becomes available from alternate sources to hire and pay for permanent staff, if requested by the Agency and approved by the city council.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.02.050 Operation.**

The board shall operate in accordance with bylaws that are adopted by the city

council. The board shall schedule its own meetings' dates and times for the convenience of its members and shall keep a record of its proceedings. All meetings are open to the public in accordance with Montana's Open Meeting Law, MCA § 2-3-201 et seq. All meeting dates and times shall be posted at city hall. A majority of the commissioners shall constitute a quorum for the transaction of business.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.02.060 Agency authority and duties.**

A. In accordance with MCA § 7-15-4232(2), the city council shall assign the agency the appropriate powers listed in MCA § 7-15-4233 by resolution. All powers not specifically assigned to the agency by the city council are specifically reserved to and for the city council. The agency shall act in an advisory capacity to the city council and shall exercise all assigned powers consistent with the previously approved Laurel Urban Renewal Plan. The city council may modify the Laurel Urban Renewal Plan in accordance with MCA § 7-15-4221.

B. Annual report. On or before September 30 of each and every year, the agency shall provide the city council a written report of its activities for the preceding fiscal year. The report shall contain a complete financial statement setting forth all appropriate expenditures, income, assets, liabilities and operating expenses. At the time of filing the report, the agency shall publish notice, in a newspaper of general circulation, that the report has been filed with the city council and is available for inspection at the office of the city clerk/treasurer during business hours and if applicable, the agency's office.

C. Annual work program and budget. The agency shall also prepare an annual work program (AWP) and proposed budget

that provides a list of planned activities for the fiscal year along with the estimated costs of the planned activities. The AWP must also contain the proposed methods of financing the planned activities. The Agency shall provide public notice in a newspaper of general circulation and conduct a public hearing prior to the submittal of the AWP to the city council. The AWP and budget may be amended during the course of the city's fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the city council as required by Montana Law.

(Ord. No. 009-04, 4-21-09; Ord. No. 013-01, 8-20-2013)

**20.02.070 Control of conflict of interest.**

A. In accordance with MCA § 7-15-4239, the agency and city shall comply with the following:

1. A public official, city employee or employee of the agency or officers of the city that have been vested with urban renewal project powers and responsibilities by city council resolution may not voluntarily acquire any interest, direct or indirect, in any urban renewal project, in any property included or planned to be included in any urban renewal project of the city, or in any contract or proposed contract in connection with an urban renewal project.

2. When an acquisition is not voluntary, the interest acquired must be immediately disclosed in writing to the city council and the disclosure entered upon the minutes of the city council.

B. If a city official or department head owns or controls or has previously owned or controlled within two years prior to the date of hearing on the urban renewal project any interest, direct or indirect, in any

property that the person knows is included in an urban renewal project, the person shall immediately disclose this fact in writing to the city council. The disclosure shall be entered upon the minutes of the city council. A city official or department head may not participate in any action on that particular project by either the agency or the city council who possesses urban renewal project powers under MCA § 7-15-4233.

(Ord. No. 009-04, 4-21-09; Ord. No. 013-01, 8-20-2013)

**Chapter 20.04**

**LAUREL URBAN RENEWAL AREA  
Sections:**

- 20.04.010 Findings.**
- 20.04.020 Plan adoption.**
- 20.04.030 Existence of blight.**
- 20.04.040 Effective date.**

**20.04.010 Findings.**

The city council hereby declares the property located within the renewal area, as described in attachments A and B, have deficiencies regarding public infrastructure and facilities.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

*Editor's note*—Attachments A and B are on file and available for inspection in the office of the city clerk.

**20.04.020 Plan adoption.**

The city council hereby adopts the Laurel Urban Renewal Plan and included in such plan is a provision for tax increment financing in accordance with title 7 chapter 15 parts 42 and 43 of the Montana Code Annotated. The Laurel Urban Renewal Plan is available at the city clerk/treasurer's office during business hours.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.04.030 Existence of blight.**

The city council hereby finds the following conditions of blight exist in the urban renewal district as defined in MCA § 7-15-4206:

A. "Blighted area" means an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or

constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

1. The substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential."

(a) Flooding. Portions of the district experience flooding during certain rain events causing unsafe conditions. The current capacity or lack of capacity of the storm drain system results in unsafe and unsanitary conditions, therefore are a menace to public health and safety.

2. Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;

(a) Lack of green space. There is a decided lack of green space available in the district to be enjoyed by the citizens of Laurel. Vacant areas have the potential to be rehabilitated as public green space.

3. Defective or inadequate street layout;

(a) Street improvements. Certain intersections are in need of improvements due to the increased or projected increase in automobile and truck traffic. In addition, the street surfaces are in need of repair due to the inadequate drainage and amount of traffic utilizing the roadways.

4. Unsanitary or unsafe conditions;

(a) Public safety. Certain areas do not have street lights, sidewalks, curbs, gutters, or sidewalks. The installation of these types of infrastructure is vital for the public safety. (Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)

**20.04.040 Effective date.**

This title shall become effective the 27th day of December, 2007.

(Ord. No. O09-04, 4-21-09; Ord. No. O13-01, 8-20-2013)