

**AGENDA  
CITY COUNCIL MEETING  
TUESDAY, JANUARY 17, 2023  
6:30 p.m. at City Hall**

**The public is encouraged to participate in person,  
or via Zoom at:**

<https://zoom.us/j/3147501763>

Meeting ID: 314 750 1763

To join Zoom via traditional phone only:

Dial 1-646-558-8656, enter 314 750 1763 followed by the # key

When asked for participant ID, press # key

**THE COUNCIL WELCOMES AND ENCOURAGES PUBLIC COMMENT. ANYONE WISHING TO ADDRESS THE COUNCIL IS ENCOURAGED TO DO SO WITH THESE STIPULATIONS:**

For comments pertinent to items being discussed during THIS MEETING, members of the public will be afforded an opportunity to address the council on every matter coming before the council immediately in advance of the vote and in accordance with established Council Rules of Procedure.

1. **The Mayor or Council may limit the amount of time for comments if they become extensive.**
2. **If the speaker begins to infringe on the right to privacy of another, the Mayor or Council may interrupt and end the comments on that issue.**
3. **Comments must be pertinent to the topic under consideration. There is an opportunity for open comments at the end of the meeting.**

- **Open Meeting Call to Order**
- **Pledge of Allegiance**
- **Roll Call**
- **Approval of Minutes of the Previous Meeting(s)**  
12/19/2022 Council Meeting
- **Approval of Agenda**
- **Requests of elected city officials for absences exceeding 10 days or participation by telecommunications.**
- **Communication for Public Record (Ex parte Communications)**  
*Ex Parte: Oral or written communication between a council member and an interested party(s) concerning any issue in a formal proceeding that does not occur in a public forum and to which reasonable prior notice to all parties is not given.*
- **Constituent issues-reports from the Mayor and Council members**
- **Consent Agenda to include:**
  - Mayor Report
  - Ambulance Report
  - Fire Report
  - Public Works Report

# LEADING FIRE

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# CITY OF BOULDER

- City Court/Sheriff Reports
- City Attorney Report
- Community Improvement Coordinator Report
- Reports from Clerk
  - Cash/Bank Reconciliation, December 2022
  - Statement of Revenue Budget vs Actual, December 2022
  - Statement of Expenditure Budget vs Actual, December 2022
  - Utility Billing Adjustments, Charges, Receipts, Delinquent Accounts for December 2022
  - Ambulance Write-offs & Collections for December 2022
- **Correspondence:**
- **Committee Reports**
  - Planning Board
  - Chamber of Commerce
  - Cemetery Advisory Committee
  - BTAC
- **Old Business**
  1. Continuation of discussion & possible policy regarding private use of city parks, (e.g., garage sales, gun shows, etc.)
  2. Continuation of discussion & possible determination on methods of keeping city parks free of dog waste
- **New Business**
  1. Public Hearing & 1<sup>st</sup> Reading of Ordinance #2023-01 for:
    - a) Repealing & replacing Title 9, Chapter 90 "Animals"; and,
    - b) Repealing Title 15, Chapter 153 "Livestock" definition
  2. Public Hearing & 1<sup>st</sup> Reading of Ordinance #2022-02 for:
    - a) Repealing & replacing Title 15, Chapter 153, Section 12 "Board of Adjustment"; and,
    - b) Repealing Title 15, Chapter 153, Section 14, "Schedule of Fees" to allow the City Council to adopt, by resolution, a separate and stand-alone fee schedule
  3. Public Hearing, discussion, & determination on Resolution #2023-01-R adopting *Building for Lease or Rent Regulations*
  4. Discussion & possible determination on MDOT water valve adjustment agreement
  5. Discussion & possible determination on City accepting a cemetery columbarium purchased by the Cemetery Care Committee
  6. Discussion & determination on direction of the community improvement program
  7. Discussion & determination on authorized buyers for state surplus property
  8. Discussion & determination on Record(s) Destruction Request

## Unscheduled Matters

**Note:** An item that is NOT listed on the agenda for the current meeting may be discussed during the session at the discretion of the presiding officer. However, the purpose of such discussion shall be to decide whether to schedule the item for discussion and vote on a subsequent agenda. The Council shall decide on no item of significant interest to the public without prior notice to the public as a scheduled Council agenda item.

- **Open Public Comment**
- **Authorization to pay bills**
- **Council Agenda suggestions for the next meeting to be held on TUESDAY, February 21, 2023, at 6:30 p.m.**
- **Adjournment**

304 North Main Street  
P.O. Box 68  
Boulder, Montana 59632

(406) 225-3381 phone  
(406) 225-9498 FAX



**CITY OF BOULDER  
P.O. BOX 68  
BOULDER, MONTANA 59632  
CITY COUNCIL MEETING MINUTES  
MONDAY, DECEMBER 19, 2022**

CALL TO ORDER:

Council president Dawson called the meeting to order at 6:31 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

Elected officials present: Mike Taylor, Gyle Nix, and Patricia Lewis. Absent: Russell Giulio (*mayor*). Others participating are Ellen Harne (*City Clerk*), Dennis Wortman, (*Public Works Director*), and, Chris Mosher (*Community Improvement Coordinator*).

APPROVAL OF MINUTES OF PREVIOUS MEETING:

The minutes from the November 21, 2022, council meeting was presented. Taylor made a motion to approve the minutes as written and presented. Nix seconded the motion and the motion carried with 4 aye votes.

APPROVAL OF AGENDA: Taylor made a motion to approve the agenda as presented. Nix seconded the motion and the motion carried with 4 aye votes.

REQUESTS OF ELECTED CITY OFFICIALS FOR ABSENCES EXCEEDING 10 DAYS OR PARTICIPATION BY TELECOMMUNICATION: None

COMMUNICATION FOR PUBLIC RECORD (Ex parte): Dawson stated he has had extensive communication with dog owners in his neighborhood. He doesn't know if it will result in official action, so he didn't provide specific information.

CONSTITUENT ISSUES-REPORTS FROM THE MAYOR AND COUNCIL MEMBERS:

CONSENT AGENDA TO INCLUDE:

- Mayor Report - None
- Ambulance Report – Received.
- Fire Report – Received.
- Public Works Report – None.
- City Court Report – Received.
- City Attorney Report – Documentation of E.J. Guza & Associates received.
- Community Improvement Coordinator – Received.
- Update on the drafting of Standard Operating Procedures: Mosher apprised the council he is working on building program structure and has found deficiencies in the ordinances, mainly relating to the enforcement aspect. He clarified that the city has no enforcement authority, so a discussion with the new sheriff probably needs to take place. The other point that needs to be addressed, (and will have an impact on the budget), is abatement by the city. He also wants to ensure the formal complaint process is clearly identified and outlined and the beautification complaint form coincides with the general complaint form. He will continue to bring updates to the council.
- Reports from Clerk
  - Cash/Bank Reconciliation, November 2022

- Statement of Revenue Budget vs Actual, November 2022
- Statement of Expenditure Budget vs Actual, November 2022
- Utility Billing Adjustments for October 2022
- Ambulance Write-offs & collections for October 2022

Taylor made a motion to approve the Consent Agenda. Nix seconded the motion and the motion carried with 4 aye votes.

CORRESPONDENCE: None.

COMMITTEE REPORTS:

- **Planning Board:** LaDana Hintz reported the Planning Board met on December 12<sup>th</sup> and held a public hearing to gather comments on the proposed ordinance amendments to the Board of Adjustment. The Board did make a recommendation on the amendments, and these recommendations will be presented to council in January. The next scheduled meeting is January 9<sup>th</sup> at 6:30 p.m. at City Hall.
- **Chamber of Commerce:** Pat Lewis reported they plan to have revised phone books out in January. Their annual meeting will be held in February.
- **Cemetery Advisory Committee:** Pat Lewis said the Advisory Committee has not met. She reported the Boulder Cemetery Care Corporation has ordered, and put a deposit down, on a columbarium. She said the columbarium will be donated to the city and the 501(C)(3) needs to work with the council on setting up a fee schedule and preselling cremation niches'. Dawson said the city hasn't agreed to accept the columbarium. Lewis said it was a "done deal" and has been approved and agreed upon. Other council members disagreed that the city had made any agreement. Dawson said the city needs to go back in their minutes to see if an agreement had previously been made. If there wasn't an agreement made, the council would need to revisit this. He continued that there needs to be a written agreement between the 501(C)(3) and the city, clearly defining responsibilities, and who the responsible party is for maintenance, billing, selling, and where fees go and what they will be used for. He stated he doesn't recall an agreement being made, and that before council members make a broad statement about what the city is going to do, they need to go back to the drawing board and figure this out. He agrees a columbarium is a nice addition to the city and the cemetery, but the operation and maintenance needs to be figured out. Lewis said the advisory committee brought the concept to the council several years ago, and she took it on herself to establish the 501(C)(3). Dawson again stated he doesn't think there has been anything formally decided, and council members need to be careful about making blanket statements that there has been something decided or implying something has been decided. He said this is well worth pursuing, but there is a need to be careful when implying something is a "done deal", because he doesn't think this is. Lewis said the 501(C)(3) needs to talk to the advisory committee and they can bring the information to the council. Dawson said that however it happens, the deal has not been consummated. Lewis agreed. Dawson said there is a way to go to work out details, i.e., having an agreement reviewed by the city attorney, establishing a fee schedule, etc. and the cart cannot get put before the horse. Lewis said that she would like to set the procedure for moving forward. Dawson responded that it is not on the agenda a cannot be discussed at this meeting. An item for discussion will be put on the January agenda. Dawson asked Lewis to provide a proposal in January so the council can discuss defining the relationship between the city and the 501(C)(3).
- **BTAC:** None.

## OLD BUSINESS:

1. **Continuation of discussion & possible implementation of a policy regarding private use of city parks, (e.g., garage sales, gun shows, etc.):** Harne gave a history on why this item was being discussed. This item has been tabled at past meetings to give councilman Nix time to visit with the Veteran's and get their comments. Nix said that due to scheduling, the Veteran's haven't discussed this but will be at their December 20<sup>th</sup> meeting. This item will be on the January 2023 agenda.
2. **Continuation of discussion & possible determination on methods of keeping city parks free of dog waste:** Harne explained this was also an item that Nix would be bringing to the Veteran's for discussion. Lewis said that if the city implements a "no animals in the park" policy, she would like the city to consider having a dog park. She said she is personally opposed to making the parks dog free and wants to give dog owners the opportunity to voice their opinion. Dawson asked Harne what information she had received from other cities. Harne referred to and read the handout she had provided in council packets, noting that the consensus from the responses is that dogs are not allowed in city parks.

Mosher said that in other areas he has resided, this is a cultural issue. He suggested putting up signage about taking care of the parks, but said if you don't have the buy in from the community, nothing will change. Taylor said this is a tricky situation, and it is an attitude problem. Dawson said that with no resources available, there is no way to enforce others to take care of their animals. He is in favor of a dog park but said this alone will probably not alleviate the problem in the city parks. Taylor agreed but said he is hopeful a dog park may reduce the problem. Taylor stated he would like to table this item until the council can look at possible financing to establish a dog park.

Kathy Rux said there are a lot of dogs that come to Centennial Park, and 90% of these come with kids that are 10 or under. She said parents aren't telling the kids to pick up after the dogs, so the kids don't. She agrees this is a big problem.

Dawson stated additional signage may be beneficial. Mosher said the dogs aren't going away so the city needs to advocate for a dog friendly community and hopefully this promotes a different culture. Taylor suggested putting an ad in the paper promoting cleaning up after pets, what licensing requirements are, and that there is a leash law. Mosher and Harne will work on the ad and acquiring signage.

## NEW BUSINESS:

1. **Public Hearing, discussion & determination on Resolution #2022-10 adopting an amended *Annexation Service Plan* and repealing Resolution #2020-08 *Annexation Plan*:** Dawson stated this is the time and place set for a public hearing on Resolution #2022-10, with the goal being to conduct a public hearing to first hear views in favor of the resolution, next, to hear views from those in opposition, and then to hear comments from those that are non-committal. He explained that once the public hearing is closed, the council will hold discussion prior to a vote being taken. adoption.

Dawson opened the public hearing at 7:14 p.m. and City Clerk Harne was asked to provide an overview of the resolution. Harne explained that the City does have an Annexation Policy in place, but when a perspective proposal for annexation was received, the city discovered the current Policy does not request enough information from developers to allow for a thorough review on how the annexation would impact the city's infrastructure. for the council to be able to make a well-informed decision. Harne worked with the city attorney, LaDana Hintz, Jerry Grebenc, and Alan Erickson to create the policy being presented.

Dawson called for proponent comments. On behalf of the county, Hintz stated they had previously provided comments, and these comments are included in the version of the policy

being presented. She said the county supports the policy. She also stated that as the Planning Board chair, she appreciates that there will be a policy for them to follow.

Kathy Rux said after hearing what the city is trying to accomplish by gathering all the needed information, she sees this is a much needed improvement to the current policy and is all for it.

With no further proponent comments, Dawson called for opponent comments. With no oppositional comments, Dawson called for informational witnesses. With no other comments, Dawson closed the public hearing at 7:20 p.m.

Dawson said the question now before the council is: What action would they like to take after receiving public hearing comments? For point of clarification, Taylor asked if council needs to repeal the former resolution prior to adopting the new resolution? Dawson said the motion to adopt resolution #2022-10 as presented and repeal resolution #2020-08 could be done simultaneously. Taylor made a motion to approve resolution #2022-10 as presented and repeal resolution #2020-08. Nix seconded the motion. Dawson called for council discussion.

Lewis asked if there is only going to be one public hearing on this, to which Dawson replied "yes". Lewis asked: "Is it not council's place to question content because it's already done"? Dawson said this is the time to ask questions and provide comments. Lewis said she wanted to know what her responsibility as a council member is, i.e., does she have to read everything word for word. Taylor replied she should read everything since it's a council member's duty to question what's being presented. Lewis said she didn't receive an electronic council packet, so this was the first time she had seen the resolution. Other council members said they received their electronic packet. Lewis said she would check her email again to see if she overlooked it, and Harne would check to make sure it was sent to her. Taylor thanked all parties involved for creating this much-needed policy.

With no further discussion or questions, Dawson called for a vote. The motion to adopt resolution #2022-10 and repeal resolution #2020-08 carried with 4 aye votes.

2. **Discussion & determination on two-year contract renewal with E.J. Guza & Associates for city attorney services:** E.J. Guza & Associates presented a two-year renewal contract that would become effective on January 21, 2023. Dawson stated that the renewal contract does not call for an increased hourly rate. Taylor made a motion to approve the new 2-year contract with E.J. Guza & Associates. Lewis seconded the motion and Dawson called for discussion.

Kathy Rux asked what the hourly rate is, and Dawson replied it is \$225 per hour. Taylor said this may seem like a lot, but he is very efficient and frugal with his time. With no further questions or comments, Dawson called for a vote and the motion carried with 4 aye votes.

UNSCHEDULED MATTERS: None

OPEN PUBLIC COMMENT: Kathy Rux commented on the Christmas lights. Taylor thanked the city staff for all their work on the

AUTHORIZATION TO PAY BILLS: The bills were presented for payment authorization using checks #16940 through 16980 in the amount of \$38,281.99, and ACH payments #99848-99853 in the amount of \$2,188.36 for a total of \$40,470.35. (Note: Ck. 16939 issued to Debra Helton in the amount of \$309 was approved at the October council meeting). Taylor made a motion to authorize ACH payments in the amount of \$2,188.36 and check payments in the amount of \$38,281.99. Lewis seconded the motion and the motion carried with 4 aye votes.



COUNCIL AGENDA SUGGESTIONS TO THE MAYOR FOR NEXT MEETING: None

ADJOURNMENT: With no further business, the meeting was adjourned at 7:28 p.m. The next regularly scheduled meeting will be held on Tuesday, January 17, 2023, at 6:30 p.m.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Mayor

SEAL

Attest: \_\_\_\_\_  
City Clerk



## Boulder Ambulance Report December 2022

### 22 Incidents

- 9 handled by St Peters
- 2 handled by JCSO
- 2 Cancellations
- 9 handled by Boulder
  - 3 Agency Assists
  - 1 Transports
    - 1 St Peters
  - 3 Refusal
  - 1 Patient Transfer to another EMS Agency
  - 1 No Transport/Death

### Call Types

- 3 ALS call(s)
- 17 BLS RED call(s)
- 2 BLS YELLOW call(s)

Calls YTD: 266

### Involvement Hours

- 20 hours paid on calls
- 0 hours unpaid station training
- 0 hours unpaid external training
- 0 hours of EMT class training
- 10 hours unpaid time (Inventories, Run Reports, Administrative, Standbys, unpaid membership call time)

Total Annual Paid Hours YTD :240.5  
Total Annual Unpaid Hours YTD: 903.5

Prepared by:  
Amanda Cochran, EMT  
1/5/23



# Boulder Volunteer Fire Department Boulder City Council Report December 2022

## Activities & Incidents Report

### Meeting Activities

<u>Date</u>	<u>Activity</u>	<u>Hours/Attendance</u>
12/1/22	Business Meeting	1 (9)

### Training & Community Activities

<u>Date</u>	<u>Activity</u>	<u>Hours/Attendance</u>
12/15/22	Packing Santa Candy Bags	6(1)
12/16/22	Santa Candy Delivery	

### Incidents

<u>Date</u>	<u>Type</u>	<u>Location</u>	<u>Units</u>	<u>Crew</u>
12/19/22	Carbon Monoxide	105 Venture Way	3211	2
12/21/22	Structure Fire	134 Old Butte Hwy, Boulder	3211, 3222	6
12/23/22	Activated Fire Alarm	22 Trooper Dr, Boulder	Cancellation	
12/24/22	MVA	I 15 MM 168	POV	1
12/25/22	MVA	I 15 MM 168 NB	3211	3
12/26/22	MVA	I 15 MM 151 NB	3211	3

### Annual Statistics

97 Total Calls in 2022

- 7 Structure
- 2 Activated Fire Alarms (AFAs)
- 11 Wildland
- 4 Other
- 39 Motor Vehicle Accidents (MVAs)
- 7 Vehicle Fires
- 14 Agency Assist
- 5 CO/Gas
- 8 Cancellations

Total Training Hours  
197.5

Current Membership  
18

**Officers for approval by City Council**

Fire Chief: Mike Hecht

Assistant Fire Chief: Steve Carey

Secretary: Amanda Cochran

Prepared by:

Amanda Cochran, Secretary

1/5/23

## Monthly Activity Report

December 2022

Citations and Non-Citations By Issued Date

Financial Type: Fines and Fees

Citations	Last Month	This Month	Change	Last YTD	This YTD	Change
45-5	0	0	0	4	1	-3
45-6	1	0	-1	0	1	1
45-7	0	0	0	1	1	0
45-8	1	1	0	2	7	5
DRUG OFFENSES	0	0	0	0	2	2
DUI	0	0	0	2	2	0
Miscellaneous	0	0	0	3	1	-2
PARTNER/FAMILY MEMBER ASSAULT	0	0	0	1	1	0
SEATBELT	1	0	-1	0	1	1
SPEEDING	0	0	0	10	6	-4
TRAFFIC	6	5	-1	15	43	28
<b>Totals:</b>	<b>9</b>	<b>6</b>	<b>-3</b>	<b>38</b>	<b>66</b>	<b>28</b>
<b>Non-Citations</b>						
45-5	0	0	0	0	2	2
TRAFFIC	0	0	0	0	6	6
<b>Totals:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>8</b>
<b>Fines and Fees</b>						
Court Costs	5.00	0.00	(5.00)	0.00	5.00	5.00
Fine	400.00	475.00	75.00	6,660.00	4,700.00	(1,960.00)
Law Enforcement Academy	20.00	10.00	(10.00)	265.00	350.00	85.00
Misdemeanor Surcharge	15.00	40.00	25.00	405.00	535.00	130.00
Technology Surcharge	10.00	10.00	0.00	230.00	320.00	90.00
Victim Restitution	0.00	0.00	0.00	165.00	0.00	(165.00)
Victim Witness Admin Fee	0.00	0.00	0.00	6.00	4.00	(2.00)
Victim Witness Surcharge	25.00	0.00	(25.00)	274.00	221.00	(53.00)
<b>Totals:</b>	<b>\$475.00</b>	<b>\$535.00</b>	<b>\$60.00</b>	<b>\$8,005.00</b>	<b>\$6,135.00</b>	<b>\$(1,870.00)</b>





Citation Activity  
 All Case Types and Sub-Types  
 December 2022  
 Citations issued  
 Cases With and Without Disposition

Citation Report Type	Last Month	This Month	Change	Last YTD	This YTD	Change
45-5	0	0	0	4	1	-3
45-6	1	0	-1	0	1	1
45-7	0	0	0	1	1	0
45-8	1	1	0	2	7	5
DRUG OFFENSES	0	0	0	0	2	2
DUI	0	0	0	2	2	0
Miscellaneous	0	0	0	3	1	-2
PARTNER/FAMILY MEMBER ASSAULT	0	0	0	1	1	0
SEATBELT	1	0	-1	0	1	1
SPEEDING	0	0	0	10	6	-4
TRAFFIC	6	5	-1	15	43	28
No Report Type	0	0	0	2	0	-2
<b>Total:</b>	<b>9</b>	<b>6</b>	<b>-3</b>	<b>40</b>	<b>66</b>	<b>26</b>





Sheriff Craig Doolittle

Office of the  
**SHERIFF / CORONER**  
**JEFFERSON COUNTY**  
P.O. Box 588 Boulder, Montana 59632  
Phone (406) 225-4075 Fax (406) 225-4145  
Under Sheriff Xelise Johnson

City of Boulder Calls

[CFS Date/Time] is between '2022-12-01 00:00:00' and '2022-12-31 23:59:59' and [Zone->Zone] contains 'Boulder'

Printed on January 1, 2023

<b>CFS Date/Time</b>	<b>Descriptions</b>	<b>Disposition</b>
<b>911 Hang Up</b>		
12/27/22 17:09:17	911 Hang Up	Handled By Officer / Deputy
12/07/22 11:10:43	911 Hang Up	Handled By Officer / Deputy
12/29/22 08:34:52	911 Hang Up	Handled By Officer / Deputy
12/16/22 12:52:23	911 Hang Up	Handled By Officer / Deputy
12/14/22 21:33:34	911 Hang Up	Gone On Arrival (GOA)/Unable to Locate
12/24/22 07:38:20	911 Hang Up	Handled By Officer / Deputy
12/15/22 22:32:29	911 Hang Up	Handled By Officer / Deputy
<b>911 Hang Up Total: 7</b>		
<b>911 Misdial</b>		
12/30/22 15:10:17	911 Misdial	Handled By Officer / Deputy
<b>911 Misdial Total: 1</b>		
<b>911 Open Line</b>		
12/20/22 11:31:46	911 Open Line	Handled By Officer / Deputy
12/04/22 17:14:22	911 Open Line	Handled By Officer / Deputy

<b>CFS Date/Time</b>	<b>Descriptions</b>	<b>Disposition</b>
12/21/22 02:38:11	911 Open Line	Handled By Officer / Deputy
<b>911 Open Line Total: 3</b>		
<b>Abuse</b>		
12/12/22 17:48:50	Abuse; Welfare Check	Handled By Officer / Deputy
<b>Abuse Total: 1</b>		
<b>Administrative</b>		
12/18/22 14:36:39	Administrative	Information
12/06/22 18:12:50	Administrative	Created In Error
12/22/22 18:24:11	Administrative	Information
<b>Administrative Total: 3</b>		
<b>Agency Assist</b>		
12/30/22 21:47:03	Agency Assist	Assignment Completed/Settled by Phone
<b>Agency Assist Total: 1</b>		
<b>Animal-Vicious Dog</b>		
12/17/22 14:06:00	Animal-Vicious Dog	Handled By Officer / Deputy
<b>Animal-Vicious Dog Total: 1</b>		
<b>Assault</b>		
12/03/22 15:23:45	Assault	Handled By Officer / Deputy
<b>Assault Total: 1</b>		
<b>Burglar Alarm</b>		
12/10/22 02:41:43	Burglar Alarm	Cancelled (Prior to Arrival at Scene)
<b>Burglar Alarm Total: 1</b>		

<b>CFS Date/Time</b>	<b>Descriptions</b>	<b>Disposition</b>
<b>Citizen Assist</b>		
12/20/22 23:40:00	Citizen Assist	Handled By Officer / Deputy
12/21/22 03:58:45	Citizen Assist	Handled By Officer / Deputy
12/19/22 20:11:06	Citizen Assist	Handled By Officer / Deputy
12/27/22 20:31:32	Citizen Assist	Handled By Officer / Deputy
<b>Citizen Assist Total: 4</b>		
<b>Civil</b>		
12/11/22 15:12:47	Civil	Handled By Officer / Deputy
12/08/22 16:14:46	Civil	Handled By Officer / Deputy
12/21/22 14:05:11	Civil	Handled By Officer / Deputy
<b>Civil Total: 3</b>		
<b>Death</b>		
12/12/22 15:57:10	Death	Report Taken
<b>Death Total: 1</b>		
<b>Disorderly</b>		
12/24/22 15:06:38	Disorderly	Handled By Officer / Deputy
12/08/22 12:43:58	Disorderly	Handled By Officer / Deputy
<b>Disorderly Total: 2</b>		
<b>Fire Alarm</b>		
12/12/22 16:16:29	Fire Alarm	False Alarm
12/23/22 20:05:26	Fire Alarm	False Alarm

CFS Date/Time	Descriptions	Disposition
<b>Fire Alarm Total: 2</b>		
<b>Follow Up</b>		
12/15/22 10:08:04	Follow Up	Handled By Officer / Deputy
12/11/22 16:33:32	Follow Up	Handled By Officer / Deputy
12/31/22 10:56:52	Follow Up	Handled By Officer / Deputy
12/13/22 13:03:05	Follow Up	Handled By Officer / Deputy
<b>Follow Up Total: 4</b>		
<b>Fraud</b>		
12/03/22 18:17:51	Fraud	Report Taken
<b>Fraud Total: 1</b>		
<b>Harassment</b>		
12/16/22 18:03:16	Harassment	Handled By Officer / Deputy
<b>Harassment Total: 1</b>		
<b>Hit &amp; Run</b>		
12/01/22 09:14:48	Hit & Run	Handled By Officer / Deputy
<b>Hit &amp; Run Total: 1</b>		
<b>House Check</b>		
12/05/22 16:32:58	House Check	Information
<b>House Check Total: 1</b>		
<b>Larceny/Theft</b>		
12/09/22 17:16:09	Larceny/Theft	Handled By Officer / Deputy
12/13/22 14:13:46	Larceny/Theft	Handled By Officer / Deputy

CFS Date/Time	Descriptions	Disposition
<b>Larceny/Theft Total: 2</b>		
<b>MDC/IBC Notifications</b>		
12/07/22 12:06:57	MDC/IBC Notifications	Handled By Officer / Deputy
<b>MDC/IBC Notifications Total: 1</b>		
<b>Medical ALS</b>		
12/12/22 07:20:28	Medical ALS; Death	Patient Dead at Scene-No EMS Transport
<b>Medical ALS Total: 1</b>		
<b>Medical BLS-RED</b>		
12/16/22 22:03:47	Medical BLS-RED	Handled By Officer / Deputy
12/27/22 18:55:25	Medical BLS-RED	Patient Treated, Transported by EMS
12/09/22 16:32:07	Medical BLS-RED	Patient Treated, Transported by EMS
<b>Medical BLS-RED Total: 3</b>		
<b>Medical BLS-YEL</b>		
12/28/22 10:34:48	Medical BLS-YEL	Patient Treated, Released (Without Transport)
12/25/22 18:34:39	Medical BLS-YEL	Patient Treated, Transported by EMS
<b>Medical BLS-YEL Total: 2</b>		
<b>Motorist Assist</b>		
12/16/22 10:43:51	Motorist Assist	Handled By Officer / Deputy
<b>Motorist Assist Total: 1</b>		
<b>Motor Vehicle Accident-Injury</b>		
12/04/22 22:32:58	Motor Vehicle	Handled By Officer / Deputy
<b>Motor Vehicle Accident-Injury Total: 1</b>		

CFS Date/Time	Descriptions	Disposition
<b>Motor Vehicle Accident-Non Injury</b>		
12/21/22 00:44:31	Motor Vehicle	Handled By Officer / Deputy
12/11/22 16:40:40	Motor Vehicle	Citation Issued
12/31/22 13:49:24	Motor Vehicle	Handled By Officer / Deputy
12/31/22 18:25:08	Motor Vehicle	Handled By Officer / Deputy
<b>Motor Vehicle Accident-Non Injury Total: 4</b>		
<b>Neglect</b>		
12/22/22 12:44:21	Neglect	Handled By Officer / Deputy
<b>Neglect Total: 1</b>		
<b>Public Works/Utilities</b>		
12/28/22 05:22:55	Public Works/Utilities	Referred to Other Agency
<b>Public Works/Utilities Total: 1</b>		
<b>Reckless Driver</b>		
12/05/22 11:15:20	Reckless Driver	Handled By Officer / Deputy
<b>Reckless Driver Total: 1</b>		
<b>Report Not Needed</b>		
12/10/22 08:51:38	Report Not Needed	No Report Taken
12/10/22 12:43:02	Report Not Needed	Created In Error
<b>Report Not Needed Total: 2</b>		
<b>Stalking</b>		
12/07/22 09:07:41	Stalking	Assignment Completed/Settled By Contact
12/06/22 18:09:44	Stalking; Burglary	Handled By Officer / Deputy



CFS Date/Time	Descriptions	Disposition
<b>Stalking Total: 2</b>		
<b>Suicide Threats</b>		
12/31/22 16:09:06	Suicide Threats;	Patient Treated, Transported by EMS
12/09/22 23:25:02	Suicide Threats	Handled By Officer / Deputy
<b>Suicide Threats Total: 2</b>		
<b>Suspicious</b>		
12/14/22 10:16:44	Suspicious	Handled By Officer / Deputy
12/11/22 16:47:28	Suspicious	Handled By Officer / Deputy
12/17/22 13:34:34	Suspicious	Handled By Officer / Deputy
<b>Suspicious Total: 3</b>		
<b>Suspicious Person</b>		
12/18/22 15:20:20	Suspicious Person	Handled By Officer / Deputy
12/10/22 00:24:51	Suspicious Person	Handled By Officer / Deputy
12/03/22 16:27:56	Suspicious Person	Handled By Officer / Deputy
<b>Suspicious Person Total: 3</b>		
<b>Suspicious Vehicle</b>		
12/29/22 22:51:23	Suspicious Vehicle	Handled By Officer / Deputy
<b>Suspicious Vehicle Total: 1</b>		
<b>Test Page</b>		
12/20/22 17:57:00	Test Page	Information
12/13/22 17:57:00	Test Page	Information

<b>CFS Date/Time</b>	<b>Descriptions</b>	<b>Disposition</b>
12/17/22 17:57:00	Test Page	Information
12/12/22 17:57:00	Test Page	Information
12/18/22 17:57:00	Test Page	Information
12/19/22 17:57:00	Test Page	Information
12/11/22 17:57:00	Test Page	Information
12/16/22 17:57:00	Test Page	Information
12/10/22 17:57:00	Test Page	Information
12/09/22 17:57:00	Test Page	Information
12/23/22 17:57:00	Test Page	Information
12/24/22 17:57:00	Test Page	Information
12/25/22 17:57:00	Test Page	Information
12/06/22 17:57:00	Test Page	Information
12/26/22 17:57:00	Test Page	Information
12/27/22 17:57:00	Test Page	Information
12/05/22 17:57:00	Test Page	Information

<b>CFS Date/Time</b>	<b>Descriptions</b>	<b>Disposition</b>
12/04/22 17:57:00	Test Page	Information
12/03/22 17:57:00	Test Page	Information
12/30/22 17:57:00	Test Page	Information
12/02/22 17:57:00	Test Page	Information
12/31/22 17:57:00	Test Page	Information
<b>Test Page Total: 22</b>		
<b>Threats</b>		
12/07/22 10:15:21	Threats	Handled By Officer / Deputy
<b>Threats Total: 1</b>		
<b>Traffic Offense</b>		
12/18/22 15:42:37	Traffic Offense	Warning issued (verbal or written)
<b>Traffic Offense Total: 1</b>		
<b>Traffic Stop</b>		
12/06/22 00:02:52	Traffic Stop	Warning issued (verbal or written)
12/23/22 06:53:13	Traffic Stop	Warning issued (verbal or written)
12/25/22 20:23:22	Traffic Stop	Handled By Officer / Deputy
12/25/22 23:21:42	Traffic Stop	Warning issued (verbal or written)
12/25/22 23:31:39	Traffic Stop	Warning issued (verbal or written)
12/31/22 16:37:16	Traffic Stop	Warning issued (verbal or written)

CFS Date/Time	Descriptions	Disposition
12/27/22 14:00:14	Traffic Stop	Warning issued (verbal or written)
<b>Traffic Stop Total: 7</b>		
<b>Transport (Prisoner or Other)</b>		
12/16/22 08:43:14	Transport (Prisoner or	Transport Given
<b>Transport (Prisoner or Other) Total: 1</b>		
<b>Vin Inspection</b>		
12/30/22 16:45:31	Vin Inspection	Handled By Officer / Deputy
<b>Vin Inspection Total: 1</b>		
<b>Warrant</b>		
12/12/22 18:10:38	Warrant	Report Taken
<b>Warrant Total: 1</b>		
<b>Welfare Check</b>		
12/30/22 17:39:28	Welfare Check	Handled By Officer / Deputy
12/15/22 08:44:13	Welfare Check	Handled By Officer / Deputy
12/28/22 12:05:00	Welfare Check	Handled By Officer / Deputy
12/24/22 13:18:47	Welfare Check	Handled By Officer / Deputy
12/02/22 10:38:12	Welfare Check	Handled By Officer / Deputy
12/17/22 17:49:13	Welfare Check	Handled By Officer / Deputy
<b>Welfare Check Total: 6</b>		
12/28/22 14:32:29	Created In Error	

**CFS Date/Time**

**Descriptions**

**Disposition**

12/21/22 16:01:47

Created In Error

**Total: 2**

**Total Records: 112**



**E.J. GUZA & ASSOCIATES**  
**A PROFESSIONAL LAW CORPORATION**

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**INVOICE**

Number	5549
Issue Date	1/6/2023
Due Date	2/6/2023
Matter	McCauley Lawsuit
Email	cityclerk@cityofbouldermt.com

**Bill To:**

City of Boulder  
 304 Noth Main Street  
 P.O. Box 68  
 Boulder, MT 59632  
 O: 406-225-3381

**Time Entries**

Time Entries	Billed By	Hours	Sub
12/4/2022 Reviewed and revised reply brief and email to co-counsel.	Ed Guza	0.50	\$112.50
12/8/2022 Researched requirements to record minutes; email to co-counsel; t/c w/co-counsel.	Ed Guza	1.50	\$337.50
		<b>2.00</b>	<b>\$450.00</b>

Total (USD)	\$450.00
Paid	\$0.00
Balance	\$450.00
Total Outstanding	\$450.00

**Trust Account Balance**

Date	Item	Amount	Balance
1/6/2023	Current Balance		\$0.00







# CITY OF BOULDER

304 N Main Street  
 PO Box 68  
 Boulder, MT 59632

Phone: 406-225-3381  
 Fax: 406-225-9498

## Community Improvement Coordinator Program Report

Date Range: December 19, 2022-January 16, 2023

City Ordinance Violations	Total Number
<b>Formal Complaints:</b> Citizen filed during date range	1
<b>Formal Complaints:</b> Mitigated	2
<b>Complaints:</b> Initiated by internal team	3
<b>Ordinance 90.003:</b> Dog & Other Animal	61
<b>Ordinance 93.01:</b> Junk Vehicles and/or trailers	3 removed
<b>Ordinance 110.03:</b> PEDDLER License	0
<b>Ordinance 153.05</b> Zoning Code	0
<b>City Ordinance Violation</b> Courtesy Letters	3 Issued

### FY 2023-2024 Budgetary Forecast Proposal:

\*No updates.

### Goal Updates:

- Mass Notification mailer notifying citizens of City of Boulder of the annual January 1<sup>st</sup>, 2023 dog licensing requirements to become compliant with City Ordinance: 90.003.

\*To date; 61 dogs have been licensed with the City.



- Continue progress with compliance on active Citizen complaints. 11 Total  
\*Two out of eleven have been resolved.
- Review active business licenses and provide non-compliant business education and support to mitigate City ordinance violations.  
\*No updates.
- Review and Modify City of Billings Code Enforcement Courtesy Notice Letter that may be implemented for the City of Boulder.  
\*Completed and an item of discussion.
- Create a S.O.P (Standard Operation Procedure) draft on citizen engagement and the processes addressing violations.  
\* Completed and an item of discussion.

#### **Goals For Next Period:**

- Formal Complaint process to coincide with all City Ordinances by means of amending existing Ordinances.
- Amend the City Enforcement policies within the City's "General" and "Beautification" Ordinances that will reflect current and future operational structure.  
\*Meeting was held with the City Clerk to identify roles and responsibilities. Revisions have commenced through the acts of the Community Improvement Coordinator. This will be an item of discussion to request support from City Attorney.
- Create a user-friendly City Abatement form that shall be completed by the non-compliant property owner's and to be submitted to the City. This will provide a more streamlined process that will allow for notation of progress milestones. In addition, this will be outlined as step within the City Ordinances.

**NOTES/COMMENTS:** Two out three self-initiated Courtesy Notification letters issued during this period for non-compliant property owners have contacted the City of Boulder to discuss mitigation plans for compliance.

CITY OF BOULDER  
Cash/Bank Reconciliation  
For the Accounting Period: 12/22

01/04/23  
14:42:47

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 GENERAL						
101000 Cash - Operating	219,526.13	158,840.18	0.00	24,726.24	0.00	353,640.07
103000 Cash on Hand	100.00	0.00	0.00	0.00	0.00	100.00
<b>Total Fund</b>	<b>219,626.13</b>	<b>158,840.18</b>	<b>0.00</b>	<b>24,726.24</b>	<b>0.00</b>	<b>353,740.07</b>
2190 COMPREHENSIVE LIABILITY						
101000 Cash - Operating	1,654.44	162.92	0.00	0.00	0.00	1,817.36
2220 LIBRARY						
101000 Cash - Operating	2,910.99	1,944.96	0.00	600.66	0.00	4,255.29
2250 SUBDIVISION FEES						
101000 Cash - Operating	7,188.07	225.00	0.00	630.00	0.00	6,783.07
2251 ANNEXATION PLANNING FEES						
101000 Cash - Operating	-1,732.50	0.00	0.00	187.50	0.00	-1,920.00
2260 EMERGENCY DISASTER						
101000 Cash - Operating	1,915.59	0.00	0.00	0.00	0.00	1,915.59
2370 P.E.R.S. - EMPLOYER CONTRIBUTION						
101000 Cash - Operating	197.23	1.56	0.00	0.00	0.00	198.79
2371 HEALTH INSURANCE - EMPLOYER CONTRIBUTION						
101000 Cash - Operating	282.78	4.41	0.00	0.00	0.00	287.19
2386 MT DOC GRANTS						
100000 CASH/INVESTMENTS	29.76	0.00	0.00	0.00	0.00	29.76
101000 Cash - Operating	104,507.18	0.00	0.00	0.00	0.00	104,507.18
<b>Total Fund</b>	<b>104,536.94</b>					<b>104,536.94</b>
2752 Perpetual Care Expendable						
101000 Cash - Operating	56,392.69	817.99	0.00	280.31	0.00	56,930.37
2760 Swimming Pool						
101000 Cash - Operating	21,819.68	11,980.53	0.00	561.40	0.00	33,238.81
2810 POLICE PENSION & TRAINING (3RD CLASS CITIES)						
101000 Cash - Operating	6,780.40	0.00	0.00	0.00	0.00	6,780.40
2820 OLD GAS TAX APPORTIONMENT						
101000 Cash - Operating	98,103.44	2,645.74	0.00	2,016.66	0.00	98,732.52
2821 BARSAA GAS TAX HB 473						
101000 Cash - Operating	41,384.92	49.36	0.00	0.00	0.00	41,434.28
2990 ARPA FUNDS						
101000 Cash - Operating	325,782.65	389.29	0.00	0.00	0.00	326,171.94
4000 C.I.F. / FIRE DEPARTMENT CAPITAL IMPROVEMENT FUND						
101000 Cash - Operating	82,098.70	98.05	0.00	0.00	0.00	82,196.75
101000 Cash - Operating	33,765.79	0.00	0.00	0.00	0.00	33,765.79
101003 CASH - CD						
<b>Total Fund</b>	<b>115,864.49</b>	<b>98.05</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>115,962.54</b>
5210 WATER UTILITY						
101000 Cash - Operating	348,083.39	28,056.41	0.00	18,827.08	855.64	356,457.08
5310 SEWER UTILITY						
101000 Cash - Operating	536,475.46	36,579.93	855.64	34,236.43	0.00	539,674.60
102016 DEBT SERVICE RESERVE						
102017 REPLACEMENT ACCOUNT						
<b>Total Fund</b>	<b>788,215.46</b>	<b>36,579.93</b>	<b>855.64</b>	<b>34,236.43</b>	<b>0.00</b>	<b>791,414.60</b>
5510 AMBULANCE						



CITY OF BOULDER  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 12 / 22

Fund	Account	Received		Estimated Revenue	Revenue		%
		Current Month	Received YTD		To Be Received	Received	
1000 GENERAL							
310000 TAXES							
	311010	Real Property Taxes	98,728.86	122,329.88	207,461.00	85,131.12	59 %
	311020	Personal Property Taxes	10.89	1,539.72	1,500.00	-139.72	109 %
	311030	Motor Vehicle Taxes	5,624.87	39,562.49	75,000.00	35,437.51	53 %
	312000	Penalty & Interest on Delinquent Taxes	2.67	537.55	900.00	362.45	60 %
	314140	Local Option Tax	1,616.25	10,053.22	17,000.00	6,946.78	59 %
		<b>Account Group Total:</b>	<b>105,983.54</b>	<b>174,122.86</b>	<b>301,861.00</b>	<b>127,738.14</b>	<b>58 %</b>
320000 LICENSES AND PERMITS							
	322010	Alcoholic Beverage Licenses and Permits	0.00	0.00	600.00	600.00	0 %
	322020	Business License	105.00	5,322.50	5,900.00	577.50	90 %
	323010	Building & Related Permits	0.00	725.00	1,350.00	625.00	54 %
	323030	Animal Licenses	60.00	90.00	800.00	710.00	11 %
		<b>Account Group Total:</b>	<b>165.00</b>	<b>6,137.50</b>	<b>8,650.00</b>	<b>2,512.50</b>	<b>71 %</b>
330000 INTERGOVERNMENTAL REVENUES							
	335110	Live Card Game Table Permit	150.00	150.00	300.00	150.00	50 %
	335120	Video Gaming Machine Permits	3,600.00	3,700.00	3,500.00	-200.00	106 %
	335230	HOUSE BILL #124 ENTITLEMENT	47,986.04	95,972.08	191,944.00	95,971.92	50 %
		<b>Account Group Total:</b>	<b>51,736.04</b>	<b>99,822.08</b>	<b>195,744.00</b>	<b>95,921.92</b>	<b>51 %</b>
340000 Charges for Services							
	342020	Special Fire Services (Fire Protection)	0.00	3,200.00	3,200.00	0.00	100 %
	343320	Sale of Cemetery Plots	0.00	0.00	1,200.00	1,200.00	0 %
	343340	Cemetery Opening and Closing	0.00	0.00	263.00	263.00	0 %
		<b>Account Group Total:</b>	<b>0.00</b>	<b>3,200.00</b>	<b>4,663.00</b>	<b>1,463.00</b>	<b>69 %</b>
350000 FINES AND FORFEITURES							
	351030	City Courts	475.00	3,355.00	5,000.00	1,645.00	67 %
	351040	CODE ENFORCEMENT FINES/FEES	0.00	0.00	500.00	500.00	0 %
		<b>Account Group Total:</b>	<b>475.00</b>	<b>3,355.00</b>	<b>5,500.00</b>	<b>2,145.00</b>	<b>61 %</b>
360000 MISCELLANEOUS REVENUE							
	362000	Other Miscellaneous Revenue	58.55	972.62	1,655.00	682.38	59 %
	365000	Contributions and Donations	0.00	1,126.00	1,000.00	-126.00	113 %
		<b>Account Group Total:</b>	<b>58.55</b>	<b>2,098.62</b>	<b>2,655.00</b>	<b>556.38</b>	<b>79 %</b>
370000 INVESTMENT EARNINGS							
	371010	Investment Earnings	0.00	357.96	50.00	-307.96	716 %
		<b>Account Group Total:</b>	<b>0.00</b>	<b>357.96</b>	<b>50.00</b>	<b>-307.96</b>	<b>716 %</b>
380000 OTHER FINANCING SOURCES							
	382000	Proceeds of General Fixed Asset Disposition	0.00	0.00	49,075.00	49,075.00	0 %
		<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>49,075.00</b>	<b>49,075.00</b>	<b>0 %</b>
		<b>Fund Total:</b>	<b>158,418.13</b>	<b>289,094.02</b>	<b>568,198.00</b>	<b>279,103.98</b>	<b>51 %</b>

01/04/23  
09:05:51

CITY OF BOULDER  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 12 / 22

Page: 2 of 6  
Report ID: B110C

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	Received	%
<b>2190 COMPREHENSIVE LIABILITY</b>							
<b>310000 TAXES</b>							
	311010 Real Property Taxes	1.62	573.55	0.00	-573.55	**	%
	311020 Personal Property Taxes	0.54	53.87	0.00	-53.87	**	%
	311030 Motor Vehicle Taxes	160.46	1,128.59	0.00	-1,128.59	**	%
	312000 Penalty & Interest on Delinquent Taxes	0.30	61.35	0.00	-61.35	**	%
	<b>Account Group Total:</b>	<b>162.92</b>	<b>1,817.36</b>	<b>0.00</b>	<b>-1,817.36</b>	<b>**</b>	<b>%</b>
	<b>Fund Total:</b>	<b>162.92</b>	<b>1,817.36</b>	<b>0.00</b>	<b>-1,817.36</b>	<b>**</b>	<b>%</b>
<b>2220 LIBRARY</b>							
<b>310000 TAXES</b>							
	311010 Real Property Taxes	1,813.52	2,350.51	3,810.00	1,459.49	62	%
	311020 Personal Property Taxes	0.43	40.13	55.00	14.87	73	%
	311030 Motor Vehicle Taxes	130.88	920.55	1,700.00	779.45	54	%
	312000 Penalty & Interest on Delinquent Taxes	0.13	25.18	40.00	14.82	63	%
	<b>Account Group Total:</b>	<b>1,944.96</b>	<b>3,336.37</b>	<b>5,605.00</b>	<b>2,268.63</b>	<b>60</b>	<b>%</b>
	<b>Fund Total:</b>	<b>1,944.96</b>	<b>3,336.37</b>	<b>5,605.00</b>	<b>2,268.63</b>	<b>60</b>	<b>%</b>
<b>2250 SUBDIVISION FEES</b>							
<b>340000 Charges for Services</b>							
	344036 SUBDIVISION FEES	225.00	9,008.07	10,000.00	991.93	90	%
	<b>Account Group Total:</b>	<b>225.00</b>	<b>9,008.07</b>	<b>10,000.00</b>	<b>991.93</b>	<b>90</b>	<b>%</b>
	<b>Fund Total:</b>	<b>225.00</b>	<b>9,008.07</b>	<b>10,000.00</b>	<b>991.93</b>	<b>90</b>	<b>%</b>
<b>2370 P.E.R.S. - EMPLOYER CONTRIBUTION</b>							
<b>310000 TAXES</b>							
	311010 Real Property Taxes	0.00	74.56	3,963.00	3,888.44	2	%
	311020 Personal Property Taxes	1.03	18.08	185.00	166.92	10	%
	312000 Penalty & Interest on Delinquent Taxes	0.53	106.15	179.00	72.85	59	%
	<b>Account Group Total:</b>	<b>1.56</b>	<b>198.79</b>	<b>4,327.00</b>	<b>4,128.21</b>	<b>5</b>	<b>%</b>
	<b>Fund Total:</b>	<b>1.56</b>	<b>198.79</b>	<b>4,327.00</b>	<b>4,128.21</b>	<b>5</b>	<b>%</b>
<b>2371 HEALTH INSURANCE - EMPLOYER CONTRIBUTION</b>							
<b>310000 TAXES</b>							
	311010 Real Property Taxes	0.00	138.99	4,836.00	4,697.01	3	%
	311020 Personal Property Taxes	3.83	30.61	230.00	199.39	13	%
	312000 Penalty & Interest on Delinquent Taxes	0.58	117.59	198.00	80.41	59	%
	<b>Account Group Total:</b>	<b>4.41</b>	<b>287.19</b>	<b>5,264.00</b>	<b>4,976.81</b>	<b>5</b>	<b>%</b>

01/04/23  
09:05:51

CITY OF BOULDER  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 12 / 22

Page: 3 of 6  
Report ID: B110C

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	Received %
2386	WT DOC GRANTS					
	370000 INVESTMENT EARNINGS					
	371010 Investment Earnings	0.00	4.21	10.00	5.79	42 %
	Account Group Total:	0.00	4.21	10.00	5.79	42 %
	Fund Total:	0.00	4.21	10.00	5.79	42 %
2752	Perpetual Care Expendable					
	340000 Charges for Services					
	343320 Sale of Cemetary Plots	400.00	3,625.00	1,200.00	-2,425.00	302 %
	343340 Cemetary Opening and Closing	350.00	350.00	450.00	100.00	78 %
	Account Group Total:	750.00	3,975.00	1,650.00	-2,325.00	241 %
	Fund Total:	750.00	4,633.27	2,350.00	-2,283.27	197 %
	360000 MISCELLANEOUS REVENUE					
	365000 Contributions and Donations	0.00	500.00	500.00	0.00	100 %
	Account Group Total:	0.00	500.00	500.00	0.00	100 %
	Fund Total:	0.00	500.00	500.00	0.00	100 %
	370000 INVESTMENT EARNINGS					
	371010 Investment Earnings	0.00	158.27	200.00	41.73	79 %
	Account Group Total:	0.00	158.27	200.00	41.73	79 %
	Fund Total:	0.00	158.27	200.00	41.73	79 %
	2760 Swimming Pool					
	310000 TAXES					
	311010 Real Property Taxes	11,570.44	13,498.08	12,763.00	-735.08	106 %
	311020 Personal Property Taxes	0.45	121.25	150.00	28.75	81 %
	311030 Motor Vehicle Taxes	409.28	2,878.66	5,300.00	2,421.34	54 %
	312000 Penalty & Interest on Delinquent Taxes	0.36	71.69	120.00	48.31	60 %
	Account Group Total:	11,980.53	16,569.68	18,333.00	1,763.32	90 %
	Fund Total:	11,980.53	23,294.43	24,583.00	1,288.57	95 %
	340000 Charges for Services					
	346030 Swimming Pool Fees	0.00	6,224.75	6,000.00	-224.75	104 %
	Account Group Total:	0.00	6,224.75	6,000.00	-224.75	104 %
	Fund Total:	0.00	6,224.75	6,000.00	-224.75	104 %
	360000 MISCELLANEOUS REVENUE					
	365000 Contributions and Donations	0.00	500.00	250.00	-250.00	200 %
	Account Group Total:	0.00	500.00	250.00	-250.00	200 %
	Fund Total:	0.00	500.00	250.00	-250.00	200 %

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CITY OF BOULDER  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 12 / 22

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Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	Received	%
2810 POLICE PENSION & TRAINING (3RD CLASS CITIES)							
330000 INTERGOVERNMENTAL REVENUES							
	335050 Insurance Premium Apportionment	0.00	0.00	1,950.00	1,950.00	0.00	0 %
	Account Group Total:	0.00	0.00	1,950.00	1,950.00	0.00	0 %
	Fund Total:	0.00	0.00	1,950.00	1,950.00	0.00	0 %
2820 OLD GAS TAX APPORTIONMENT							
330000 INTERGOVERNMENTAL REVENUES							
	335040 Gasoline Tax Apportionment	2,527.94	15,167.67	30,335.00	15,167.33	50.00	50 %
	Account Group Total:	2,527.94	15,167.67	30,335.00	15,167.33	50.00	50 %
	Fund Total:	2,527.94	15,167.67	30,335.00	15,167.33	50.00	50 %
370000 INVESTMENT EARNINGS							
	371010 Investment Earnings	0.00	142.43	5.00	-137.43	***	*** %
	Account Group Total:	0.00	142.43	5.00	-137.43	***	*** %
	Fund Total:	0.00	142.43	5.00	-137.43	***	*** %
2821 BARSAA GAS TAX HB 473							
370000 INVESTMENT EARNINGS							
	371010 Investment Earnings	0.00	60.20	5.00	-55.20	***	*** %
	Account Group Total:	0.00	60.20	5.00	-55.20	***	*** %
	Fund Total:	0.00	60.20	5.00	-55.20	***	*** %
2990 ARPA FUNDS							
330000 INTERGOVERNMENTAL REVENUES							
	331992 American Recovery Plan Act (ARPA)	0.00	0.00	817,218.00	817,218.00	0.00	0 %
	338000 Local Shared Revenue	0.00	13,456.47	5,956.00	-7,500.47	226	226 %
	Account Group Total:	0.00	13,456.47	823,174.00	809,717.53	2	2 %
370000 INVESTMENT EARNINGS							
	371010 Investment Earnings	0.00	473.84	15.00	-458.84	***	*** %
	Account Group Total:	0.00	473.84	15.00	-458.84	***	*** %
	Fund Total:	0.00	473.84	15.00	-458.84	***	*** %



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CITY OF BOULDER  
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Fund	Account	Received			Revenue To Be Received	Received
		Current Month	Received YTD	Estimated Revenue		
4000 C.I.F. / FIRE DEPARTMENT CAPITAL IMPROVEMENT FUND						
370000	INVESTMENT EARNINGS					
	371010 Investment Earnings	0.00	119.41	10.00	-109.41	*** %
	Account Group Total:	0.00	119.41	10.00	-109.41	*** %
	Fund Total:	0.00	119.41	10.00	-109.41	*** %
5210 WATER UTILITY						
340000	Charges for Services					
	343022 Unmetered Water Sales	25,284.32	150,633.43	303,000.00	152,366.57	50 %
	343023 Bulk Water Sales	0.00	10.00	100.00	90.00	10 %
	343024 Sales of Water Materials & Supplies	0.00	0.00	5,100.00	5,100.00	0 %
	343027 Miscellaneous Water Revenue	0.00	25.00	0.00	-25.00	** %
	Account Group Total:	25,284.32	150,668.43	308,200.00	157,531.57	49 %
370000	INVESTMENT EARNINGS					
	371010 Investment Earnings	0.00	506.94	25.00	-481.94	*** %
	Account Group Total:	0.00	506.94	25.00	-481.94	*** %
380000 OTHER FINANCING SOURCES						
	381070 Proceeds from Notes/Loans/Intercap	0.00	0.00	181,192.00	181,192.00	0 %
	Account Group Total:	0.00	0.00	181,192.00	181,192.00	0 %
	Fund Total:	25,284.32	151,175.37	489,417.00	338,241.63	31 %
5310 SEWER UTILITY						
340000	Charges for Services					
	343031 Sewer Service Charges	34,734.68	207,683.73	415,000.00	207,316.27	50 %
	Account Group Total:	34,734.68	207,683.73	415,000.00	207,316.27	50 %
370000	INVESTMENT EARNINGS					
	371010 Investment Earnings	0.00	801.92	50.00	-751.92	*** %
	Account Group Total:	0.00	801.92	50.00	-751.92	*** %
	Fund Total:	34,734.68	208,485.65	415,050.00	206,564.35	50 %
5510 AMBULANCE						
340000	Charges for Services					
	342050 Emergency Services (Charges)	0.00	6,629.00	25,000.00	18,371.00	27 %
	Account Group Total:	0.00	6,629.00	25,000.00	18,371.00	27 %
360000	MISCELLANEOUS REVENUE					
	365000 Contributions and Donations	300.00	5,900.00	500.00	-5,400.00	*** %
	Account Group Total:	300.00	5,900.00	500.00	-5,400.00	*** %

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CITY OF BOULDER  
Statement of Revenue Budget vs Actuals  
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Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
5510 AMBULANCE						
370000 INVESTMENT EARNINGS						
	371010 Investment Earnings	0.00	57.73	140.00	82.27	41 %
	Account Group Total:	0.00	57.73	140.00	82.27	41 %
	Fund Total:	300.00	12,586.73	25,640.00	13,053.27	49 %
7120 FIRE RELIEF AGENCY FUND						
330000 INTERGOVERNMENTAL REVENUES						
	335050 Insurance Premium Apportionment	0.00	0.00	1,950.00	1,950.00	0 %
	Account Group Total:	0.00	0.00	1,950.00	1,950.00	0 %
	Fund Total:	0.00	0.00	1,950.00	1,950.00	0 %
	Grand Total:	236,334.45	733,341.48	2,407,888.00	1,674,546.52	30 %

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CITY OF BOULDER  
Statement of Expenditure - Budget vs. Actual Report  
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Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
1000 GENERAL							
410000 GENERAL GOVERNMENT							
410100	Legislative Services	945.00	1,890.00	3,780.00	3,780.00	1,890.00	50 %
100	SALARIES, WAGES,	8.06	16.12	40.00	40.00	23.88	40 %
142	Workers' Compensation	58.59	117.18	260.00	260.00	142.82	45 %
143	Social Security	13.70	27.40	60.00	60.00	32.60	46 %
144	Medicare	20.18	40.36	85.00	85.00	44.64	47 %
147	P.E.R.S.	0.00	407.52	900.00	900.00	492.48	45 %
330	Publicity, Subscriptions & Dues	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
370	Travel	0.00	0.00	7,125.00	7,125.00	4,626.42	35 %
	<b>Account Total:</b>	<b>1,045.53</b>	<b>2,498.58</b>	<b>7,125.00</b>	<b>7,125.00</b>	<b>4,626.42</b>	<b>35 %</b>
410200 Executive Services							
100	SALARIES, WAGES,	625.00	1,250.00	2,500.00	2,500.00	1,250.00	50 %
142	Workers' Compensation	5.32	10.64	30.00	30.00	19.36	35 %
143	Social Security	38.75	77.50	170.00	170.00	92.50	46 %
144	Medicare	9.06	18.12	40.00	40.00	21.88	45 %
330	Publicity, Subscriptions & Dues	0.00	0.00	200.00	200.00	200.00	0 %
370	Travel	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	<b>Account Total:</b>	<b>678.13</b>	<b>1,356.26</b>	<b>3,940.00</b>	<b>3,940.00</b>	<b>2,583.74</b>	<b>34 %</b>
410360 City/Municipal Court							
100	SALARIES, WAGES,	432.52	2,711.38	7,000.00	7,000.00	4,288.62	39 %
120	Overtime	0.00	87.53	380.00	380.00	292.47	23 %
141	Unemployment Insurance	2.37	15.38	40.00	40.00	24.62	38 %
142	Workers' Compensation	1.51	9.73	25.00	25.00	15.27	39 %
143	Social Security	26.55	172.01	450.00	450.00	277.99	38 %
144	Medicare	6.21	40.25	105.00	105.00	64.75	38 %
147	P.E.R.S.	38.83	251.12	665.00	665.00	413.88	38 %
148	Health Insurance	66.19	396.92	793.00	793.00	396.08	50 %
151	Supp Life	0.58	3.39	7.00	7.00	3.61	48 %
220	Operating Supplies	0.00	67.15	500.00	500.00	432.85	13 %
311	Postage	0.00	67.52	400.00	400.00	332.48	17 %
330	Publicity, Subscriptions & Dues	0.00	300.00	750.00	750.00	450.00	40 %
350	Professional Services	4,500.00	9,412.50	27,000.00	27,000.00	17,587.50	35 %
370	Travel	487.36	487.36	500.00	500.00	12.64	97 %
394	Jury and Witness Fees	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	<b>Account Total:</b>	<b>5,595.88</b>	<b>14,022.24</b>	<b>39,615.00</b>	<b>39,615.00</b>	<b>25,592.76</b>	<b>35 %</b>
410370 Victim Advocacy Surcharge							
350	Professional Services	55.00	533.00	1,200.00	1,200.00	667.00	44 %
	<b>Account Total:</b>	<b>55.00</b>	<b>533.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>667.00</b>	<b>44 %</b>
410400 Administrative Services							
100	SALARIES, WAGES,	128.65	950.17	2,150.00	2,150.00	1,199.83	44 %
120	Overtime	0.00	0.00	20.00	20.00	20.00	0 %
141	Unemployment Insurance	0.70	5.24	12.00	12.00	6.76	44 %
142	Workers' Compensation	0.45	3.38	10.00	10.00	6.62	34 %
143	Social Security	7.86	58.12	135.00	135.00	76.88	43 %
144	Medicare	1.84	13.59	35.00	35.00	21.41	39 %
147	P.E.R.S.	11.54	73.49	195.00	195.00	121.51	38 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
<b>1000 GENERAL</b>							
410500	Financial Services	1,121.58	7,058.64	18,020.00	18,020.00	10,961.36	39 %
100	SALARIES, WAGES,	0.00	174.31	790.00	790.00	615.69	22 %
120	Overtime	6.16	39.79	105.00	105.00	65.21	38 %
141	Unemployment Insurance	3.99	25.60	60.00	60.00	34.40	43 %
142	Workers' Compensation	68.79	443.89	1,160.00	1,160.00	716.11	38 %
143	Social Security	16.10	103.81	270.00	270.00	166.19	38 %
144	Medicare	100.61	648.78	1,690.00	1,690.00	1,041.22	38 %
147	P.E.R.S.	198.29	1,189.91	2,380.00	2,380.00	1,190.09	50 %
148	Health Insurance	1.68	10.07	20.00	20.00	9.93	50 %
151	Supp Life	0.00	0.00	600.00	600.00	600.00	0 %
220	Operating Supplies	33.75	67.50	300.00	300.00	232.50	23 %
311	Postage	0.00	50.00	500.00	500.00	450.00	10 %
330	Publicity, Subscriptions & Dues	450.26	1,396.52	3,500.00	3,500.00	2,103.48	40 %
340	Utility Services	253.95	2,726.16	5,000.00	5,000.00	2,273.84	55 %
351	Professional Services	41.15	246.90	494.00	494.00	247.10	50 %
351	Medical, Dental, Veterinary Services	0.00	23.38	200.00	200.00	176.62	12 %
370	Travel	0.00	23.38	200.00	200.00	176.62	12 %
	<b>Account Total:</b>	<b>2,296.31</b>	<b>14,205.26</b>	<b>35,089.00</b>	<b>35,089.00</b>	<b>20,883.74</b>	<b>40 %</b>
410530	Auditing	0.00	0.00	250.00	250.00	250.00	0 %
331	Publication of Formal & Legal Notices	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
350	Professional Services	0.00	0.00	5,250.00	5,250.00	5,250.00	0 %
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>5,250.00</b>	<b>5,250.00</b>	<b>5,250.00</b>	<b>0 %</b>
410600	Elections	0.00	0.00	400.00	400.00	400.00	0 %
331	Publication of Formal & Legal Notices	0.00	0.00	300.00	300.00	300.00	0 %
359	Elections	0.00	0.00	700.00	700.00	700.00	0 %
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>700.00</b>	<b>700.00</b>	<b>700.00</b>	<b>0 %</b>
411100	Legal Services--Civil & Criminal	2,022.50	9,621.67	36,000.00	36,000.00	26,378.33	27 %
350	Professional Services	2,022.50	9,621.67	36,000.00	36,000.00	26,378.33	27 %
	<b>Account Total:</b>	<b>2,022.50</b>	<b>9,621.67</b>	<b>36,000.00</b>	<b>36,000.00</b>	<b>26,378.33</b>	<b>27 %</b>
411101	Legal Services--Criminal	0.00	663.75	0.00	0.00	-663.75	*** %
350	Professional Services	0.00	663.75	0.00	0.00	-663.75	*** %
	<b>Account Total:</b>	<b>0.00</b>	<b>663.75</b>	<b>0.00</b>	<b>0.00</b>	<b>-663.75</b>	<b>*** %</b>

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
1000 GENERAL							
411200	Facilities Administration	25.00	418.31	2,000.00	2,000.00	1,581.69	21 %
220	Operating Supplies	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
230	Repair and Maintenance Supplies	82.00	492.00	1,200.00	1,200.00	708.00	41 %
340	Utility Services	340.33	1,266.65	3,000.00	3,000.00	1,733.35	42 %
350	Professional Services	0.00	307.69	500.00	500.00	192.31	62 %
590	Other Fixed Charges	0.00	2,484.65	9,700.00	9,700.00	7,215.35	26 %
	Account Total:	447.33	2,484.65	9,700.00	9,700.00	7,215.35	26 %
	Account Group Total:	12,779.42	48,962.48	151,281.00	151,281.00	102,318.52	32 %
420000 PUBLIC SAFETY							
420100	Law Enforcement Services	0.00	190,000.00	190,000.00	190,000.00	0.00	100 %
350	Professional Services	0.00	190,000.00	190,000.00	190,000.00	0.00	100 %
	Account Total:	0.00	190,000.00	190,000.00	190,000.00	0.00	100 %
420180 CODE ENFORCEMENT OFFICER							
100	SALARIES, WAGES,	1,962.50	5,083.00	28,593.00	28,593.00	23,510.00	18 %
141	Unemployment Insurance	10.79	27.96	157.00	157.00	129.04	18 %
142	Workers' Compensation	81.07	209.99	1,183.00	1,183.00	973.01	18 %
143	Social Security	121.68	315.15	1,773.00	1,773.00	1,457.85	18 %
144	Medicare	28.46	73.71	415.00	415.00	341.29	18 %
147	P.E.R.S.	176.04	455.95	2,565.00	2,565.00	2,109.05	18 %
212	Small Items of Equipment	495.00	1,830.00	1,500.00	1,500.00	207.17	59 %
220	Operating Supplies	0.00	292.83	1,500.00	1,500.00	1,500.00	0 %
231	Gas, Oil, Diesel Fuel, Grease, etc.	0.00	32.30	0.00	0.00	-32.30	*** %
330	Publicity, Subscriptions & Dues	0.00	150.00	0.00	0.00	-150.00	*** %
331	Publication of Formal & Legal Notices	0.00	172.14	500.00	500.00	327.86	34 %
340	Utility Services	51.91	172.14	0.00	0.00	-20.00	*** %
350	Professional Services	0.00	20.00	0.00	0.00	-20.00	*** %
	Account Total:	2,975.01	8,663.03	38,686.00	38,686.00	30,022.97	22 %
420400 Fire Protection & Control							
100	SALARIES, WAGES,	200.00	1,100.00	2,400.00	2,400.00	1,300.00	46 %
141	Unemployment Insurance	1.10	6.05	13.00	13.00	6.95	47 %
142	Workers' Compensation	180.47	378.98	725.00	725.00	346.02	52 %
143	Social Security	12.40	68.20	149.00	149.00	80.80	46 %
144	Medicare	2.90	15.95	35.00	35.00	19.05	46 %
147	P.E.R.S.	17.94	98.67	220.00	220.00	121.33	45 %
220	Operating Supplies	259.00	519.00	9,200.00	9,200.00	8,681.00	6 %
230	Repair and Maintenance Supplies	0.00	535.00	2,000.00	2,000.00	1,465.00	27 %
231	Gas, Oil, Diesel Fuel, Grease, etc.	0.00	252.98	1,000.00	1,000.00	747.02	25 %
335	Membership & Registration Fees	0.00	0.00	500.00	500.00	500.00	0 %
340	Utility Services	434.43	1,674.11	3,700.00	3,700.00	2,025.89	45 %
350	Professional Services	19.50	942.86	3,000.00	3,000.00	2,057.14	31 %
590	Other Fixed Charges	0.00	404.88	500.00	500.00	95.12	81 %
940	Machinery & Equipment	0.00	944.24	8,000.00	8,000.00	7,055.76	12 %
	Account Total:	1,127.74	6,940.92	31,442.00	31,442.00	24,501.08	22 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
1000 GENERAL							
426180	Interlocal Dispatch Agreement/Jeffco	0.00	0.00	8,000.00	8,000.00	8,000.00	0 %
390	Other Purchased Services	0.00	0.00	8,000.00	8,000.00	8,000.00	0 %
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>8,000.00</b>	<b>8,000.00</b>	<b>8,000.00</b>	<b>0 %</b>
430000 Public Works							
430200	Road & Street Services	1,134.68	6,979.61	18,630.00	18,630.00	11,650.39	37 %
100	SALARIES, WAGES,	0.00	34.66	290.00	290.00	255.34	12 %
120	Overtime	0.00	38.65	105.00	105.00	66.35	37 %
141	Unemployment Insurance	6.24	118.02	325.00	325.00	206.98	36 %
142	Workers' Compensation	18.79	414.95	1,125.00	1,125.00	710.05	37 %
143	Social Security	67.03	97.03	265.00	265.00	167.97	37 %
144	Medicare	15.71	629.16	1,700.00	1,700.00	1,070.84	37 %
147	P.E.R.S.	101.77	396.55	1,586.00	1,586.00	1,189.45	25 %
148	Health Insurance	66.10	9.24	21.00	21.00	11.76	44 %
151	Supp Life	1.56	1,066.19	8,500.00	8,500.00	7,433.81	13 %
220	Operating Supplies	36.54	195.25	21,000.00	21,000.00	20,804.75	1 %
230	Repair and Maintenance Supplies	195.25	3,440.66	8,000.00	8,000.00	4,559.34	43 %
231	Gas, Oil, Diesel Fuel, Grease, etc.	579.80	267.73	1,300.00	1,300.00	1,032.27	21 %
340	Utility Services	93.43	1,980.00	12,000.00	12,000.00	10,020.00	17 %
350	Professional Services	1,800.00	0.00	5,000.00	5,000.00	5,000.00	0 %
450	Raw Materials	0.00	332.50	0.00	0.00	-332.50	*** %
533	Rental-Machinery and Equip	0.00	16,000.20	79,847.00	79,847.00	63,846.80	20 %
	<b>Account Total:</b>	<b>4,116.90</b>	<b>16,000.20</b>	<b>79,847.00</b>	<b>79,847.00</b>	<b>63,846.80</b>	<b>20 %</b>
430263 Street Lighting							
230	Repair and Maintenance Supplies	0.00	0.00	500.00	500.00	500.00	0 %
340	Utility Services	1,646.14	8,067.52	17,500.00	17,500.00	9,432.48	46 %
	<b>Account Total:</b>	<b>1,646.14</b>	<b>8,067.52</b>	<b>18,000.00</b>	<b>18,000.00</b>	<b>9,932.48</b>	<b>45 %</b>
430300 Airport							
513	Liability	0.00	1,896.00	1,896.00	1,896.00	0.00	100 %
	<b>Account Total:</b>	<b>0.00</b>	<b>1,896.00</b>	<b>1,896.00</b>	<b>1,896.00</b>	<b>0.00</b>	<b>100 %</b>
440000 PUBLIC HEALTH							
440600	Animal Control Services	5,763.04	25,963.72	99,743.00	99,743.00	73,779.28	26 %
220	Operating Supplies	130.25	130.25	100.00	100.00	-30.25	130 %
	<b>Account Total:</b>	<b>130.25</b>	<b>130.25</b>	<b>100.00</b>	<b>100.00</b>	<b>-30.25</b>	<b>130 %</b>
450000 Social and Economic Services							
450610	Day Care Centers	219.81	326.52	4,500.00	4,500.00	4,173.48	7 %
340	Utility Services	0.00	630.00	0.00	0.00	-630.00	*** %
350	Professional Services	0.00	0.00	300.00	300.00	300.00	0 %
590	Other Fixed Charges	219.81	956.52	4,800.00	4,800.00	3,843.48	20 %
	<b>Account Total:</b>	<b>219.81</b>	<b>956.52</b>	<b>4,800.00</b>	<b>4,800.00</b>	<b>3,843.48</b>	<b>20 %</b>
	<b>Account Group Total:</b>	<b>219.81</b>	<b>956.52</b>	<b>4,800.00</b>	<b>4,800.00</b>	<b>3,843.48</b>	<b>20 %</b>

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
1000 GENERAL							
460000 CULTURE AND RECREATION							
460430 Parks							
	100 SALARIES, WAGES,	612.50	3,889.67	18,630.00	18,630.00	14,740.33	21 %
	120 Overtime	0.00	0.00	290.00	290.00	290.00	0 %
	141 Unemployment Insurance	3.37	21.39	105.00	105.00	83.61	20 %
	142 Workers' Compensation	10.18	65.17	320.00	320.00	254.83	20 %
	143 Social Security	37.97	241.17	1,125.00	1,125.00	883.83	21 %
	144 Medicare	8.88	56.38	265.00	265.00	208.62	21 %
	147 P.R.R.S.	54.94	348.88	1,700.00	1,700.00	1,351.12	21 %
	148 Health Insurance	0.00	0.00	1,586.00	1,586.00	1,586.00	0 %
	151 Supp Life	0.98	5.88	21.00	21.00	15.12	28 %
	220 Operating Supplies	236.21	1,454.33	3,000.00	3,000.00	1,545.67	48 %
	230 Repair and Maintenance Supplies	0.00	62.42	8,000.00	8,000.00	7,937.58	1 %
	231 Gas, Oil, Diesel Fuel, Grease, etc.	149.09	884.74	3,000.00	3,000.00	2,115.26	29 %
	240 Tools	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
	340 Utility Services	471.85	3,007.76	8,000.00	8,000.00	4,992.24	38 %
	350 Professional Services	145.00	2,097.35	5,000.00	5,000.00	2,902.65	42 %
	450 Raw Materials	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	533 Rental-Machinery and Equip	0.00	85.50	2,000.00	2,000.00	1,914.50	4 %
	590 Other Fixed Charges	0.00	307.69	500.00	500.00	192.31	62 %
	930 Improvements Other than Buildings	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
	Account Total:	1,730.97	12,528.33	66,542.00	66,542.00	54,013.67	19 %
490000 DEBT SERVICE							
490540 INTERCAP (POLICE VEH/ROOF)							
	610 Principal	0.00	3,844.76	7,741.00	7,741.00	3,896.24	50 %
	620 Interest	0.00	119.31	212.00	212.00	92.69	56 %
	Account Total:	0.00	3,964.07	7,953.00	7,953.00	3,988.93	50 %
510000 MISCELLANEOUS							
510330 Comprehensive Liability Insurance							
	510 Insurance	0.00	6,756.85	6,421.00	6,421.00	-335.85	105 %
	513 Liability	0.00	2,647.60	5,250.00	5,250.00	2,602.40	50 %
	Account Total:	0.00	9,404.45	11,671.00	11,671.00	2,266.55	81 %
	Account Group Total:	0.00	9,404.45	11,671.00	11,671.00	2,266.55	81 %
	Fund Total:	24,726.24	307,513.77	610,218.00	610,218.00	302,704.23	50 %
2220 LIBRARY							
460000 CULTURE AND RECREATION							
460100 Library Services							
	340 Utility Services	600.66	2,659.73	6,000.00	6,000.00	3,340.27	44 %
	590 Other Fixed Charges	0.00	232.69	325.00	325.00	92.31	72 %
	Account Total:	600.66	2,892.42	6,325.00	6,325.00	3,432.58	46 %
	Account Group Total:	600.66	2,892.42	6,325.00	6,325.00	3,432.58	46 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
2250	SUBDIVISION FEES	600.66	2,892.42	6,325.00	6,325.00	3,432.58	46 %
410000	GENERAL GOVERNMENT						
411050	SUBDIVISION FEES						
331	Publication of Formal & Legal Notices	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
350	Professional Services	630.00	2,225.00	15,000.00	15,000.00	12,775.00	15 %
	Account Total:	630.00	2,225.00	16,000.00	16,000.00	13,775.00	14 %
	Account Group Total:	630.00	2,225.00	16,000.00	16,000.00	13,775.00	14 %
	Fund Total:	630.00	2,225.00	16,000.00	16,000.00	13,775.00	14 %
2251	ANNEXATION PLANNING FEES						
410000	GENERAL GOVERNMENT						
411000	Planning & Research Services	0.00	15.00	0.00	0.00	-15.00	*** %
330	Publicity, Subscriptions & Dues	187.50	1,905.00	10,000.00	10,000.00	8,095.00	19 %
350	Professional Services	187.50	1,920.00	10,000.00	10,000.00	8,080.00	19 %
	Account Total:	187.50	1,920.00	10,000.00	10,000.00	8,080.00	19 %
	Account Group Total:	187.50	1,920.00	10,000.00	10,000.00	8,080.00	19 %
	Fund Total:	187.50	1,920.00	10,000.00	10,000.00	8,080.00	19 %
2386	MT DOC GRANTS						
470000	Housing and Community Development						
470330	SW Montana Grant						
850	RUF Bank Charges	0.00	0.00	5.00	5.00	5.00	0 %
	Account Total:	0.00	0.00	5.00	5.00	5.00	0 %
	Account Group Total:	0.00	0.00	5.00	5.00	5.00	0 %
	Fund Total:	0.00	0.00	5.00	5.00	5.00	0 %
2752	Perpetual Care Expendable						
430000	Public Works						
430900	Cemetery Services						
100	SALARIES, WAGES,	175.00	1,112.44	15,865.00	15,865.00	14,752.56	7 %
120	Overtime	0.00	0.00	295.00	295.00	295.00	0 %
141	Unemployment Insurance	6.08	6.08	90.00	90.00	83.92	7 %
142	Workers' Compensation	2.91	18.60	240.00	240.00	221.40	8 %
143	Social Security	10.85	68.98	955.00	955.00	886.02	7 %
144	Medicare	2.54	16.16	225.00	225.00	208.84	7 %
147	P.E.R.S.	15.71	99.83	1,450.00	1,450.00	1,350.17	7 %
148	Health Insurance	0.00	0.00	1,590.00	1,590.00	1,590.00	0 %
151	Supp Life	0.28	1.66	21.00	21.00	19.34	8 %
220	Operating Supplies	36.54	202.45	8,000.00	8,000.00	7,797.55	3 %
230	Repair and Maintenance Supplies	0.00	0.00	1,500.00	1,500.00	1,500.00	0 %



Fund Account	Object	Committed	Committed	Original	Current	Available	Committed %
		Current Month	YTD	Appropriation	Appropriation	Appropriation	
2752 Perpetual Care Expendable							
231	Gas, Oil, Diesel Fuel, Grease, etc.	16.57	98.31	1,450.00	1,450.00	1,351.69	7 %
330	Publicity, Subscriptions & Dues	0.00	60.00	0.00	0.00	-60.00	*** %
331	Publication of Formal & Legal Notices	0.00	0.00	75.00	75.00	75.00	0 %
340	Utility Services	18.95	99.74	400.00	400.00	300.26	25 %
350	Professional Services	0.00	737.09	5,000.00	5,000.00	4,262.91	15 %
533	Rental-Machinery and Equip	0.00	879.50	4,000.00	4,000.00	3,120.50	22 %
590	Other Fixed Charges	0.00	7.50	50.00	50.00	42.50	15 %
805	Refund of Overpayments	0.00	650.00	0.00	0.00	-650.00	*** %
950	Construction on Capital Project	0.00	0.00	12,000.00	12,000.00	12,000.00	0 %
	<b>Account Total:</b>	<b>280.31</b>	<b>4,058.34</b>	<b>53,206.00</b>	<b>53,206.00</b>	<b>49,147.66</b>	<b>8 %</b>
	<b>Account Group Total:</b>	<b>280.31</b>	<b>4,058.34</b>	<b>53,206.00</b>	<b>53,206.00</b>	<b>49,147.66</b>	<b>8 %</b>
	<b>Fund Total:</b>	<b>280.31</b>	<b>4,058.34</b>	<b>53,206.00</b>	<b>53,206.00</b>	<b>49,147.66</b>	<b>8 %</b>
2760 Swimming Pool							
460000 CULTURE AND RECREATION							
460445 Swimming Pool							
100	SALARIES, WAGES,	208.98	10,217.76	25,975.00	25,975.00	15,757.24	39 %
120	Overtime	0.00	27.11	85.00	85.00	57.89	32 %
141	Unemployment Insurance	1.16	56.38	142.00	142.00	85.62	40 %
142	Workers' Compensation	3.54	174.94	445.00	445.00	270.06	39 %
143	Social Security	12.82	634.27	1,615.00	1,615.00	980.73	39 %
144	Medicare	3.02	148.37	380.00	380.00	231.63	39 %
147	P.E.R.S.	18.76	236.60	860.00	860.00	623.40	28 %
148	Health Insurance	39.68	238.06	397.00	397.00	158.94	60 %
151	Supp Life	0.32	2.02	6.00	6.00	3.98	34 %
213	Pool Toys	0.00	0.00	500.00	500.00	500.00	0 %
220	Operating Supplies	0.00	604.86	450.00	450.00	-154.86	134 %
222	Chemicals	0.00	29.99	1,500.00	1,500.00	1,470.01	2 %
226	Clothing and Uniforms	0.00	0.00	300.00	300.00	300.00	0 %
230	Repair and Maintenance Supplies	0.00	0.00	500.00	500.00	500.00	0 %
330	Publicity, Subscriptions & Dues	0.00	13.20	0.00	0.00	-13.20	*** %
331	Publication of Formal & Legal Notices	0.00	0.00	50.00	50.00	50.00	0 %
335	Membership & Registration Fees	0.00	0.00	400.00	400.00	200.00	50 %
340	Utility Services	200.00	200.00	3,000.00	3,000.00	-975.45	133 %
345	Telephone & Telegraph	65.25	3,975.45	260.00	260.00	260.00	0 %
350	Professional Services	0.00	0.00	500.00	500.00	-3,591.35	818 %
370	Travel	0.00	0.00	400.00	400.00	400.00	0 %
380	Training Services	0.00	0.00	500.00	500.00	500.00	0 %
510	Insurance	0.00	530.56	531.00	531.00	0.44	100 %
513	Liability	0.00	264.76	400.00	400.00	135.24	66 %
940	Machinery & Equipment	0.00	0.00	13,000.00	13,000.00	13,000.00	0 %
	<b>Account Total:</b>	<b>561.40</b>	<b>21,445.68</b>	<b>52,196.00</b>	<b>52,196.00</b>	<b>30,750.32</b>	<b>41 %</b>
	<b>Account Group Total:</b>	<b>561.40</b>	<b>21,445.68</b>	<b>52,196.00</b>	<b>52,196.00</b>	<b>30,750.32</b>	<b>41 %</b>
	<b>Fund Total:</b>	<b>561.40</b>	<b>21,445.68</b>	<b>52,196.00</b>	<b>52,196.00</b>	<b>30,750.32</b>	<b>41 %</b>

Fund Account Object	Committed	Committed	Original	Current	Available	%
	Current Month	YTD	Appropriation	Appropriation	Appropriation	

2820 OLD GAS TAX APPORTIONMENT

430000 Public Works						
430200 Road & Street Services						
369 Road and Street Maintenance	0.00	0.00	22,752.00	22,752.00	22,752.00	0 %
533 Rental-Machinery and Equip	2,016.66	4,033.32	5,000.00	5,000.00	966.68	81 %
940 Machinery & Equipment	0.00	0.00	2,583.00	2,583.00	0.00	0 %
Account Total:	2,016.66	4,033.32	30,335.00	30,335.00	26,301.68	13 %
Account Group Total:	2,016.66	4,033.32	30,335.00	30,335.00	26,301.68	13 %
Fund Total:	2,016.66	4,033.32	30,335.00	30,335.00	26,301.68	13 %

2990 ARPA FUNDS

410000 GENERAL GOVERNMENT						
410510 Administration						
350 Professional Services	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
Account Total:	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %

420000 PUBLIC SAFETY						
420400 Fire Protection & Control						
940 Machinery & Equipment	0.00	0.00	7,500.00	7,500.00	7,500.00	0 %
Account Total:	0.00	0.00	7,500.00	7,500.00	7,500.00	0 %
Account Group Total:	0.00	0.00	7,500.00	7,500.00	7,500.00	0 %

430000 Public Works						
430520 Water Facilities						
350 Professional Services	0.00	0.00	933,208.00	933,208.00	933,208.00	0 %
Account Total:	0.00	0.00	933,208.00	933,208.00	933,208.00	0 %
Account Group Total:	0.00	0.00	933,208.00	933,208.00	933,208.00	0 %

450000 Social and Economic Services						
450610 Day Care Centers						
940 Machinery & Equipment	0.00	3,995.49	15,956.00	15,956.00	11,960.51	25 %
Account Total:	0.00	3,995.49	15,956.00	15,956.00	11,960.51	25 %
Account Group Total:	0.00	3,995.49	15,956.00	15,956.00	11,960.51	25 %

460000 CULTURE AND RECREATION						
460440 Participant Recreation						
930 Improvements Other than Buildings	0.00	0.00	5,000.00	10,000.00	10,000.00	0 %
Account Total:	0.00	0.00	5,000.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	5,000.00	10,000.00	10,000.00	0 %

470000 Housing and Community Development						
470120 Facilities						
940 Machinery & Equipment	0.00	0.00	50,000.00	50,000.00	50,000.00	0 %
Account Total:	0.00	0.00	50,000.00	50,000.00	50,000.00	0 %
Account Group Total:	0.00	0.00	50,000.00	50,000.00	50,000.00	0 %

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CITY OF BOULDER  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 12 / 22

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Fund Account	Object	Fund Total:	Committed	Committed	Original	Current	Available	%
			Current Month	YTD	Appropriation	Appropriation	Appropriation	

5210 WATER UTILITY

430000	Public Works							
430520	Water Facilities							
	100 SALARIES, WAGES,	5,036.86	30,735.88	62,375.00	62,375.00	31,639.12	49 %	
	120 Overtime	0.00	368.37	975.00	975.00	606.63	38 %	
	141 Unemployment Insurance	27.70	171.04	350.00	350.00	178.96	49 %	
	142 Workers' Compensation	84.10	526.73	1,075.00	1,075.00	548.27	49 %	
	143 Social Security	296.19	1,831.90	3,765.00	3,765.00	1,933.10	49 %	
	144 Medicare	69.24	428.42	880.00	880.00	451.58	49 %	
	147 P.E.R.S.	451.80	2,790.02	5,685.00	5,685.00	2,894.98	49 %	
	148 Health Insurance	608.13	3,648.80	5,552.00	5,552.00	1,903.20	66 %	
	151 Supp Life	6.83	41.00	72.00	72.00	31.00	57 %	
	220 Operating Supplies	2,429.49	15,165.14	45,000.00	45,000.00	29,834.86	34 %	
	230 Repair and Maintenance Supplies	311.43	1,054.50	4,500.00	4,500.00	3,445.50	23 %	
	231 Gas, Oil, Diesel Fuel, Grease, etc.	414.15	2,457.62	8,700.00	8,700.00	6,242.38	28 %	
	240 Tools	0.00	0.00	2,500.00	2,500.00	2,500.00	0 %	
	311 Postage	150.00	351.44	0.00	0.00	-351.44	*** %	
	330 Publicity, Subscriptions & Dues	0.00	122.00	2,000.00	2,000.00	1,878.00	6 %	
	340 Utility Services	2,285.69	19,339.88	38,000.00	38,000.00	18,660.12	51 %	
	350 Professional Services	2,332.06	22,385.15	125,000.00	125,000.00	102,614.85	18 %	
	370 Travel	0.00	0.00	1,500.00	1,500.00	1,500.00	0 %	
	510 Insurance	0.00	3,338.59	3,340.00	3,340.00	1.41	100 %	
	513 Liability	0.00	4,633.30	6,000.00	6,000.00	1,366.70	77 %	
	533 Rental-Machinery and Equip	0.00	237.50	4,000.00	4,000.00	3,762.50	6 %	
	545 State Water Users Fee	0.00	1,112.00	1,300.00	1,300.00	188.00	86 %	
	590 Other Fixed Charges	0.00	45.00	150.00	150.00	105.00	30 %	
	940 Machinery & Equipment	0.00	3,500.00	50,000.00	50,000.00	46,500.00	7 %	
	<b>Account Total:</b>	<b>14,503.67</b>	<b>114,284.28</b>	<b>372,719.00</b>	<b>372,719.00</b>	<b>258,434.72</b>	<b>31 %</b>	

430570 Water Customer Accounting & Collection

	100 SALARIES, WAGES,	2,433.35	15,363.72	37,690.00	37,690.00	22,326.28	41 %
	120 Overtime	0.00	283.05	1,300.00	1,300.00	1,016.95	22 %
	141 Unemployment Insurance	13.39	86.05	215.00	215.00	128.95	40 %
	142 Workers' Compensation	8.67	55.47	125.00	125.00	69.53	44 %
	143 Social Security	149.01	958.99	2,395.00	2,395.00	1,436.01	40 %
	144 Medicare	34.84	224.27	560.00	560.00	335.73	40 %
	147 P.E.R.S.	218.26	1,403.51	3,500.00	3,500.00	2,096.49	40 %
	148 Health Insurance	479.22	2,875.36	5,751.00	5,751.00	2,875.64	50 %
	149 Supp Life	4.06	24.38	49.00	49.00	24.62	50 %
	220 Operating Supplies	4.33	543.44	750.00	750.00	206.56	72 %
	311 Postage	228.02	956.29	1,800.00	1,800.00	843.71	53 %
	330 Publicity, Subscriptions & Dues	34.67	367.61	500.00	500.00	132.39	74 %
	350 Professional Services	715.59	8,666.10	30,000.00	30,000.00	21,333.90	29 %
	370 Travel	0.00	23.38	500.00	500.00	476.62	5 %
	805 Refund of Overpayments	0.00	0.00	300.00	300.00	300.00	0 %
	<b>Account Total:</b>	<b>4,323.41</b>	<b>31,831.62</b>	<b>85,435.00</b>	<b>85,435.00</b>	<b>53,603.38</b>	<b>37 %</b>
	<b>Account Group Total:</b>	<b>18,827.08</b>	<b>146,115.90</b>	<b>458,154.00</b>	<b>458,154.00</b>	<b>312,038.10</b>	<b>32 %</b>

Fund Account Object	Committed		Committed		Original	Current		Available	%
	Current Month	YTD	YTD	YTD		Appropriation	Appropriation		
5210 WATER UTILITY									
490000 DEBT SERVICE									
490500 Other Debt Service Payments									
610 Principal	0.00	0.00	181,912.00	181,912.00	181,912.00	181,912.00	181,912.00	0 %	
Account Total:	0.00	0.00	181,912.00	181,912.00	181,912.00	181,912.00	181,912.00	0 %	
Account Group Total:	0.00	0.00	181,912.00	181,912.00	181,912.00	181,912.00	181,912.00	0 %	
Fund Total:	18,827.08	146,115.90	640,066.00	640,066.00	640,066.00	640,066.00	493,950.10	23 %	
5310 SEWER UTILITY									
430000 Public Works									
430620 Sewer Facilities									
100 SALARIES, WAGES,	5,036.45	30,734.02	62,375.00	62,375.00	62,375.00	62,375.00	31,640.98	49 %	
120 Overtime	0.00	368.06	975.00	975.00	975.00	975.00	608.94	38 %	
141 Unemployment Insurance	27.70	171.04	350.00	350.00	350.00	350.00	178.96	49 %	
142 Workers' Compensation	84.09	526.70	1,075.00	1,075.00	1,075.00	1,075.00	548.30	49 %	
143 Social Security	296.17	1,831.76	3,765.00	3,765.00	3,765.00	3,765.00	1,933.24	49 %	
144 Medicare	69.23	428.39	880.00	880.00	880.00	880.00	451.61	49 %	
147 P.E.R.S.	451.76	2,789.83	5,685.00	5,685.00	5,685.00	5,685.00	2,895.17	49 %	
148 Health Insurance	608.09	3,648.59	5,552.00	5,552.00	5,552.00	5,552.00	1,903.41	66 %	
151 Supp Life	6.83	41.00	72.00	72.00	72.00	72.00	31.00	57 %	
220 Operating Supplies	731.52	1,658.14	25,000.00	25,000.00	25,000.00	25,000.00	23,341.86	7 %	
230 Repair and Maintenance Supplies	311.43	934.54	21,000.00	21,000.00	21,000.00	21,000.00	20,065.46	4 %	
231 Gas, Oil, Diesel Fuel, Grease, etc.	496.97	2,949.11	8,700.00	8,700.00	8,700.00	8,700.00	5,750.89	34 %	
240 Tools	0.00	328.84	5,000.00	5,000.00	5,000.00	5,000.00	4,671.16	7 %	
330 Publicity, Subscriptions & Dues	0.00	0.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	0 %	
340 Utility Services	3,525.82	16,829.33	37,000.00	37,000.00	37,000.00	37,000.00	20,170.67	45 %	
350 Professional Services	4,664.96	17,755.04	41,000.00	41,000.00	41,000.00	41,000.00	23,244.96	43 %	
370 Travel	0.00	0.00	1,400.00	1,400.00	1,400.00	1,400.00	1,400.00	0 %	
450 Raw Materials	0.00	0.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	0 %	
510 Insurance	0.00	5,646.09	5,700.00	5,700.00	5,700.00	5,700.00	5,395.00	99 %	
513 Liability	0.00	5,295.20	5,300.00	5,300.00	5,300.00	5,300.00	4,80	100 %	
533 Rental-Machinery and Equip	0.00	285.00	4,000.00	4,000.00	4,000.00	4,000.00	3,715.00	7 %	
590 Other Fixed Charges	0.00	52.50	1,600.00	1,600.00	1,600.00	1,600.00	1,547.50	3 %	
940 Machinery & Equipment	0.00	10,000.00	50,000.00	50,000.00	50,000.00	50,000.00	40,000.00	20 %	
Account Total:	16,311.02	102,273.18	292,429.00	292,429.00	292,429.00	292,429.00	190,155.82	35 %	
430670 Sewer Customer Accounting & Collection									
100 SALARIES, WAGES,	2,433.35	15,363.73	37,960.00	37,960.00	37,960.00	37,960.00	22,596.27	40 %	
120 Overtime	0.00	283.05	1,300.00	1,300.00	1,300.00	1,300.00	1,016.95	22 %	
141 Unemployment Insurance	13.39	86.00	215.00	215.00	215.00	215.00	128.95	40 %	
142 Workers' Compensation	8.67	55.47	120.00	120.00	120.00	120.00	64.53	46 %	
143 Social Security	149.01	958.99	2,395.00	2,395.00	2,395.00	2,395.00	1,436.01	40 %	
144 Medicare	34.84	224.27	560.00	560.00	560.00	560.00	335.73	40 %	
147 P.E.R.S.	218.26	1,403.52	3,500.00	3,500.00	3,500.00	3,500.00	2,096.48	40 %	
148 Health Insurance	479.22	2,875.36	5,751.00	5,751.00	5,751.00	5,751.00	2,875.64	50 %	
151 Supp Life	4.06	24.38	49.00	49.00	49.00	49.00	24.62	50 %	
220 Operating Supplies	4.33	543.44	500.00	500.00	500.00	500.00	-43.44	109 %	
311 Postage	228.02	956.29	1,800.00	1,800.00	1,800.00	1,800.00	843.71	53 %	

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09:05:14

CITY OF BOULDER  
Statement of Expenditure - Budget vs. Actual Report  
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Fund Account	Object	Committed		Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
		Current Month						
<b>5310 SEWER UTILITY</b>								
330	Publicity, Subscriptions & Dues	34.67		367.60	500.00	500.00	132.40	74 %
345	Telephone & Telegraph	0.00		0.00	1,750.00	1,750.00	1,750.00	0 %
350	Professional Services	1,215.59		11,666.10	35,000.00	35,000.00	23,333.90	33 %
370	Travel	0.00		23.38	500.00	500.00	476.62	5 %
805	Refund of Overpayments	0.00		0.00	300.00	300.00	300.00	0 %
	<b>Account Total:</b>	<b>4,823.41</b>		<b>34,831.63</b>	<b>92,200.00</b>	<b>92,200.00</b>	<b>57,368.37</b>	<b>38 %</b>
	<b>Account Group Total:</b>	<b>21,134.43</b>		<b>137,104.81</b>	<b>384,629.00</b>	<b>384,629.00</b>	<b>247,524.19</b>	<b>36 %</b>
<b>490000 DEBT SERVICE</b>								
490101	General Obligation Bonds #1	0.00		61,060.00	146,544.00	146,544.00	85,484.00	42 %
610	Principal	0.00		61,060.00	146,544.00	146,544.00	85,484.00	42 %
	<b>Account Total:</b>	<b>0.00</b>		<b>61,060.00</b>	<b>146,544.00</b>	<b>146,544.00</b>	<b>85,484.00</b>	<b>42 %</b>
<b>490102 General Obligation Bonds #2</b>								
610	Principal	0.00		4,450.00	10,680.00	10,680.00	6,230.00	42 %
	<b>Account Total:</b>	<b>0.00</b>		<b>4,450.00</b>	<b>10,680.00</b>	<b>10,680.00</b>	<b>6,230.00</b>	<b>42 %</b>
	<b>Account Group Total:</b>	<b>0.00</b>		<b>65,510.00</b>	<b>157,224.00</b>	<b>157,224.00</b>	<b>91,714.00</b>	<b>42 %</b>
	<b>Fund Total:</b>	<b>21,134.43</b>		<b>202,614.81</b>	<b>541,853.00</b>	<b>541,853.00</b>	<b>339,238.19</b>	<b>37 %</b>
<b>5510 AMBULANCE</b>								
<b>420000 PUBLIC SAFETY</b>								
420730	Emergency Services Ambulance	2,259.69		5,457.46	10,350.00	10,350.00	4,892.54	53 %
100	SALARIES, WAGES,	0.00		43.57	115.00	115.00	71.43	38 %
120	Overtime	12.43		30.27	60.00	60.00	29.73	50 %
141	Unemployment Insurance	61.36		122.15	300.00	300.00	177.85	41 %
142	Workers' Compensation	139.84		339.54	650.00	650.00	310.46	52 %
143	Social Security	32.72		79.40	155.00	155.00	75.60	51 %
144	Medicare	164.87		427.21	770.00	770.00	342.79	55 %
147	P.E.R.S.	66.01		396.04	397.00	397.00	0.96	100 %
148	Health Insurance	0.55		3.33	3.00	3.00	-0.33	111 %
151	Supp Life	199.60		1,158.40	6,000.00	6,000.00	4,841.60	19 %
220	Operating Supplies	0.00		342.94	2,000.00	2,000.00	1,657.06	17 %
230	Repair and Maintenance Supplies	139.05		361.34	3,000.00	3,000.00	2,638.66	12 %
231	Gas, Oil, Diesel Fuel, Grease, etc.	0.00		19.80	300.00	300.00	280.20	7 %
330	Publicity, Subscriptions & Dues	165.82		499.19	2,000.00	2,000.00	1,500.81	25 %
340	Utility Services	276.95		1,738.37	8,575.00	8,575.00	6,836.63	20 %
350	Professional Services	0.00		0.00	5,000.00	5,000.00	5,000.00	0 %
380	Training Services	0.00		1,423.91	1,450.00	1,450.00	26.09	98 %
510	Insurance	0.00		397.14	600.00	600.00	202.86	66 %
513	Liability	0.00		404.88	500.00	500.00	95.12	81 %
590	Other Fixed Charges	0.00		578.51	500.00	500.00	-78.51	116 %
805	Refund of Overpayments	0.00		0.00	500.00	500.00	500.00	0 %
810	Losses (Bad debt expense - Enterprise	0.00		4,368.71	20,000.00	20,000.00	15,631.29	22 %
940	Machinery & Equipment	0.00		18,192.16	63,225.00	63,225.00	45,032.84	29 %
	<b>Account Total:</b>	<b>3,518.89</b>		<b>18,192.16</b>	<b>63,225.00</b>	<b>63,225.00</b>	<b>45,032.84</b>	<b>29 %</b>
	<b>Account Group Total:</b>	<b>3,518.89</b>		<b>18,192.16</b>	<b>63,225.00</b>	<b>63,225.00</b>	<b>45,032.84</b>	<b>29 %</b>

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CITY OF BOULDER  
Statement of Expenditure - Budget vs. Actual Report  
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Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	Committed %
<b>Fund Total:</b>	<b>3,518.89</b>	<b>18,192.16</b>	<b>63,225.00</b>	<b>63,225.00</b>	<b>45,032.84</b>	<b>29 %</b>
7120 FIRE RELIEF AGENCY FUND						
420000 PUBLIC SAFETY						
420400 Fire Protection & Control						
540 Special Assessments						
Account Total:	0.00	0.00	1,950.00	1,950.00	1,950.00	0 %
Account Group Total:	0.00	0.00	1,950.00	1,950.00	1,950.00	0 %
Fund Total:	0.00	0.00	1,950.00	1,950.00	1,950.00	0 %
<b>Grand Total:</b>	<b>72,483.17</b>	<b>715,006.89</b>	<b>3,047,043.00</b>	<b>3,052,043.00</b>	<b>2,337,036.11</b>	<b>23 %</b>

JV NUMBER

Fund	Account	Debit Amount	Credit Amount
<b>JV: UB 869 Billing JV</b>			
5210	122000	25090.17	
5210	343022		25090.17
	<b>Subtotal of Charges for Fund 5210:</b>	<b>25090.17</b>	<b>25090.17</b>
5310	122000	34624.33	
5310	343031		34624.33
	<b>Subtotal of Charges for Fund 5310:</b>	<b>34624.33</b>	<b>34624.33</b>
	<b>Total Debits and Credits:</b>	<b>59714.50</b>	<b>59714.50</b>
<b>Net Charges:</b>	<b>59714.50</b>		

**ADJUSTMENTS**

For Postdate from 12/01/2022 to 12/31/2022 Ordered by ADJUSTMENT NUMBER from AP and Year 12 - 2022

15:48:58 - 01/03/2023

**JOURNAL - Specific**

ALL ADJUSTMENT NUMBERS

**Type**

ALL ACCOUNTS

**ADJUSTMENT TYPES:**

ANNUAL STATE FEE    BAD DEBT    BAL TRANSFER FROM    BAL TRANSFER TO  
 BILLING CORRECTION    DEFERRAL    LIEN    MANUAL DISTRIBUTE    NO ADJUSTMENT  
 TYPE    NSF FEE    OVERPAYMENT    PAY PLAN    PAYMENT CORRECTION    PRORATE  
 CORRECTIONS    RE-INSTATE CHARGES    RE-READ    SERVICE CHARGE    TURN OFF  
 TURN ON    TURN ON/OFF    WATER LEAK ADJ

Adjustment Number	Customer Name	Account	Route - Meter	Type	Post Date
Description	Service			Amount	
22095	KENT, RICHARD AND MARIJANE	270-00	01-00055		
ADJUSTMENT (Balance Transfer)	WATER			68.32	12/15/2022
ADJUSTMENT (Balance Transfer)	SEWER			95.68	12/15/2022
COMMENTS:				Subtotal for Account 270-00 :	164.00
22096	POHLEY, ROBERT	270-01	01-00055.01		
ADJUSTMENT (Balance Transfer)	WATER			-68.32	12/15/2022
ADJUSTMENT (Balance Transfer)	SEWER			-95.68	12/15/2022
COMMENTS:				Subtotal for Account 270-01 :	-164.00
22097	SMITH, BRENDA	337-00	01-01190		
ADJUSTMENT	WATER			194.15	12/15/2022
ADJUSTMENT	SEWER			110.35	12/15/2022
COMMENTS: ACCOUNT WAS ADJUSTED TO PUT THE WRITE OFF BACK ON THE ACCOUNT SINCE THE CITY OF BOULDER WAS PAID WITH THE COUNTY CHECK 11/15/2022. RP				Subtotal for Account 337-00 :	304.50

**Grand Total of Adjustments: 304.50**



UTILITY BILLING SYSTEM Report ID: 1051

CITY OF BOULDER

COLLECTIONS All collections for Postdate from 12/01/2022 to 12/31/2022

15:50:24 - 01/03/2023

HISTORY ALL RECEIPT NUMBERS

Service	Cash	Check	Lock-Box	Credit	Payment
WATER	964.79	15574.06		9525.67	
					TOTAL RECEIPTS FOR WATER
					26064.52
SEWER	1331.58	21596.84		12895.95	
					TOTAL RECEIPTS FOR SEWER
					35824.37
OVERPAYMENT	59.08	730.30		708.78	
					TOTAL RECEIPTS FOR OVERPAYMENT
					1498.16
					<b>Total Cash:</b>
					2355.45
					<b>Total Checks:</b>
					37901.20
					<b>Total Lock Box:</b>
					0.00
					<b>Total Credit:</b>
					23130.40
					<b>Grand Total of Collections:</b>
					63387.05

AGED BALANCE SUMMARY

For target date 12/31/2022 ordered by Account from 000-00 to 635-00

15:51:42 - 01/03/2023

ALL ACCOUNTS  
Primary Accounts Only

SECTIONS: ALL

Service	Balance	Past Due 30+	Past Due 60+	Past Due 90+	Past Due 120+
WATER	4100.00	4100.00	848.52	390.59	267.53
SEWER	5221.52	5221.52	900.43	316.51	158.32
STATE FEE					
MISC FEES					
OVERPAYMENT	-5312.26				

**Total Balance: 4009.26**  
**Current Balance: -5312.26**  
**Total Past Due 30+: 9321.52**  
**Total Past Due 60+: 1748.95**  
**Total Past Due 90+: 707.10**  
**Total Past Due 120+: 425.85**

RECEIPT ITEMS

All collections for Postdate from 12/01/2022 to 12/31/2022

15:52:58 - 01/03/2023

ACCOUNTING

ALL TRANSACTION NUMBERS

MISC RECEIPT ITEMS: AMB-COLLEC    AMBULANCE COLLECTIONS

BATCHES:                    ALL

Code	Description	Amount
AMB-COLLEC	AMBULANCE COLLECTIONS	2721.58
<b>Net Cash Receipts:</b>		<b>2721.58</b>



CHAPTER 8.07

*Superior*

**ANIMALS -- TOWN PARKS**

**SECTIONS:**

- 8.07.010      Animals prohibited in Town Parks
- 8.07.020      Penalties

**8.07.010 Animals prohibited in Town Parks.** No domestic, farm or exotic animals or pets shall be permitted by their owner or handler to enter upon a Town of Superior Park, except horses may be allowed to enter the east portion of the Eva Horning Park known as the "Green Way" adjacent to Sixth Avenue, between Pennsylvania Avenue and Pike Avenue in the Town of Superior, Montana, for the period of four days during the Mineral County Fair.

**8.07.020 Penalties:** Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in section 1.08.010 of this Code.

Ord 144

*Big Timber*

**§ 91.04 DOGS IN CITY PARKS.**

It shall be unlawful for any dog to enter or remain upon any public park on lands owned or leased by the city. This prohibition applies to all dogs, whether on a leash and attended by their owner or handler. Notwithstanding the foregoing, leashed dogs attended by their owner or handler are allowed in Dornix Park and the Boulder River Campground.

(2015 Code, § 4-3-B-8) (Res. 975, passed 5-6-2019; Res. 986, passed 11-18-2019) Penalty, see § ~~91.99~~

**7-3-3: ANIMAL RESTRICTIONS:** *Whitefish*

A. Tethering Prohibited: No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any such park or public place. (Ord. 117, 5-1-1916)

B. Animals At Large:

1. No owner, keeper, attendant or harborer of any dog, cattle, horses, mules, swine, sheep, goats, fowl or like animal shall allow or permit any such animal in or upon the premises known as the City Beach and Park Area of Whitefish, whether or not such animal is under his control by voice command, under leash or any other controls (excepting herefrom service animals).

2. No owner, keeper, attendant or harborer of any dog, cattle, horses, mules, swine, sheep, goats, fowl or like animal shall allow or permit any such animal to go into any lake or waters of any public park, with the exception of dogs at public dog parks.

3. No owner, keeper, attendant or harborer of any dog, cattle, horses, mules, swine, sheep, goats, fowl or like animal shall allow or permit any such animal in or upon any other public park within the City, not mentioned in subsection B1 of this section, unless said animal is on a leash and lead and attended by its owner or attendant, and subject to the prohibition provided in subsection B4 of this section.

4. No owner, keeper, attendant or harborer of any dog, cattle, horses, mules, swine, sheep, goats, fowl or like animal shall allow or permit any such animal in or upon any public park within the City during any organized athletic event, or special event authorized or permitted by the City (excepting herefrom service animals), with the exception of dogs at public dog parks.

5. Any violation of any portion of this section shall constitute a misdemeanor and shall also constitute a Municipal infraction. For each separate incident, the City shall elect to treat the violation as a misdemeanor or a Municipal infraction, but not both. If a violation is repeated, the City may treat the initial violation as a misdemeanor and the repeat violation as a Municipal infraction, or vice versa.

6. It shall be the duty of the Chief of Police to take up any animal or animals known to be running at large in any park or public place and, under the direction of the Superintendent, impound the same until the expense of keeping is paid. (Ord. 19-06, 3-18-2019)

We don't have anything documented saying they are allowed or not in public areas. We just have that you have to license them annually if you live in city limits. We don't have an ordinance on picking up the waste, but I liked Manhattan's language they shared yesterday! We do provide poop bags next to garbage cans in most of our parks and several along the trails.

*City of Three Forks*

We have a sign with the ordinance number and fine amount if they allow their dog to poop in the park and don't clean it up. It's worked pretty well.

*Town of Cascade*

**Subject: RE: Dog parks**

Manhattan has a small dog park.

1. The Parks workers maintain it.
2. We do not have an ordinance or resolution, it was a project recommended by the Park Board and approved by the Council.
3. The Park Board was so confident that people would pick up after their dogs and take care of the area. It is a mess, the park workers have to steam clean the mowers after going in there.





## ORDINANCE NO. 2022-02

AN ORDINANCE TO REPEAL AND/OR AMEND CHAPTERS AND SECTIONS OF THE CITY OF BOULDER'S CODE BOOK PROVIDING AN EFFECTIVE DATE.

### RECITALS

**WHEREAS**, the City of Boulder adopted the following Chapter and Sections into their Ordinance Code Book:

Title XV: Land Usage  
Chapter 153 Zoning Code  
Section 153.12 *Board of Adjustment*; and,  
Section 153.14 *Schedule of Fees*

**WHEREAS**, certain Sections of the City of Boulder's Ordinance Code Book no longer coincide with General Laws & Definitions as provided in the 2021 Montana Code Annotated; (MCA); and,

**WHEREAS**, the Boulder City Council has considered the following criteria contained in § 76-2-304, MCA, to ensure that these zoning regulations are:

- (a) made in accordance with a growth policy; and
- (b) designed to:
  - (i) secure safety from fire and other dangers;
  - (ii) promote public health, public safety, and the general welfare; and
  - (iii) facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.
- (c) reasonable provision of adequate light and air;
- (d) the effect on motorized and nonmotorized transportation systems;
- (e) promotion of compatible urban growth;
- (f) the character of the district and its peculiar suitability for particular uses; and
- (g) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

**WHEREAS**, the Boulder City Council reviewed recommendations and accepts the following changes:

Repeal in its entirety:

Title XV: Land Usage, Chapter 153: Zoning Code, Administration, and Enforcement; Section 153.14: Schedule of Fees; which allows the Boulder City Council to adopt, by resolution, a separate and stand-alone *Schedule of Fees*.

Repeal in its entirety:

Title XV: Land Usage; Chapter 153: Zoning Code, Administration, and Enforcement; Section 153.12 Board of adjustment; and replace with the following:

#### **§ 153.12 BOARD OF ADJUSTMENT.**

(A) *Board of Adjustment established, (76-2-321 & 76-2-322, MCA).*

A board of adjustment (herein after referred as "the Board") is hereby established in accordance with M.C.A. §§ 76-2-321 through 76-2-328. The City Council shall appoint five members to the Board, each for a term of three years except that in the initial appointment, one member shall be appointed for a term of one year, two members for a term of two years, and two members for a term of three years. Members of the Board may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies on the Board shall be filled by resolution of the City Council for the unexpired term of the member affected.

(B) *Powers of the Board of Adjustment, (76-2-323, MCA).* The Board shall have the following powers:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter or of any ordinance adopted pursuant thereto;

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed, and substantial justice done.

(a) **HARDSHIP** refers to circumstances peculiar to the particular property.

Financial or economic difficulties or consequences of actions by the property owner(s) are not **HARDSHIPS** for zoning purposes.

(4) In exercising the above-mentioned powers, such board may in conformity with the provisions of this part, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

(C) *Proceedings of the Board of Adjustment.*

(1) The Board shall select one of its members as Chairperson and shall adopt by-laws necessary to conduct its affairs in keeping with the provisions of this chapter. Meetings shall be held on the call of the chairperson and at such other times as the Board may determine. The Chairperson, or in his or her absence, the acting Chairperson, may administer oaths and compel the attendance of witnesses. Meetings shall be open to the public.

(2) The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official; to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance; or to effect any variation in such ordinance. (76-2-324, MCA).

(3) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, and immediately filed in the office of the Board. The Board shall make its records and minutes available for public inspection. (76-2-325, MCA).

(D) *Submission of variance requests.*

(1) Any person may apply for a variance to the board of adjustment as provided by the-by-laws of the Board by filing a variance application with the City Zoning Administrator or an assigned designee.

(2) The application for variance must be complete, and specifically set forth the grounds for requesting the variance.

(3) When the Zoning Administrator deems the application is complete, the Board will be notified and shall then fix a reasonable time for the hearing on the variance request, publish notice of the hearing in a newspaper of general circulation twice, with at least 6 days separating each publication, and containing all information as required under 7-1-4127 (8)(a thru d), MCA and notify, by mail or electronic mail, the person requesting the variance.

(E) *Requirements governing granting of variances.*

(1) To grant a variance, the Board must make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, will not be injurious to the neighborhood, is the minimum variance that will make possible the reasonable use of the land, building or structure, and will not be detrimental to the public welfare.

(2) In addition, the Board must determine that:

(a) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;

(b) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

(c) The special conditions and circumstances do not result from the action of the applicant; and

(d) Granting the requested variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(3) Neither the nonconforming use of neighboring lands, structures, or buildings in the same district, nor the permitted or nonconforming use of lands, structures or buildings in other districts are grounds for the issuance of a variance.

*(F) Appeals to the Board of Adjustment, (76-2-326, MCA).*

(1) The board of adjustment shall hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by any administrative official or body in the enforcement of this chapter

(2) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. The appeal must be taken within a reasonable time, as determined in the board of adjustment by-laws, by filing the appeal with the Zoning Administrator or assigned designee. The Notice of Appeal must specify the grounds of the appeal.

(3) The City Zoning Administrator or assigned designee shall in a timely manner, transmit to the board of adjustment the notice of appeal and all papers constituting the record upon which the action appealed was taken.

(4) An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal has been filed with the officer that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life or property. In that case, proceedings may not be stayed except by a restraining order, which may be granted by the board of adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(5) The board of adjustment shall fix a reasonable time for a hearing of the appeal, give public notice as stated in (D)(3) of this chapter, and ~~notify the~~ provide notice to parties of interest, defined by the board as those living within 150 feet of the property in question, and decide the appeal within a reasonable time.

(6) At the hearing, any party may appear in person or be represented by agent or attorney.

*(H) Appeals from Decisions of the Board of Adjustment to a Court of Record, (76-2-327, MCA).*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, MONTANA:**

That the above Chapters and Sections in Title XV Land Usage be repealed or amended as specified herein.

The effective date shall be thirty (30) days from the second reading and its adoption by the City Council and signing of the mayor.

**PASSED** by the City Council of the City of Boulder, Montana, on First Reading at the regular council meeting on the 17th day of January 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**PASSED** by the City Council of the City of Boulder, Montana, on Second Reading at the regular council meeting on the 21st day of February 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

EFFECTIVE DATE: \_\_\_\_\_

## MEMORANDUM

**Date:** December 13, 2022

**To:** City of Boulder City Council & Mayor Giulio

**From:** City of Boulder Planning Board/Zoning Commission

**Subject:** Proposed Amendments to the City of Boulder's Title XV Land Usage Codes

City Council Members & Mayor Giulio,

You are scheduled to review proposed amendments associated with the Title XV Land Usage Codes. These proposed amendments would (1) repeal and replace *Title XV, Chapter 153, Section 12 Board of Adjustment* to allow the Board of Adjustment all powers and authority as prescribed under 76-2-221 thru 76-2-228, MCA and (2) repeal Chapter 153.14 *Schedule of Fees* which will allow the Boulder City Council to adopt, by resolution, a separate and stand-alone *Schedule of Fees*.

The planning board held a public hearing and reviewed the two proposed amendments during their December 12, 2022 meeting. No public comments were received during the public hearing.

### **Recommendation to City Council on the Proposed Amendments to the Title XV Land Usage Codes:**

Tim moved to recommend that the City Council accept the proposed amendments to repeal and replace *Title XV, Chapter 153, Section 12 Board of Adjustment* to allow the Board of Adjustment all powers and authority as prescribed under 76-2-221 thru 76-2-228, MCA and to repeal Chapter 153.14 *Schedule of Fees* which will allow the Boulder City Council to adopt, by resolution, a separate and stand-alone *Schedule of Fees*. Gyle and Dennis both seconded the motion. All present Planning Board members (Dennis, Gyle, Tim, and LaDana) voted in favor of the motion.

## NOTICE OF PUBLIC HEARING

The Boulder City Council will hold a public hearing & 1<sup>st</sup> reading of ordinance amendments and section appeals to:

1) The Planning Board/Zoning Commission held a public hearing on December 12, 2022, and made a recommendation to the City Council on December 19, 2022, to Repeal Title 15, Chapter 153, "*Zoning Code*", Section 12, "*Board of Adjustment*", and replace with Ordinance #2022-02, which allows the Board of Adjustment all power(s) and authority as prescribed under 76-2-221 through 76-2-228, MCA.

2) The Planning Board/Zoning Commission held a public hearing on December 12, 2022, and made a recommendation to the City Council on December 19, 2022, to repeal Chapter 153.14 "*Schedule of Fees*" which will allow the Boulder City Council to adopt, by resolution, a separate and stand-alone Schedule of Fees.

The hearing will be held at City Hall, 304 N. Main Street, on **Tuesday, January 17, 2023, at 6:30 p.m.** during the regularly scheduled City Council meeting. Please contact the City Office at (406) 225-3381 with any questions. Written and verbal public comment will be accepted at the hearings or may be submitted via email to: [cityclerk@cityofbouldermt.com](mailto:cityclerk@cityofbouldermt.com).

Ellen Harne, City Clerk

## NOTICE OF PUBLIC HEARING

Pursuant to City of Boulder Code, §153.13, the City of Boulder's Planning Board/Zoning Commission will hold a public hearing on proposed repeals and amendments to the City of Boulder's existing *Title XV Land Usage Codes*. More specifically, to:

- 1) Repeal and replace *Title XV, Chapter 153, Section 12 Board of Adjustment* to allow the Board of Adjustment all powers and authority as prescribed under 76-2-221 thru 76-2-228, MCA;
- 2) Repeal Chapter 153.14 *Schedule of Fees* which will allow the Boulder City Council to adopt, by resolution, a separate and stand-alone *Schedule of Fees*.

The hearing will be held at City Hall, 304 N. Main Street, Boulder, Montana on **December 12, 2022, at 6:30 p.m.** Please contact the City Office at (406) 225-3381 with any questions or to obtain Zoom information if one wishes to attend virtually. Written and verbal public comment will be accepted at the hearing or may be submitted via email to [cityclerk@cityofbouldermt.com](mailto:cityclerk@cityofbouldermt.com).

Ellen Harne, City Clerk

*Publish Dates: November 23<sup>rd</sup> & 30<sup>th</sup>, December 7, 2022.*



## ORDINANCE NO. 2022-02

AN ORDINANCE TO REPEAL AND/OR AMEND CHAPTERS AND SECTIONS OF THE CITY OF BOULDER'S CODE BOOK PROVIDING AN EFFECTIVE DATE.

### RECITALS

**WHEREAS**, the City of Boulder adopted the following Chapter and Sections into their Ordinance Code Book:

Title XV: Land Usage  
Chapter 153 Zoning Code  
Section 153.12 Board of Adjustment

**WHEREAS**, certain Sections of the City of Boulder's Ordinance Code Book no longer coincide with General Laws & Definitions as provided in the 2021 Montana Code Annotated; (MCA); and,

WHEREAS, the Boulder City Council has considered the following criteria contained in § 76-2-304, MCA, to ensure that these zoning regulations are:

- (a) made in accordance with a growth policy; and
- (b) designed to:
  - (i) secure safety from fire and other dangers;
  - (ii) promote public health, public safety, and the general welfare; and
  - (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
- (c) reasonable provision of adequate light and air;
- (d) the effect on motorized and nonmotorized transportation systems;
- (e) promotion of compatible urban growth;
- (f) the character of the district and its peculiar suitability for particular uses; and
- (g) —conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

**WHEREAS**, the Boulder City Council reviewed recommendations and accepts the following changes:

Repeal in its entirety:

Title XV: Land Usage; Chapter 153: Zoning Code, Administration and Enforcement; Section 153.12 Board of adjustment; and replace with the following:

**§ 153.12 BOARD OF ADJUSTMENT.**

(A) *Board of Adjustment established. (76-2-321 & 76-2-322, MCA).*

A board of adjustment (herein after referred as "the Board") is hereby established in accordance with M.C.A. §§ 76-2-321 through 76-2-328. The City Council shall

appoint five members to the Board, each for a term of three years except that in the initial appointment, one member shall be appointed for a term of one year, two

members for a term of two years, and two members for a term of three years.

Members of the Board may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies on the Board shall be filled

by resolution of the City Council for the unexpired term of the member affected.

(B) *Powers of the Board of Adjustment. (76-2-323, MCA).* The Board shall have the following powers:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination made by an administrative official in

the enforcement of this chapter or of any ordinance adopted pursuant thereto;

(2) (a) To grant variances from the standards of this chapter where the Board determines:

1. That granting the variance will not be contrary to the public interest;

2. Where owing to special conditions a literal enforcement of the provisions of these regulations will result in unnecessary hardship; and

3. Where spirit of the ordinance will be observed and substantial justice done.

(b) **HARDSHIP** refers to circumstances peculiar to the particular property, financial or economic difficulties or consequences of actions by the

property owner(s) are not **HARDSHIPS** for zoning purposes.

(4) In exercising the above-mentioned powers, such board may in conformity with the provisions of this part, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed, and

substantial justice done.

(a) **HARDSHIP** refers to circumstances peculiar to the particular property, financial or economic difficulties or consequences of actions by the

property owner(s) are not **HARDSHIPS** for zoning purposes.

(4) In exercising the above-mentioned powers, such board may in conformity with the provisions of this part, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the officer from whom the appeal is taken.

~~(3) More specifically, the Board may, approve, conditionally approve, or deny any request to modify the following requirements of this chapter:~~

- ~~— (a) Setback requirements;~~
- ~~— (b) Yard requirements;~~
- ~~— (c) Area requirements;~~
- ~~— (d) Height and width requirements;~~
- ~~— (e) Parking requirements; and~~
- ~~— (f) Loading requirements.~~

~~(C) Proceedings of the Board of Adjustment.~~

~~(1) The Board shall select one of its members as Chairperson and shall adopt rules by-laws necessary to conduct its affairs in keeping with the provisions of this chapter. Meetings shall be held on the call of the chairperson and at such other times as the Board may determine. The Chairperson, or in his or her absence, the acting Chairperson, may administer oaths and compel the attendance of witnesses. Meetings shall be open to the public.~~

~~(2) The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official; to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance; or to effect any variation in such ordinance. (76-2-324, MCA).~~

~~(3) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, and immediately filed in the office of the Board. The Board shall make its records and minutes available for public inspection. (76-2-325, MCA).~~

~~(D) Procedures for Submission of variance requests.~~

~~(1) Any person may apply for a variance to the board of adjustment as provided by the rules-by-laws of the Board by filing the a variance application with the City Administrator Zoning Administrator or an assigned designee.~~

~~(2) The application for variance must be complete, and specifically set forth the grounds for requesting the variance, as indicated on the application form.~~

~~(3) When the Zoning Administrator deems the application is complete, the Board will be notified and shall then fix a reasonable time for the hearing on the variance request, publish notice of the hearing in a newspaper or of general circulation twice, with at least 6 days separating each publication, and containing all information as required under 7-1-4127 (8)(a thru d), MCA, at least seven days prior to holding a public hearing, and shall notify, by mail or electronic mail, the person requesting the variance.~~

~~(4) At the hearing, any party may appear in person, or be represented by agent or attorney.~~

Commented [EG1]: I'm not sure where we are getting the requirement to publish the notice twice?

Commented [CC2R1]: I took the public hearing notice out of MCA since I assumed we had to hold a hearing and not just a public meeting. I consulted other clerks and some conduct hearings for ordinances, & some meetings. I want to make sure I am posting per MCA for all hearings, since to the past we have put Public Hearing on the agenda and only published notice and not twice.

(4) An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal has been filed with the officer that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life or property. In that case, proceedings may not be stayed, except by a restraining order which may be granted by the board of adjustment or by a court of record on

action appealed was taken.

(3) The City Administrator or assigned designee shall promptly in a timely manner transmit to the board of adjustment the notice of appeal and all papers constituting the record of the subject decision upon which the

must comply with the rules adopted by the board of adjustment. The City Administrator or assigned designee shall promptly in a timely manner transmit to the board of adjustment the notice of appeal and all papers constituting the record of the subject decision upon which the appeal was taken. The Notice of Appeal must specify the grounds of the appeal. The notice of appeal submitted to the Zoning Administrator must comply with the rules adopted by the board of adjustment. The appeal of any decision made by an administrative person or body must be taken within a reasonable time, determined in the board of adjustment by within 60 days of the date the subject decision was made, by filing the appeal with the Zoning Administrator or assigned designee. The Notice of Appeal must specify the grounds of the appeal. The notice of appeal submitted to the Zoning Administrator must comply with the rules adopted by the board of adjustment.

(2) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. of the municipal government may file a notice of appeal of any decision made by an administrative person or body must be taken within a reasonable time, determined in the board of adjustment by within 60 days of the date the subject decision was made, by filing the appeal with the Zoning Administrator or assigned designee. The Notice of Appeal must specify the grounds of the appeal. The notice of appeal submitted to the Zoning Administrator must comply with the rules adopted by the board of adjustment.

(1) The board of adjustment shall hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by any administrative official or body in the enforcement of this chapter.

*Administrative Appeals to the Board of Adjustment, (76-2-326, MCA)*

(f) *Procedures for hearing and acting on appeals from actions of the Zoning Administrator*

in the same district, nor the permitted or nonconforming use of lands, structures or buildings in other districts are grounds for the issuance of a variance.

(3) Neither the nonconforming use of neighboring lands, structures, or buildings in the same district.

(d) Granting the requested variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(c) The special conditions and circumstances do not result from the action of the applicant; and

(b) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

(a) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;

(2) In addition, the Board must determine that:

possible the reasonable use of the land, building or structure, and will not be detrimental to the public welfare.

(1) To grant a variance, the Board must make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, will not be injurious to the neighborhood, is the minimum variance that will make

*(E) Requirements governing granting of variances.*

application, on notice to the officer from whom the appeal is taken, and on due cause shown.

~~(54)~~ The board of adjustment shall fix a reasonable time for a hearing of the appeal, give public notice as stated in (D)(3) of this chapter, and ~~notify the~~ provide notice to parties of interest ~~affected parties~~, defined by the board as those living within 150 feet of the property in question, and decide the appeal within a reasonable time.

~~(65)~~ At the hearing, any party may appear in person or be represented by agent or attorney.

~~(5)~~ The Board of adjustment, in conformity with the provisions of this chapter, may reverse, affirm, wholly or in part, or modify the order, decision or action appealed and may make such order, decision or action as deemed necessary, and to that end shall have the powers of the administrative official whose decision is appealed.

~~(G) Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed, unless the administrative official from whom the appeal is taken certifies to the Board of adjustment after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order which may be ordered by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and for on due cause shown.~~

~~(H) Appeals from Decisions of the Board of Adjustment to a Court of Record.~~  
~~Appeals from decisions of the Board of adjustment may be made in accordance with M.C.A. §§ [76-2-327, MCA], and 76-2-328.~~

~~(1) Any person or persons, jointly or severally, aggrieved by any decision of the Board of adjustment, any taxpayer, or any officer or department of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision of the Board.~~

~~(2) Upon presentation of such petition the court may allow a writ of certiorari directed to the Board of adjustment to review such decision of the Board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which may not be less than 10 ten days and may be extended by the court. The allowance of the writ shall does not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board and on due cause shown, grant a restraining order.~~

~~(3) The Board of adjustment shall may not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies of the original papers or of portions of the original papers thereof or of such portions thereof as that may be called for by such writ. The return shall must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall must be verified.~~

Commented [CC3]: (1) 17-22 Ed can you somehow word this to make it a little clearer? Think it directly from MCA but it's very confusing

Commented [EG4R3]: We can talk it about any confusing but I'm a little worried about making changes since it does come from the Code

Commented [EG5]: Again, I don't see the requirement to publish twice. In fact, there is only a requirement to

76-2-326

Commented [CC6R5]: I think I'm overthinking the notice requirements and the public hearings vs. public meetings. I want to ensure the city is publishing notices for hearings & meetings as required so we don't have another MCA under questioning our postings process. Please review this as necessary and shoot back to me

Commented [EG7]: Here I think you are "confusing" (love that word), two sections of the Code. Specifically, you are pulling in 76-2-303, when 76-2-126 covers

Commented [CC8R7]: Ok, had to look up the definition your word. I am confused and putting pieces together so please review is needed

**PASSED** by the City Council of the City of Boulder, Montana, on Second Reading at the regular council meeting on the 17th day of January 2023.

\_\_\_\_\_  
City Clerk

ATTEST:

\_\_\_\_\_  
Mayor

**PASSED** by the City Council of the City of Boulder, Montana, on First Reading at the regular council meeting on the 19th day of December 2022.

The effective date shall be thirty (30) days from the second reading and its adoption by the City Council and signing of the mayor.

That the above Chapters and Sections in Title XV Land Usage be repealed or amended as specified herein.

**OF BOULDER, MONTANA:  
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**

(Ord. 2007-03, passed 1-14-2008)

(1) If, upon the hearing, it appears to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as that it may direct and report the same evidence to the court with his or her referee's findings of fact and conclusions of law. Such evidence shall constitute a part of the proceedings upon which the determination of the court will must be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.  
— (5) Costs shall not be allowed against the Board unless it appears to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

Commented [E69]: Covered by the Code  
Commented [C10R9]: 11/17/22. Since almost all of this ordinance is taken verbatim from M.C.A., should we keep this section in and remove?

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_

City Clerk

EFFECTIVE DATE: \_\_\_\_\_





**RESOLUTION NO. 2023-01-R**

**A RESOLUTION ADOPTING THE CITY OF BOULDER'S BUILDINGS  
FOR LEASE OR RENT REGULATIONS**

**WHEREAS**, in 2013 the Montana Legislature adopted requirements that local governments adopt regulations to regulate the creation of buildings for lease or rent; and,

**WHEREAS**, the regulations are required to address the items listed in Section 76-8-107, Montana Code Annotated (MCA) and may include additional items that address public health, safety, or general welfare. Items required per Section 76-8-107, MCA include a description of property boundaries; onsite and adjacent offsite streets, roads, and easements; geographic features; existing septic tanks and drain fields; existing wells; and existing and proposed buildings; required adequate water supply and sewage and solid waste disposal facilities; an assessment of potentially significant impacts on the surrounding physical environment and human population in the area to be affected, including conditions if any, that may be imposed on the proposal to avoid and minimize potential significant impacts identified; require adequate emergency medical, fire protection, and law enforcement services; require access to the site; and comply with applicable floodplain requirements; and,

**WHEREAS**, Section 76-8-108, MCA allows the regulations to address additional items related to public health, safety, and general welfare so the regulations include property line setback requirements; building height limits; stormwater management; underground utilities; lighting; parking; landscaping and fencing; and dust control; and,

**WHEREAS**, Section 76-8-106, MCA specifies the application and review procedures for three or fewer buildings for lease or rent. However, the City of Boulder deems it necessary and appropriate to require all buildings for lease or rent projects, regardless of the number of buildings/rental units being proposed, to undergo the Buildings for Lease or Rent review to ensure adequate services and utility capacity are available.

**WHEREAS**, the regulations include a list of items required to be submitted for review; a clearly defined review process; variance provisions to help alleviate undue hardship; establish a fee schedule to help cover review costs; application forms; and,

**WHEREAS**, pursuant to 7-1-4127, MCA, the legal notice for a public hearing with the Boulder City Council on the City of Boulder's Buildings for Lease or Rent Regulations was published in the January 4, 2023, and January 11, 2023, Boulder Monitor, and posted in (5) public places in accordance with 76-8-107(3), MCA, on December 16, 2022; and,

**WHEREAS**, the notice included information on where a copy of proposed Resolution No. 2023-01-R could be obtained for review; and,

**WHEREAS**, the Boulder City Council held a public hearing on the adoption of Resolution No. 2023-01-R on January 17, 2023, where public comment was taken; and,

**WHEREAS**, all public comments received during the January 17, 2023, public hearing were addressed as required under Section 76-3-107(3), MCA; and,

**WHEREAS**, at the conclusion of the public hearing, the Boulder City Council voted to adopt Resolution No. 2023-01-R.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Boulder, Montana adopts the Buildings for Lease or Rent Regulations.

**PASSED AND ADOPTED** by the City Council of the City of Boulder this 17th day of January 2023.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Clerk of the City of Boulder

Seal

**City of Boulder**

**Buildings for Lease or Rent  
Regulations**

**Prepared to Comply with:  
Montana Code Annotated  
Title 76, Chapter 8**

**Adopted Under Resolution Number 2023-01-R**

**Effective Date: JANUARY 17, 2023**

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## **I. PURPOSE**

These regulations are intended to regulate the creation of buildings for lease or rent within the Boulder city limits. The leasing or rental of buildings on a tract of record may directly impact the property and its surroundings regarding vehicular access, public health, safety, and general welfare, the provision of public services and utilities, and the physical environment. These regulations are adopted for the purposes of addressing the requirements of state law and to allow the City of Boulder and landowners to consider and mitigate potential impacts that may result from buildings for lease or rent, ensuring protection of the public's health, safety, and general welfare.

## **II. AUTHORITY**

These regulations are adopted under the authority of Title 76, Chapter 8, Montana Code Annotated (MCA).

## **III. APPLICABILITY**

- A. These regulations apply to all lands located within the Boulder city limits or lands being annexed into the city limits.
- B. In their interpretation and application, the provisions of these regulations may be regarded as the minimum requirements for the protection of public health, safety, and general welfare.
- C. These regulations are not intended to abrogate or annul any zoning site permits, building permit, subdivision approval, certificate of occupancy, variance, conditional use, or other lawful permit or approval issued before the effective date of these regulations.
- D. These regulations are not intended to abrogate or annul any requirements to obtain zoning site permits, zoning conditional uses or variances, state building permits, subdivision approvals, or other lawful permits or approvals issued before the effective date of these regulations.
- E. These regulations are not intended to abrogate or annul any other regulations applicable to a tract of land, including but not limited to, zoning, building codes, private covenants, sanitation requirements, or floodplain regulations.
- F. Where zoning regulations are stricter than these regulations, the stricter provisions take precedent and supersede the provision of these regulations.
- G. Where private covenants are stricter than these regulations, the stricter provisions take precedent and supersede the provisions of these regulations.
- H. The local zoning regulations may include reference to "rent or lease" based on the Montana Subdivision and Platting Act at the time the zoning regulations were created. The 2013 legislature modified that Act and required local governments to adopt regulations addressing buildings for lease or rent. These regulations are adopted in accordance with Title 76, Chapter 8, MCA. Buildings for lease or rent as defined by these regulations are subject to the local zoning requirements and these regulations.

#### IV. DEFINITIONS

- A. **Administrator** – The individual designated by the governing body to carry out the terms of these regulations. In the City of Boulder, the Administrator is the Zoning Administrator or their designee.
- B. **Applicant** – The person or entity who submits an application for the creation of a building for lease or rent. An applicant may either be a landowner, or a person or entity authorized by the landowner to apply.
- C. **Building** – As defined in §76-8-101(1), MCA, a structure, or a unit of a structure with a roof supported by columns or walls for the permanent or temporary housing or enclosure of persons or property or for the operation of a business. Except as provided in §76-3-103(16), MCA, the term includes a recreational camping vehicle, mobile home, or cell tower. The term does not include a condominium or townhome.
- D. **Department** – The department of environmental quality provided for in §2-15-3501, MCA.
- E. **Detailed** – In the context of “detailed narrative”, the term detailed means that sufficient information has been provided by the applicant to allow the City of Boulder and/or their consultants to adequately review the project for compliance with applicable sections of these regulations.
- F. **Governing body** – The legislative authority for a city, town, county, or consolidated city-county government. The governing body of the City of Boulder is the Boulder City Council.
- G. **Human occupancy** – Use of a building by people for sleeping, cooking, bathing, using sanitary facilities, and similar dwelling purposes; for carrying out a trade, profession, industry, or business, but not including personal or commercial storage, or where there is no common human presence. Examples of buildings or parts of a building not used for human occupancy include mini-storage facilities, barns, and similar agricultural structures without components of typical dwellings, storage sheds, and areas and portions of buildings for antennae/wireless facilities, solar panels, and ATM and vending machines.
- H. **Landowner** – An owner of a legal or equitable interest in real property. The term includes an heir, successor, or assignee of the ownership interest.
- I. **Lease or rent** – The act of a landowner providing for or otherwise allowing another party to occupy a building or portion of a building in exchange for financial or other consideration.
- J. **Local reviewing authority** – A local department or board of health that is approved to conduct reviews under Title 76, Chapter 4, MCA.
- K. **Supermajority** – A unanimous affirmative vote of the present and voting City of Boulder Council members.
- L. **Tract** – An individual parcel of land that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office.

#### V. BUILDINGS FOR LEASE OR RENT – EXEMPTIONS, (76-8-103, MCA)

- A. The construction of all buildings must meet the requirements of these regulations unless the buildings are validly exempt. A building created for lease or rent on a single tract is exempt from these regulations if:

1. The building is in conformance with applicable zoning regulations provided that the zoning contains the elements outlined in Section IX of these regulations or;
2. If applicable zoning regulations are not in effect.
  - (i) The building was in existence or under construction before September 1, 2013.
  - (ii) The building(s) for lease or rent provides accommodations as defined in 15-68-101, MCA that are subject to the lodging facility use tax under Title 15, chapter 65, MCA, except for recreational camping vehicles or mobile home parks.
  - (iii) The building(s) for lease or rent are created for lease or rent for farming or agricultural purposes.
  - (iv) The building(s) are not served by water and wastewater and will not be leased or rented.
  - (v) The building(s) are served by water and wastewater and the landowner records a notarized declaration with the Jefferson County Clerk & Recorder's Office stating that the proposed building will not be leased or rented. The declaration recorded pursuant to this subsection runs with the land and is binding on the landowner and all subsequent landowners and successors in interest to the property. The declaration must include but is not limited to:
    - a. The name and address of the landowner;
    - b. A legal description of the tract upon which the proposed building will be located; and
    - c. A specific description of the building on the tract of record.
- B. Exemptions included in Section V(2)(i) are limited to the first three buildings created for lease or rent on a single tract.

## **VI. BUILDINGS FOR LEASE OR RENT**

- A. Projects for buildings for lease or rent on a single tract must submit an application, (*Appendix C*) to the Administrator. See Sections VIII and IX for the pre-application and application process.
- B. All project proposals for buildings for lease or rent are also required to undergo zoning review by completing a City of Boulder zoning application and paying the required zoning permit fee(s).

## **VII. PRE-APPLICATION PROCESS**

- A. Any person proposing a building for lease or rent project is required to meet with the Administrator, and any consultants the city deems necessary, to discuss the proposed project and the items that are required for submittal with the building for lease or rent application. The purpose of the meeting is to help facilitate a more efficient review process.
- B. To allow the Administrator to prepare for the pre-application meeting, the applicant must submit a pre-application form, (*Appendix B*) and a preliminary site plan showing the potential locations of all existing and proposed development at least 15

days prior to the scheduled pre-application meeting. At the discretion of the City, all documentation received may be shared with consultants.

- C. If the applicant is not the current landowner, a letter from the landowner must accompany the pre-application form consenting to the applicant's submittal of the form.

## **VIII. APPLICATION PROCESS**

### **A. Application Submittal**

1. An application for the creation of buildings for lease or rent shall be submitted once the pre-application meeting has occurred, to the City of Boulder Administrator, or their designee. Payment of all applicable fees must be submitted with the application. Any consulting costs incurred throughout the review process will be billed separately.
2. The application shall include:
  - a. A copy of the deed or other legal description of the real property;
  - b. Evidence of the applicant's title and interest in the land for which the application is being made;
  - c. Letters from all lien holders acknowledging that they are aware of the proposed project;
  - d. A detailed site plan showing:
    - i. North arrow and scale bar;
    - ii. Property boundaries with dimensions noted;
    - iii. Existing and proposed onsite and adjacent offsite streets, roads and easements that will serve the proposal;
    - iv. Existing and proposed access to the subject property;
    - v. Pertinent geographic features of the subject property, including any significant topographical features and designated floodplain;
    - vi. Location of existing and proposed water, wastewater and solid waste facilities serving the subject property;
    - vii. Location and general description of all existing and proposed buildings or structures with dimensions included (Note: For the purpose of this requirement, the location and dimensions shall include all roof eaves/gutters, attached decking, patio areas, etc.);
    - viii. Existing and proposed outdoor lighting;
    - ix. Existing and proposed stormwater management infrastructure and drainage features; and
    - x. Existing and proposed utilities, including an indication of whether utility lines are above- or below-ground.
  - e. A detailed narrative of existing and proposed buildings and their location on the subject property, including the uses proposed for each and the approximate floor area and ground coverage of each building;
  - f. A detailed narrative of the proposed water, wastewater, and solid waste disposal facilities intended to serve the buildings for lease or rent;
  - g. A detailed narrative of the emergency medical, fire protection, and law enforcement services proposed to serve the buildings for lease or rent;



- h. A detailed narrative describing the existing and proposed access to and from the site, as well as the onsite circulation providing access to the existing and proposed buildings for lease or rent;
- i. A detailed narrative assessing the potential significant impacts on the surrounding physical environment or human population as a result of the proposed buildings for lease or rent, including a description of any proposed mitigation measures to avoid or minimize potential impacts;
- j. Comments on the proposal from the entities listed below. Each entity shall have 30 days to review the proposal. If no comments are received within 30 days, the application materials may be submitted to the City of Boulder for consideration with proof demonstrated that comments were solicited from all entities listed below that are applicable (i.e. copies of certified mail receipts, emails, etc.).
  - i. Jefferson County Road Department if access is off of a county road;
  - ii. Montana Department of Transportation if access is off of a state highway;
  - iii. City or town public works or street department (*if applicable*) if access is off of a city or town street;
  - iv. Emergency medical services provider;
  - v. Local fire protection authority;
  - vi. Law enforcement service provider;
  - vii. Local school district if the proposed buildings for lease or rent will provide new buildings for residential use;
  - viii. Jefferson County Environmental Health Department;
  - ix. City of Boulder's Floodplain Administrator;
  - x. State wildlife agency; and
  - xi. State Historic Preservation Office.
- k. The following items may be requested by the Administrator depending on the nature of the project and whether such factors would help to mitigate potential impacts associated with or created by the proposed development as discussed at the pre-application meeting:
  - i. Stormwater management plan;
  - ii. Landscaping, buffers, and/or fence plans;
  - iii. Dust control plan;
  - iv. Plans for maintenance of infrastructure used by more than one renter or lessee; and
  - v. Elevation views of all four sides of each structure demonstrating average building height.
- l. Application materials shall include evidence demonstrating how the project complies with the following requirements:
  - i. Is in compliance with all current applicable zoning requirements and regulations;
  - ii. Electrical and telecommunications utility lines must be placed under-ground;

- iii. All new and replacement nighttime outdoor lighting must direct its light downward and be side-shielded to prevent glare beyond the boundaries of the subject property;
- iv. Access shall comply with the City of Boulder's Road and Street Standards;
- v. An adequate number of onsite parking spaces must be provided to accommodate all existing and proposed uses. The minimum spaces required will be two for each proposed dwelling or be in compliance with the most current applicable zoning requirements.

## **XI. REVIEW PROCESS & CRITERIA FOR REVIEW OF APPLICATIONS**

### **A. Review Process**

1. Upon receipt of an application along with all applicable fees, the Administrator shall, within ten (10) working days, (76-8-102(3)(a), MCA) determine whether the application is complete and notify the applicant in writing.
2. If the application is incomplete, the Administrator shall identify, in writing, any missing materials or insufficient information necessary to conduct the required review.
3. If the application is complete, the Administrator, their designee, and any consultants the City deems necessary, shall complete review of the application and the governing body shall approve, conditionally approve, or deny the application within sixty (60) working days (76-8-102(5), MCA). The applicant and the governing body may extend the timeframe upon mutual written agreement.
4. Review and approval, conditional approval, or denial of an application for the creation of buildings for lease or rent must be based upon the regulations in effect at the time an application is determined to be complete. If regulations change during the period that the application is determined to be complete, the determination of whether the application is complete must be based on the new regulations.
5. The governing body's action on the application shall be conducted at a noticed public meeting. Notice of the time and date of the public meeting shall be given by publication in a local newspaper of general circulation pursuant to 4-1-4127, MCA, and notice shall be posted in at least 5 public places at least 30 days prior to the hearing, pursuant to 76-8-107(3), MCA. At least 15 days prior to the date of the public meeting, notice of the meeting shall be mailed to the landowner, the applicant, (if different from the landowner), and each landowner of record whose property is immediately adjoining the subject tract. At a minimum all notices shall include a general description of the property location, the legal description of the property, the number of buildings proposed, the type of land use(s) proposed, a description of any variances

requested, notification of where more information may be obtained, and the time, date, and location of the public meeting.

B. Criteria for Review

1. The governing body may approve or conditionally approve of the proposed buildings for lease or rent application upon finding:
  - a. The proposed buildings for lease or rent, as submitted or conditioned, comply with these regulations and other regulations applicable to the property, and avoid or minimize potential significant impacts on the physical and a natural environment and human population in the area affected by the project;
  - b. Adequate water, wastewater, and solid waste facilities are available to serve the buildings for lease or rent;
  - c. Adequate access to the site is provided to serve the buildings for lease or rent; where questions arise as to the adequacy of access, the City of Boulder will use access and transportation standards in the City of Boulder's Street and Roadway Standards for guidance;
  - d. Adequate emergency medical, fire protection, and law enforcement services are available to serve the proposed project;
  - e. The buildings for lease or rent and associated development provide for containment of stormwater without causing damage or harm to the natural environment, water quality, or adjacent properties. All stormwater management plans shall be reviewed for substantial compliance with any existing approval or the adopted standards of the Montana Department of Environmental Quality; and
  - f. The buildings for lease or rent comply with the City of Boulder's floodplain management regulations.
2. The governing body may impose conditions on the proposed buildings for lease or rent to secure the above-referenced findings and compliance with these regulations. The governing body may impose timeframes with expiration dates for required improvements to be installed or implemented and such timeframes may be required to be met before the lease or rent activities are permitted to occur. Typical timeframes will be from one (1) to three (3) years.
3. Any modifications to an approved building(s) for lease or rent project or its conditions of approval are subject to additional review by the City of Boulder and any consultants deemed necessary. Extensions may be requested to any timeframe imposed. The applicant must explain why the extension is necessary and demonstrate that they have been working to comply with the required conditions. Any extension shall be requested as a proposed change to the conditional approval and shall be submitted to the Administrator prior to the expiration date and must include any and all applicable fees.

**X. VARIANCES TO BUILDINGS FOR LEASE OR RENT REQUIREMENTS**

- A. Any variance request for a *Building for Lease or Rent* project must be reviewed and approved by the City of Boulder's Board of Adjustment. The Board of

Adjustment may grant a variance to the standards listed in Section VIII. A.2. of these regulations when strict compliance will result in undue hardship and when it is not essential to public welfare. A variance will not be granted if it has the effect of nullifying the intent and purpose of these regulations.

- B. All Variance Request Applications, (*Appendix D*) must include evidence to demonstrate that there will be no more than minimal impacts to public health, safety, and welfare if variances are granted.
- C. Variance Procedure & Review
  - 1. A variance request application must be included with the Buildings for Lease or Rent application packet for each variance requested. Additional information can be submitted to support the variance request and demonstrate impacts resulting from granting the variance(s) will be mitigated.
  - 2. The public meeting will be noticed pursuant to 7-1-4127, MCA
  - 3. For each variance request, the Board of Adjustment will describe the variance being requested, along with the findings and conditions upon which the action on the variance is based.
- D. The Board of Adjustment will not approve a variance request unless it finds that the following criteria are met:
  - 1. The granting of the requested variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.
  - 2. Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the landowner. Undue hardship does not include personal or financial hardship, or any hardship that is self-imposed; however, extenuating circumstances may be reviewed and approved at the discretion of the governing body.
  - 3. The requested variance will not cause a substantial increase in public costs; and,
  - 4. The requested variance will not place the property in nonconformance with any adopted zoning regulations.
- E. In granting variances, the Board of Adjustment may impose reasonable conditions to secure the objectives of these regulations.

## **XI. APPEALS PROCESS**

- A. Methods for Appealing
  - 1. Appeal of Administrator Decision
    - a. Decisions and interpretations of the Administrator may be appealed to the Boulder City Council.
    - b. All appeals of the Administrator shall include a letter describing the appellant's position and what decision or interpretation is being

appealed, supporting documentation to demonstrate the claim, and the review fee for appeals.

2. Appeal of Board of Adjustment Decision
  - a. Decisions and interpretations of the Board of Adjustment may be appealed to the Boulder City Council.
  - b. All appeals of the Board of Adjustment shall include a letter describing the appellant's position and what decision or interpretation is being appealed, supporting documentation to demonstrate the claim, and the review fee for appeals.
3. Appeal of Sanitation Decision
  - a. An applicant who is aggrieved by a final decision of the Department of Environmental Quality made pursuant to Section VI. of these regulations may request a hearing as provided for in §76-4-126(1), MCA. For purposes of this subsection, the contested case provisions of the Montana Administrative Procedure Act, Title 2, Chapter 4, Part 6, MCA apply to the proceeding.
4. Appeal of Local Governing Body's Decision
  - a. The applicant or a landowner with a property boundary contiguous to the tract on which buildings for lease or rent are proposed to be located who is aggrieved by a decision of the governing body pursuant to Sections VI and VII. of these regulations may, within 30 days of the date of the final decision of the governing body, appeal to the district court in Jefferson County.
5. For purposes of this section, "aggrieved" has the meaning provided in §76-3-625, MCA.

## **XII. AMENDING AN APPROVED PROJECT**

- A. An applicant may request that portions of their approved project be amended after approval has been granted. Amendment requests are subject to the application and variance processes outlined in Sections IX and XI of these regulations, as applicable.
- B. All amendment requests will be processed pursuant to Section X of these regulations.

## **XIII. ENFORCEMENT & PENALTIES**

- A. If any building is created in violation of these regulations that the Administrator becomes aware of, the Administrator may begin enforcement actions. The Administrator shall notify the landowner and any other responsible party of a violation of these regulations by certified mail. The notice shall describe the violation, cite the section of these regulations being violated, and request the responsible party to obtain voluntarily compliance at least 30 days before initiating an action to the violation of this part.

**APPENDIX B:**

**CITY OF BOULDER  
BUILDINGS FOR LEASE OR RENT  
PRE-APPLICATION MEETINGG  
FORM**

**BUILDINGS FOR LEASE OR RENT PRE-APPLICATION MEETING FORM**

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the administrator at the address listed above. All submittals shall be in Microsoft Word or PDF electronic format with at least one paper copy. Contact the administrator prior to submission to determine if additional paper copies are required or if you are unable to create Microsoft Word or PDF documents.*

*This application form constitutes the written request for a pre-application meeting. The administrator will contact you regarding date, time, and location for the meeting, which shall be held within 30 days of receipt of the completed application.*

**OWNER(S) OF RECORD:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**APPLICANT (IF DIFFERENT THAN ABOVE):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**TECHNICAL/PROFESSIONAL REPRESENTATIVE(S):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**LEGAL DESCRIPTION OF PROPERTY:**

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Geo-Code(s): \_\_\_\_\_

Certificate of Survey and Parcel Identification (if any): \_\_\_\_\_

Lot # and Name of Subdivision (if any): \_\_\_\_\_

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

**GENERAL DESCRIPTION/TYPE OF DEVELOPMENT: (Please describe how you intend to use the property):**

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Proposed Number of Lease or Rent Units \_\_\_\_\_

**CONCEPTUAL PLAN OF PROPERTY DEVELOPMENT:**

Provide:

- 1) an aerial photo of the property to be subdivided; and
- 2) a drawing or sketch of the proposed subdivision showing the layout of proposed features in relation to existing site conditions. Include the following:
  - a. Legal Description of Parcel
  - b. Location by Quarter Section, Section, Township and Range
  - c. North Arrow
  - d. Boundaries of Existing Parcel
  - e. Existing and proposed roads
  - f. All existing and proposed buildings and notations regarding their uses and if they are or will be rental units.
  - g. Existing and proposed utilities (water supply, sewer, electric, gas, communications, etc.)
  - h. Water resources (rivers, streams, lakes, wetlands)
  - i. Natural features (rock outcrops, coulees, etc.)



**PRE-APPLICATION MEETING**

*I/We, \_\_\_\_\_  
the landowner(s) are requesting a pre-application meeting for purposes of buildings  
for lease or rent. In the event that I/we are unable to attend the meeting, I/we designate  
the following person(s) to represent us at the pre-application meeting:*

*Name(s): \_\_\_\_\_*

*Company Name(s): \_\_\_\_\_*

*Address: \_\_\_\_\_*

*Telephone: \_\_\_\_\_*

*Email: \_\_\_\_\_*

\_\_\_\_\_  
Landowner(s) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Landowner(s) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Landowner(s) Signature

\_\_\_\_\_  
Date

**APPENDIX C:**  
**CITY OF BOULDER**  
**BUILDINGS FOR LEASE OR RENT APPLICATION**

This application is used for ALL Buildings for Lease or Rent (BLR) projects being proposed within the City of Boulder city limits. A check payable to the City of Boulder for **\$250.00** plus **\$10.00** per building/unit under review must be submitted with the application materials (**2 copies**) to: City Clerk, PO Box 68, Boulder, MT, 59632.

**1. Applicant Contact Information:**

Name of Applicant: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone # \_\_\_\_\_  
Email: \_\_\_\_\_

**2. Local Agent/Contractor Contact Information\* (if applicable):**

Name of Agent/Contractor: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone # \_\_\_\_\_  
Email: \_\_\_\_\_

*\* If more than one agent/contractor is being used, attach a sheet containing the additional information.*

**3. Correspondence:**

The original BLR approval letter and other correspondences should be sent to:

1) Applicant or 2) Local Agent/Contractor (*circle one*)

*Note: A copy of the approval letter and other primary correspondence will be sent to the other party.*

**4. Authorization from Landowner (if applicable):**

If the applicant is not the current landowner of the subject property, the application must include a letter from an authorized landowner authorizing the submittal.

**5. Property Information:**

Property Address: \_\_\_\_\_

Legal Description:

Subdivision, COS, etc.: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ West Lot Size: \_\_\_\_\_ Acres / Square Feet (circle)

Geocode: \_\_\_\_\_

Zoning District (*if applicable*): \_\_\_\_\_ Sub-District: \_\_\_\_\_

**6. Location Sketch:**

Attach a location sketch that is adequate to locate the property for a site visit. The sketch should identify such items as road signs, landmarks, or other features to assist in locating the project site.

**7. Property Usage / Proposal Description:**

- a. What is the current use of the property? *(Circle all that apply)*  
Residential / Commercial / Agricultural / Other \_\_\_\_\_
- b. What is the proposed use of the property *(Circle all that applies)*  
Residential / Commercial / Agricultural / Other \_\_\_\_\_
- c. Are there any restrictive covenants, deed restrictions, private use or maintenance agreements, easements or similar encumbrances associated with the property? Yes \_\_\_ No \_\_\_ *(If yes, attach copies of all applicable documents)*
- d. Provide a brief description of the proposed project:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Submit a copy of the deed or other instrument showing title and ownership or interest in the subject property.

9. Submit letters from all lien holders acknowledging their awareness of the proposed project.

**10. Detailed Site Plan:**

Attach a site plan (the preferred scale is 1 inch to 20 feet) to demonstrate that the proposed project complies with the applicable zoning regulations.

- a. North arrow and scale bar;
- b. Property boundaries with dimensions noted;
- c. Existing and proposed onsite and adjacent offsite streets, roads and easements that will serve the proposal;
- d. Existing and proposed access to the subject property;
- e. Pertinent geographic features of the subject property, including any significant topographical features and designated floodplain;
- f. Location of existing or proposed water, wastewater and solid waste facilities serving the subject property;
- g. Location and general description of all existing and proposed buildings or structures with dimensions included (Note: For the purpose of this requirement, the location and dimensions shall include all roof eaves/gutters, attached decking, patio areas, etc.);
- h. Existing and proposed outdoor lighting;
- i. Existing and proposed stormwater management infrastructure and drainage features; and
- j. Existing and proposed utilities, including an indication of whether utility lines are above- or below-ground.

**11. Attach These Items:**

- a. A detailed narrative of existing and proposed buildings and their location on the subject property, including the uses proposed for each and the approximate floor area and ground coverage of each building;

- b. A detailed narrative of the proposed water, wastewater, and solid waste disposal facilities intended to serve the buildings for lease or rent;
- c. A detailed narrative of the emergency medical, fire protection, and law enforcement services proposed to serve the buildings for lease or rent;
- d. A detailed narrative describing the existing and proposed access to and from the site, as well as the onsite circulation providing access to the existing and proposed buildings for lease or rent;
- e. A detailed narrative assessing the potential significant impacts on the surrounding physical environment or human population as a result of the proposed buildings for lease or rent, including a description of any proposed mitigation measures to avoid or minimize potential impacts;
- f. Comments on the proposal from the entities listed below. Each entity shall have 30 days to review the proposal. If no comments are received within 30 days, the application materials may be submitted to the City of Boulder for consideration, with proof demonstrated that comments were solicited from all entities listed below that are applicable (i.e. copies of certified mail receipts, emails, etc.).
  - i. City of Boulder public works, City of Boulder Engineer(s) and the City of Boulder Attorney, *(if applicable)*;
  - ii. Montana Department of Transportation if access is off of a state highway;
  - iii. City public works department and applicable consultants if access is off of a city or town street;
  - iv. Emergency medical services provider;
  - v. Local fire protection authority;
  - vi. Law enforcement service provider;
  - vii. Local school district if the proposed buildings for lease or rent will provide new buildings for residential use;
  - viii. Jefferson County Environmental Health Department;
  - ix. City of Boulder's Floodplain Administrator;
  - x. State wildlife agency; and
  - xi. State Historic Preservation Office.
- g. Any additional items as determined by the Administrator to be necessary for the review of the proposal that were discussed at the pre-application meeting. Such items may include a stormwater management plan; landscaping, buffers, and/or fence plans; dust control plan; plans for maintenance of infrastructure used by more than one renter or lessee; and elevation views of all four sides of each structure demonstrating average building height.
- h. Evidence demonstrating how the project complies with the requirements outlined in Section IX.A.2. of the Buildings for Lease or Rent Regulations.

**12. Jefferson County Environmental Health Review (Sanitation):** Note: All projects are required to demonstrate compliance with all applicable Jefferson County Environmental Health Department requirements prior to approval of the BLR. If a separate Environmental Health Department application is not submitted for review at this time, floor plans may be required for all structures providing living space to allow the Environmental Health Department to assess the capacity of the wastewater treatment system serving the property.

13. If floor plans are not provided with this or another application, a sanitarian may contact you to obtain the necessary information.

Have you obtained an on-site wastewater treatment system installation or use permit from the Jefferson County Environmental Health Department for the proposal?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the permit # \_\_\_\_\_

If not, please explain: \_\_\_\_\_

Office Use only:

Sanitarian review/comments: \_\_\_\_\_

\_\_\_\_\_

**13. Other Required Permits:**

Are there any other permits required to complete the project? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, include the name of each permitting agency and the type of permit(s) required below and include a copy of the permits or applications in the BLR Application packet.

\_\_\_\_\_

\_\_\_\_\_

**14. Additional Requirements for Properties Located within a Zoning District:**

Attach any other information necessary to demonstrate compliance with zoning regulations, if applicable. If the property or a portion of the property is located outside the city limits, Annexation must occur concurrently, and in compliance with the current City of Boulder Annexation Policy.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**APPENDIX D:  
CITY OF BOULDER  
BUILDINGS FOR LEASE OR RENT  
VARIANCE REQUEST APPLICATION**

All Building for Lease or Rent proposals must comply with the requirements found in Section IX.A.2.1 of the Building for Lease or Rent Regulations. The governing body may grant variances to those requirements when strict compliance will result in undue hardship and when it is not essential to the public welfare. A developer may request relief if the criteria found in Section IX.D. of the regulations can be met. A variance application must be submitted for each variance requested and must include evidence to demonstrate that there will be no more than minimal impacts to public health, safety, and welfare if the variance is granted.

**PROJECT NAME:** \_\_\_\_\_

**1. Cite the requirement for which the variance is requested:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. Provide a short summary of why the variance is needed:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. The developer shall demonstrate that the variance will meet all these criteria:**

**a. Granting the requested variance will not be detrimental to the public health, safety, or general welfare, or injurious to other adjoining properties:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**b. Due to the unique physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the requirements will impose an undue hardship on the landowner (Note: undue hardship does not include personal or financial hardship or any hardship that is self-imposed):**

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**c. Variance will not cause a substantial increase in public costs:**

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**d. Variance will not place the property in nonconformance with any adopted zoning regulations:** \_\_\_\_\_

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**4. Is information included with the application materials to demonstrate that impacts associated with granting the variance will be minimal or mitigated?**

Yes \_\_\_\_\_ No \_\_\_\_\_

**If yes is checked above, list the application materials that specifically address mitigation and impacts:**

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\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date





**The Boulder City Council has adopted the following findings of fact in support of the adoption of the City of Boulder Buildings for Lease or Rent Regulations:**

1. Finding: Adoption of the City of Boulder's Buildings for Lease or Rent Regulations will meet the intent provided under statute because these regulations offer a new process for review of buildings that are created for lease or rent on a single tract of land.
2. Finding: The City of Boulder's Buildings for Lease or Rent Regulations provide for an applicant's due process by establishing a review process and timeline requiring notification of completeness, as well as the governing body's decision and justification, that will be administered consistently as it applies to buildings for lease or rent.
3. Finding: The fee schedule to be imposed for the review of buildings for lease or rent projects is justified because it is commensurate with the amount of time and the level of review necessary to adequately consider such proposals.
4. Finding: The City of Boulder's Buildings for Lease or Rent Regulations will not place an undue burden on property owners seeking to lease or rent certain buildings or portions of buildings on a tract of land because the regulations identify circumstances under which buildings are exempt from the requirements of this new process.
5. Finding: The City of Boulder's Buildings for Lease or Rent Regulations will not place an undue burden on property owners seeking to lease or rent certain buildings or portions of buildings on a tract of land because the regulations provide for a new review process that is abbreviated yet considers impacts from the proposed development and allows for adequate mitigation because of the potential impact.
6. Finding: The City of Boulder's Buildings for Lease or Rent Regulations protect public health, safety, and welfare because existing and proposed water and wastewater facilities are required to be identified in the application materials, and because review by the governing body will ensure that adequate water supply, sewage and solid waste disposal facilities are required.
7. Finding: The City of Boulder's Buildings for Lease or Rent Regulations protect public health, safety, and welfare because adequate access to and circulation onsite will be considered by the governing body as part of the application review and will be a requirement of approval.
8. Finding: The City of Boulder's Buildings for Lease or Rent Regulations protect public health, safety, and welfare because adequate emergency medical, fire and law enforcements services will be considered by the governing body as part of the application review and will be a requirement of approval.

9. Finding: The City of Boulder's Buildings for Lease or Rent Regulations protect public health, safety, and welfare by requiring the governing body assess the potential significant impacts to the environment and human population within the area affected by the proposed development and allows the governing body to mitigate through conditions or denial to avoid or minimize the impact(s) anticipated.
10. Finding: The City of Boulder's Buildings for Lease or Rent Regulations protect public health, safety, and welfare because they will require development to comply with applicable floodplain requirements.
11. Finding: The additional regulations included require public hearings as part of the review process. Such processes are reasonable and necessary to protect the public health, safety and/or general welfare because they will enable the public to participate in the local governing body's review of the proposed development, and ensure those persons immediately affected have an opportunity to provide written and verbal comment on the proposal.
12. Finding: The additional regulations included minimal development standards that address property line setback requirements, building height limits, stormwater management, underground utilities, lighting, parking, landscaping, fencing, and dust control. Such minimal development standards are reasonable and necessary to protect the public health, safety and/or general welfare. The development standards protect adjacent properties from nuisances resulting from denser development such as parking conflicts, stormwater management onsite, lighting control, and dust management. The development standards also help to reduce the potential of fire spread and enable fire departments to better defend fires.
13. Finding: The City of Boulder finds it appropriate and necessary for all buildings for lease or rent project, regardless of the number of buildings/rental units being proposed, to undergo the Buildings for Lease or Rent review in order to ensure adequate services and utility capacity are available.
14. Finding: The City of Boulder finds it appropriate and necessary that Buildings for Lease or Rent projects consisting of three or fewer buildings, as outlined in 76-8-106, MCA, undergo further review to include: 1) A Buildings for Lease or Rent Application, (*Appendix C of the BLR Regulations*), 2) A City of Boulder Zoning Permit Application that will ensure all zoning requirements existing in Section 153. Zoning, of the Boulder City Code are met, and 3) A Water/Sewer Connection Permit to ensure utility design and hook-up's meet the city engineer's requirements.

## Notice of Public Hearing

**NOTICE IS HEREBY GIVEN** the Boulder City Council will conduct a public hearing on January 17, 2023, at 6:30 p.m. at the Boulder City Hall, 304 N. Main Street, Boulder, Montana, and at this time will take public comment, consider, and pass upon Resolution #2023-01-R, "*A Resolution Adopting City of Boulder Building for Lease or Rent Regulations*". The regulations are intended to regulate the creation of buildings for lease or rent within the corporate city limits. These regulations will be adopted to address the requirements outlined in Title 76, Chapter 8 of the Montana Code Annotated. They will allow the City of Boulder and landowners to consider and mitigate potential impacts that may result from buildings for lease or rent, to help protect the public's health, safety, and general welfare. The regulations include: (1) items required for review; (2) review process; (3) variance provisions to help alleviate undue hardship; (4) a schedule for review costs; and (5) application forms. Anyone wishing to offer comment on *City of Boulder Building for Lease or Rent Regulations* may do so in person at the public hearing, via zoom, or may provide written comment. **Written comments must be received in the office of the City Clerk, 304 N. Main Street, Boulder, Montana, or at mailing address - P.O. Box 68, Boulder, MT 59632) no later than 4:00 p.m. on Wednesday, January 11, 2023.**

To join the meeting remotely via zoom:

<https://zoom.us/j/3147501763>

Meeting ID: 314 750 1763

To join Zoom via traditional phone only:

Dial 1-646-558-8656, enter 314 750 1763 followed by the # key

When asked for participant ID, press # key

Further information on the action to be taken or copies of Resolution #2023-01R or the regulations can be obtained from the City Clerk, 304 N. Main St., Boulder, Montana, phone 406-225-3381 or via email at: [cityclerk@cityofbouldermt.com](mailto:cityclerk@cityofbouldermt.com).

*Posted in accordance with 76-8-107(3) in 5 public places on December 16, 2022.*

*Published in accordance with 7-1-4127, MCA on: January 4<sup>th</sup> & January 11<sup>th</sup>, 2023*





**MONTANA**  
Department of Transportation

Malcolm "Mack" Long, Director

2701 Prospect • PO Box 201001  
Helena MT 59620-1001

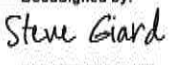
December 21, 2022

City of Boulder  
Rusty Giulio  
304 North Main Street  
Boulder MT 59632

Subject: STPP 69-1(46)38 CN  
Boulder - Urban  
Control No. 9742000  
Letting Date: January 1, 2024

Attached are one original of our utility agreement covering the changes of your water facilities as required on subject project.

Please review and complete your signature in the DocuSign process. A copy of the executed agreement will be sent to you once the DocuSign process has been completed.

DocuSigned by:  
  
B0D5FE2B351740B...

Steve Giard, Manager  
R/W - Utilities Section

SG:rm

Attachments

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Included is one original copy of our Utility Agreement, covering the relocation of your water facilities as required for the construction of the subject project.

This letter is your authorization to proceed with the final engineering, order the necessary materials required and secure right-of-way for the relocation of your facilities on this **Federal aid project**, as covered by this agreement dated December 21, 2022. **Please notify District Utility Agent Mike Drew at 406 494-9619 or Email him at mdrew@mt.gov, when final engineering has started.**

Mike Drew, or designee will authorize you when to proceed with the actual relocation of these facilities.

Since this is a Federally funded project, all costs incurred and records must comply with Title 23 CFR, part 645 and Title 48 of the Federal Highway Administration's Code of Federal Regulations.

This agreement is consummated, any further requests for adjustment or changes in the agreement should be made to the District Administrator.



**MONTANA**

Department of Transportation

*Malcolm "Mack" Long, Director*

*2701 Prospect • PO Box 201001  
Helena MT 59620-1001*

Compliance with the "Regulations Governing Occupancy of State Highway System Right of Way by Utility Facilities," regarding approval of common use agreements, occupancy agreements, and encroachment permits, must be obtained from the District before your construction work can begin.

If you should have any questions, please call Ron Maynard at (406) 444 6077.

Steve Giard, Manager  
R/W - Utilities Section

SG:rm

Attachments

Copies Matt King – Utility Construction Supervisor – Utilities Section - Helena



Malcolm "Mack" Long, Director

2701 Prospect • PO Box 201001  
Helena MT 59620-1001

December 21, 2022

City of Boulder  
Rusty Giulio  
304 North Main Street  
Boulder MT 59632

Subject: STPP 69-1(46)38 CN  
Boulder – Urban  
Control No. 9742000  
Letting Date: 1/1/2024

Due to a pending highway construction project, a portion of your water facilities are in conflict and will have to be adjusted.

The anticipated utility work is to adjust twenty-four (24) water valves at approximately \$569.55 each. The total project cost is anticipated to be \$13,669.20. **Please provide any requirements for adjustment of the water valves.**

For minor relocation work the Department of Transportation "MDT" will design and make the adjustment of the water valves in conflict at no charge to the City of Boulder, "OWNER", provided the work does not exceed \$25,000.00. We anticipate that the total cost will be approximately \$13,669.20, however, if the total cost of work to adjust the OWNER'S facilities is \$25,000.00 or more, the OWNER will be charged for 25% of the total cost of the work and an additional 8% of the OWNER'S share for traffic control and 8% of the OWNER'S share for mobilization. If the final cost of work to adjust the water and sewer facilities is less than \$25,000.00, there will be no charge to the OWNER.

Section 17-1-106, MCA, requires any state agency, including MDT, which receives non-general funds to identify and recover its indirect costs. These costs are in addition to direct project costs. MDT'S indirect cost rate is determined annually as a percentage of the project's direct costs to cover the project's share of MDT'S indirect costs as defined by 2 CFR Part 200, Appendix VII. MDT'S current indirect cost rate is 10.71% for fiscal year 2023 (July 1, 2022 to June 30, 2023).

For this project, MDT billings to the OWNER will include a charge for the indirect costs at the current fiscal year indirect cost rate, which amount will be applied toward the total project contribution of the OWNER. [Note: If this project extends across more than one fiscal year, more than one annual rate will be involved, as the rates may change during the life of the project.]

If the bid for the total cost of work to adjust the OWNER'S facilities is \$25,000.00 or more, the OWNER will be billed 30 days after bid opening for its portion. If, due to later increases, the total cost of work to adjust the OWNER'S facilities exceeds \$25,000.00, the OWNER will be billed 30 days after discovery of that cost increase for its portion. MDT will provide a detailed breakdown from estimated quantities of all costs with the billing. If payment is not made within that thirty (30) day period, interest on the unpaid amount will accrue at the rate of 10% per year and continue to accrue until paid in full.

**Provided OWNER is in agreement, please sign the following certification and return this letter to the Supervisor, Utility Section. MDT will incorporate the work in the construction contract.**

OWNER certifies that the water valves and sanitary sewer manholes are part of a public utility facility, and further agrees to permit the MDT to design and MDT'S contractor is to adjust the facilities in conflict with the construction project.

OWNER'S share to be billed by MDT and paid by the OWNER in accordance with the MDT'S Accounting Bureau billing procedure. The billing by the MDT'S Accounting Bureau will be for the OWNER'S share of actual



**MONTANA**  
Department of Transportation

Malcolm "Mack" Long, Director

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construction cost based on actual bills as furnished by the contractor for all water and sewer line project work including the 8% charge for Traffic Control and 8% charge for Mobilization.

OWNER agrees that if the final cost of the work is \$25,000.00 or more, the OWNER will pay MDT 25% of the total cost of work and an additional 8% of the OWNER'S share for traffic control and 8% of the OWNER'S share for mobilization, and the current Indirect Cost.

It is understood that the OWNER agrees to inspect the adjustment of the facilities during the work. Upon completion of the work and acceptance, by OWNER, all responsibility of the MDT ceases.

**It is understood that the OWNER is responsible for obtaining any permits required for adjustment of their facility.**

\_\_\_\_\_  
Owner Signature and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Steve Giard, Manager  
R/W - Utilities Section

\_\_\_\_\_  
Date

DocuSigned by:

*Bart Lamont*

\_\_\_\_\_  
Approved for Legal Content – MDT

12/21/2022

\_\_\_\_\_  
Date

SG:rm



## MDT NONDISCRIMINATION AND DISABILITY ACCOMMODATION NOTICE

Montana Department of Transportation ("MDT") is committed to conducting all of its business in an environment free from discrimination, harassment, and retaliation. In accordance with State and Federal law MDT prohibits any and all discrimination and protections are all inclusive (hereafter "protected classes") by its employees or anyone with whom MDT does business:

### Federal protected classes

Race, color, national origin, sex, sexual orientation, gender identity, age, disability, income-level & Limited English Proficiency

### State protected classes

Race, color, national origin, parental/marital status, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth, religion/creed, social origin or condition, genetic information, sex, sexual orientation, gender identification or expression, ancestry, age, disability mental or physical, political or religious affiliations or ideas, military service or veteran status, vaccination status or possession of immunity passport

For the duration of this contract/agreement, the PARTY agrees as follows:

**(1) Compliance with Regulations:** The PARTY (hereinafter includes consultant) will comply with all Acts and Regulations of the United States and the State of Montana relative to Non-Discrimination in Federally and State-assisted programs of the U.S. Department of Transportation and the State of Montana, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

**(2) Non-discrimination:**

- a. The PARTY, with regard to the work performed by it during the contract, will not discriminate, directly or indirectly, on the grounds of any of the protected classes in the selection and retention of subcontractors, including procurements of materials and leases of equipment, employment, and all other activities being performed under this contract/agreement.
- b. The PARTY will provide notice to its employees and the members of the public that it serves that will include the following:
  - i. A statement that the PARTY does not discriminate on the grounds of any protected classes.
  - ii. A statement that the PARTY will provide employees and members of the public that it serves with reasonable accommodations for any known disability, upon request, pursuant to the Americans with Disabilities Act as Amended (ADA).
  - iii. Contact information for the PARTY's representative tasked with handling non-discrimination complaints and providing reasonable accommodations under the ADA.
  - iv. Information on how to request information in alternative accessible formats.

- c. In accordance with Mont. Code Ann. § 49-3-207, the PARTY will include a provision, in all of its hiring/subcontracting notices, that all hiring/subcontracting will be on the basis of merit and qualifications and that the PARTY does not discriminate on the grounds of any protected class.

**(3) Participation by Disadvantaged Business Enterprises (DBEs):**

- a. If the PARTY receives federal financial assistance as part of this contract/agreement, the PARTY will make all reasonable efforts to utilize DBE firms certified by MDT for its subcontracting services. The list of all currently certified DBE firms is located on the MDT website at [mdt.mt.gov/business/contracting/civil/dbe.shtml](http://mdt.mt.gov/business/contracting/civil/dbe.shtml)
- b. By signing this agreement, the PARTY assures MDT that:

*The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.*

- c. The PARTY must include the above assurance in each contract/agreement the PARTY enters.

**(4) Solicitation for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation, made by the PARTY for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the PARTY of the PARTY's obligation under this contract/agreement and all Acts and Regulations of the United States and the State of Montana related to Non-Discrimination.

**(5) Information and Reports:** The PARTY will provide all information and reports required by the Acts, Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MDT or relevant US DOT Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the PARTY will so certify to MDT or relevant US DOT Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

**(6) Sanctions for Noncompliance:** In the event of a PARTY's noncompliance with the Non-discrimination provisions of this contract/agreement, MDT will impose such sanctions as it or the relevant US DOT Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the PARTY under the contract/agreement until the PARTY complies; and/or
- b. Cancelling, terminating, or suspending the contract/agreement, in whole or in part.

**(7) Pertinent Non-Discrimination Authorities:** During the performance of this contract/agreement, the PARTY, for itself, its assignees, and successor in interest, agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

*Federal*

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airways Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-Discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).
- Executive Order 13672 prohibits discrimination in the civilian federal workforce on the basis of gender identity and in hiring by federal contractors on the basis of both sexual orientation and gender identity.

*State*

- Mont. Code Ann. § 49-3-205 Governmental services;
- Mont. Code Ann. § 49-3-206 Distribution of governmental funds;
- Mont. Code Ann. § 49-3-207 Nondiscrimination provision in all public contracts.

**(8) Incorporation of Provisions:** The PARTY will include the provisions of paragraph one through seven in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and/or directives issued pursuant thereto. The PARTY will take action with respect to any subcontract or procurement as MDT or the relevant US DOT Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the PARTY becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the PARTY may request MDT to enter into any litigation to protect the interests of MDT. In addition, the PARTY may request the United States to enter into the litigation to protect the interests of the United States.

## **ADDENDUM "A"**

### **BACKFILLING OF EXCAVATED AREAS BENEATH ROADWAY SECTION**

Utility construction, which lies beneath the construction limits of the roadway, which requires backfilling of excavated areas, shall be subject to inspection by engineers of the State and shall meet the following specifications. The State's inspector shall designate on the ground the specific area where these requirements shall apply.

### **BACKFILLING**

All backfilling shall meet the following requirements except when other methods are specified for certain types of installations. Backfill material shall not contain sticks, sod, frozen soil or other unacceptable matter. Backfill material shall be placed in layers of six-inch loose thickness or less. All backfill material shall be compacted.

### **MOISTURE AND DENSITY REQUIREMENTS**

Each layer of material shall be compacted, with the proper use of water, until the in-place density of the material being compacted is not less than 95 percent of the maximum density established for the material being compacted or the material source or both. Water required shall be sufficient to obtain optimum moisture content plus or minus two percentage points, as determined by Montana Test Methods, unless modified by the engineer for conditions applicable to the character of the material being tested.

Material tests used to establish the maximum density values will be performed in accordance with Montana Test Method MT-210, or AASHTO-T-99. In-place density and moisture testing will be performed in accordance with applicable Montana Test Methods MT-212, MT-215, & MT-218. The percent compaction will be determined after making proper adjustments, when necessary, for oversize material.

Each layer of roadbed material that cannot be properly tested by Montana Test Methods, MT-212, MT-215, & MT-218, shall be compacted with compaction equipment in addition to compaction by hauling and spreading equipment. Compaction equipment for rocky material that cannot be tested shall normally be grid rollers, pneumatic-tired rollers, vibrating rollers, vibrating compactors, or self-propelled tamping rollers. Sheepfoot rollers shall not be used unless specifically directed. Water shall be used where directed.

Costs to achieve the above requirements are included in the estimate of this agreement and also will be included in bids for work pertaining to this agreement. It is recognized that until actual construction takes place it will be impossible to determine those areas that will require work above and beyond that which could have been expected to achieve the above requirements. If such areas of extra work are determined during the actual construction, an "Order for Additional Work and/or Cost Increase" will be prepared by the State for Payment of the additional work so construction of the utility can take place accordingly.

### **BUY AMERICA**

Products permanently incorporated into the work are subject to the Federal Buy America requirements as set forth in CFR 635.410. Buy America requirements apply to all steel or iron materials for permanent incorporation in the work. The steel or iron material must have all manufacturing process occur in the United States. "Manufacturing" includes all processes that affect the size, shape, and finish of the steel (coating, forming, plating, galvanizing, etc.). Buy America Certification must be provided to the State prior to commencement of work.

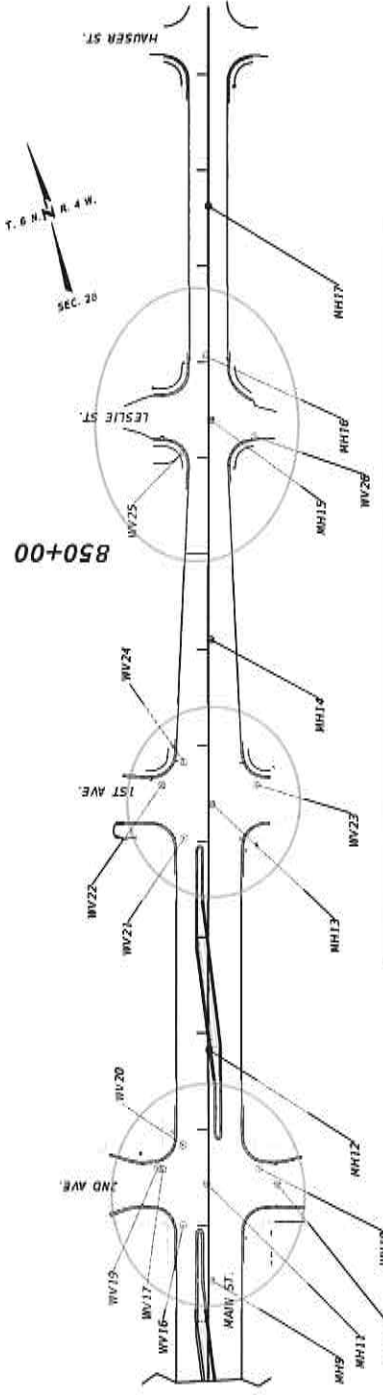
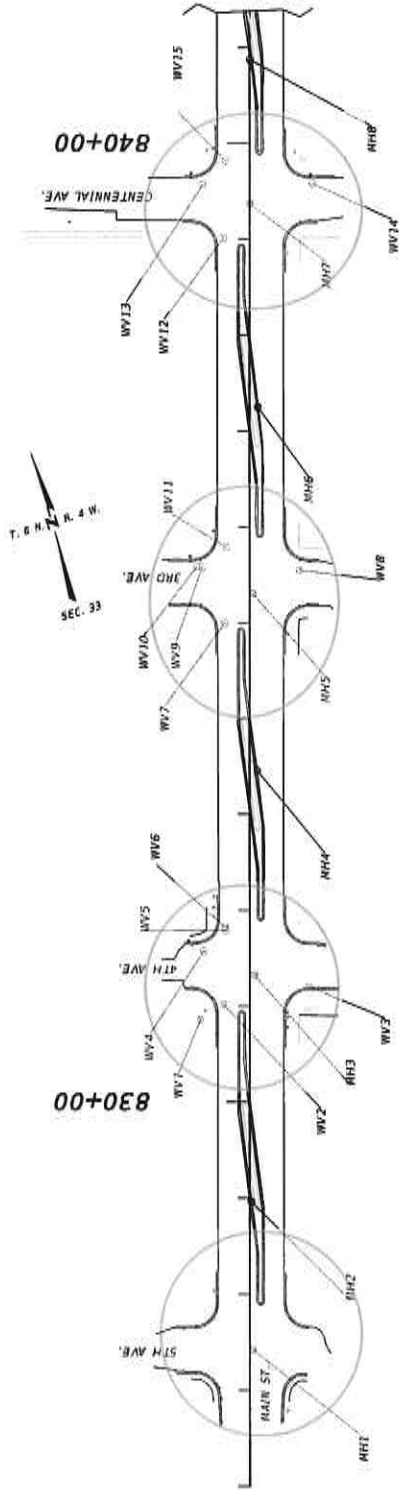




**WATER VALVE BOXES #**

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The water valves are labeled 1-26 on this sheet. Number 1 is a curb box and number 26 is a DND.  
We will be adjusting 24 water valves.



	C:\MSV\07\0200A\14001\401\DESIGNED BY 10/20/2022 2:30:56 PM	UTILITY PLANS JEFFERSON COUNTY	ROULDER - URBAN UPN 8742009	STPP 6811 J28 SHEET 3 OF 3
	<b>FOR UTILITY PIH</b>			





# CITY OF BOULDER

304 N Main Street  
PO Box 68  
Boulder, MT 59632

Phone: 406-225-3381  
Fax: 406-225-9498

## Community Improvement Coordinator Standard Operation Procedure (SOP)

### Title 16 COMMUNITY DECAY, BEAUTIFICATION, AND UPKEEP

**Author:**

Christopher Mosher

City of Boulder Community Improvement Coordinator

**Mayor:**

Russell S. Giulio

**City Clerk:**

Ellen Harné

**Purpose:**

The purpose of this SOP is to define the role and operating procedures of the Community Improvement Coordinator as it applies to nuisance properties defined in; **Title IX General Regulations, Chapter 94.**

**Procedure:**

To provide consistent operating procedure for the Community Improvement Coordinator and staff in support of the City of Boulder, Montana Ordinance NO. 2020-01

**Qualifying Violations:**

- 94.16 Accumulations Upon Premises and in Streets
- 94.17 Depositing of Debris in Public Ways and Creeks and in the Rivers Prohibited
- 94.18 Weeds, Grass, and Other Vegetation
- 94.20 Shielding

**Action Steps When a Formal Complaint Is Received:**

- I. Formal Citizen Complaint for Public Nuisance received:
  - a) Staff shall contact complainant within a reasonable period.
  - b) Staff shall determine whether the complaint constitutes a public nuisance as defined in City Code(s)
  - c) Staff shall conduct an assessment of the alleged violation using the checklist
  - d) Staff shall take photos of the alleged violation **from the city right-of-way**
  - e) Staff shall attach the complaint, assessment checklist, photos, and all other relevant documents as the first step in building a case.

The City of Boulder is an equal opportunity provider and employer.

- II. Formal Assessment after nuisance has been deemed a violation of ordinance:
- a- Send a *Courtesy Notice* letter, (1<sup>st</sup> Class Mail), to the owner of the property noting the violation(s). Include pictures and refer to pictures by number or letter.
  - b. The property owner has 14 days from the date of the *Courtesy Notice* letter to contact the City of Boulder to discuss an action plan to mitigate the violation(s).
  - e- If the property has **NOT**, in good faith and/or in the spirit of the letter contacted a City representative via phone or in person at City Hall to discuss a mitigation plan, per the process outlined in the city ordinance, the matter shall be referred to the City Council to determine if enforcement is necessary.

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X

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Christopher Mosher  
Community Improvement Coordinator

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X

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Ellen Harne  
City of Boulder Clerk

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X

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Russell S. Guilio  
City of Boulder Mayor



# CITY OF BOULDER

304 N Main Street  
PO Box 68  
Boulder, MT 59632

Phone: 406-225-3381  
Fax: 406-225-9498

- **Inspectors Name:**
- **Date Inspected:**
- **Property Address:**
- **Violation Date:**

## **Community Decay, Beautification, and Upkeep Check List:**

### **Title IX General Regulations, Chapter 94.**

- Components Parts;** Discarded, ruined, wrecked, or dismantled motor vehicle, including but not limited to, fenders, doors, hoods, engine blocks, motor parts, transmissions, frames, axle, wheels tires.
- Inoperative;** motor vehicle, trailer, camper, boat or other watercraft which is not in operating condition, or which for a period of 30 days or longer has been partially or totally disassembled by removing of tires and wheels, engine or other essential parts required for its operation, or, on which there are displayed neither valid license plates or a valid tax decal.
- Junk;** Old appliances, equipment, or part thereof, old iron scrap metal, automobile or truck tires, cardboard, old lumber or scrap wood, rags, rope, paper, debris, rubble, batteries, rubber debris, mattresses.
- Junk Vehicle;** A discarded, ruined, wrecked, or dismantled motor vehicle, including components, that is not lawfully and validly licensed and remains inoperative or incapable of being driven.
- Depositing Of Debris in Public Ways and Creeks and in Rivers;** Any waste matter, garbage, refuse, junk, dead animals, putrid or decaying matter of any kind, or other discarded materials or substances.
- Weeds, Grass and Other Vegetation;** Grass, weeds, and lawns which are not regularly cut and/or mowed. Grass length shall not exceed six inches; weeds not allowed to propagate so as to constitute a fire hazard.

**Attach photos for each checked item on the above list.**

**Definition:** *Public Nuisance; a condition which endangers safety or health, is offensive to the senses, or obstructs the free use of property so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood or by any considerable number of persons.*





# CITY OF BOULDER

304 N Main Street  
PO Box 68  
Boulder, MT 59632

Phone: 406-225-3381  
Fax: 406-225-9498

## COURTESY NOTICE

(Date)

Dear Customer,

The City values our resident's efforts to maintain a beautiful community. We rely on property owners to do their part in keeping our neighborhoods and community safe and attractive. This is a courtesy notification that the property you own at: \_\_\_\_\_ is not in compliance with the following City code:

Non-Compliant City Code:

Chapter 93: Junk Vehicles - Public Nuisance Ordinance  
Date Established:

### **Violation Description: Example**

SECTION 93.01 – The accumulation and storage of abandoned. In addition to and in accordance with the determination made and the authority granted by the state statutes to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances.

(A) The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof on private or public property not including highways is hereby found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare; and

(B) Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or part thereof, on private or public property not including highways, except as expressly hereinafter permitted, is hereby declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter.

Please contact the City office within 14 days of the date of this notice, so a plan of action to mitigate the violation(s) can be formulated. If City does not hear back from you within the 14 days, the formal processes outlined in City Ordinance # 2020-01, Title 16, will be initiated.

Sincerely, \_\_\_\_\_

Chris Mosher  
Community Improvement Coordinator

**Included: pictures, checklist, and/or other related documentation.**





# FEDERAL SURPLUS PROPERTY PROGRAM ELIGIBILITY APPLICATION

Donee #: 

MONTANA State Agency for Surplus Property (SASP)

PO Box 200137 / 16 W Custer Ave, Helena, MT 59620

Phone: 406-431-3104 Email: [DOASurplusProperty@mt.gov](mailto:DOASurplusProperty@mt.gov)

Organization:

Physical Mail Address (Street Address, City, State and Zip-- No Post Office Box!):

City of Boulder

304 North main Street Boulder MT 59632

Primary Contact:

Ellen Hame

Title:

City Clerk

Taxpayer/Employer Identification Number (TIN/EIN):

81-6006799

Phone w/Area Code:

406-225-3381

Fax w/Area Code:

406-225-9498

Email:

city.clerk@cityofbouldermt.com

Website:

www.cityofbouldermt.com

Please choose one among the following (Public Agency, Nonprofit Organization, SEA, VSO, SBA, or VOSB) which best describes your entity:

**Public Agency or Nonprofit Organization:** These are tax supported entities or (primarily) educational/health nonprofit programs-- See below and Section 549(c)(3) of title 40, United States Code for a more expansive list. Such programs can acquire both civilian agency and DOD property. Property must be placed into use within 12 months and then used for a specific time period depending on the item type.

 **Public Agency \*****Purpose of your public agency:**

- Conservation
- Economic Development
- Public Education G
- Public Health G
- Parks & Recreation
- Public Safety
- Program for Older Americans
- Local, City County or State Government
- Public Airport
- Indian Tribe, Band, Group, Pueblo or Community Located on a State Reservation I
- Volunteer Fire/Rescue Squad C
- Public Purposes- Multiple services such as above H

 **Nonprofit Organization \*\*****Purpose of your nonprofit:**

- Medical Institution B
- Hospital B
- Clinic B
- Health Center B
- Outpatient Facility B
- Program for Older Americans D
- Provider of Assistance to Homeless A
- Provider of Assistance to Impoverished A
- School, College or University B
- School for Persons with Disabilities B
- Educational Institution B
- Child Care Center B
- Preschool B
- Adult Day Care Center B
- Educational Radio/TV Station E
- Museum F
- Library B
- Nursing Homes or Geriatric Centers B
- Alcohol/Drug Abuse Treatment Centers B

\* All public agencies must provide **proof of public agency status.**\*\* All nonprofits must provide an **IRS 501(c) ruling.** State tax exempt forms are **not** acceptable.

All public agencies and nonprofits must provide financial information-- basic budget information, funding sources, etc.

- A Must provide letter from a public official certifying that those receiving services are **primarily** homeless or impoverished.
- B Must provide evidence of either **licensing** (recognition or approval by appropriate State or local authority; **accreditation** (approved by a recognized regional, state, or national board); or **approval** (recognition and approval by State Department of Health or Education; or other appropriate authority).
- C Must provide evidence of public funding and/or legislative authority; must also provide evidence of approval by proper government authority.
- D Must provide evidence of funding under the Older Americans, Social Security, Economic Opportunity, or Community Services Block Grant Act.
- E Must provide proof of Federal Communications Commission (FCC) licensing.
- F Must sign attached museum access agreement.
- G Public health and educational "institutions" must provide evidence of either **licensing** (recognition or approval by appropriate State or local authority); **accreditation** (approved by a recognized regional, state or national board); or **approval** (recognition and approval by State Department of Health or Education, or other appropriate authority).
- H Please contact the SASP for instructions on whether it is best to submit a separate application for each public program managed.
- I In some states like Alaska, this definition has been expanded. Contact your respective SASP for details.

**Note: All applicants whose eligibility is dependent on any type of licensing, accreditation, approval, or annual funding, must provide evidence of such upon expiration/renewal to ensure continuing eligibility.**

**Service Educational Activity (SEA):** These are programs of special interest to the Armed Services and DOD. See Section 549(d) of Title 40, USC. SEAs include American National Red Cross, Boy/Girl Scouts, Little League Baseball, United Service Organization, Young Marines, and many others. For a complete listing of SEAs, view DOD's 4160.21-M manual (Sections 6-4 through 6-22 and Attachment 6.1-1 & 2). SEAs can only acquire DOD property and **must provide proof of approval as an SEA.**

**Veteran Service Organization (VSO):** These are organizations recognized by the VA that provide services to veterans. VSOs include the American Legion, AMVETS, Marine Corps League, Veterans of Foreign Wars, and many others. For a complete listing, visit <https://www.va.gov/ogo/recognizedvsos.asp>. VSOs can acquire both civilian agency and DOD property. **VSOs are not required to be nonprofit to be eligible, but must provide proof of approval as a VSO and a written statement certifying that at least 33% of its members are veterans.**

**Small Business Administration (SBA) Activity:** These are designated by SBA as 8a Business Development (BD) activities. SBAs can acquire both civilian agency and DOD property (except foreign surplus) and **must provide written verification (letter or email) of your status from SBA.** SASPs may verify 8a BD status at [https://web.sba.gov/dsbs/search/dsp\\_dsbs.cfm](https://web.sba.gov/dsbs/search/dsp_dsbs.cfm).

**Veteran Owned Small Business (VOSB):** These are businesses certified by the VA. VOSBs can acquire both civilian agency and DOD property. VOSBs **must provide a copy of the VETS First verification from the VA.** SASPs may verify VOSB status at <https://vetbiz.va.gov/basic-search/>

**RISE Act Participants:** Reserved

**Note: If your organization was not listed above and you wish to further discuss, please contact the SASP at:**

Phone: 406-431-3104 Email: [DOASurplusProperty@mt.gov](mailto:DOASurplusProperty@mt.gov)

**Program Narrative:** Applicants must provide a written description of program(s), at a minimum and as applicable, details such as population served, number of individuals served, hours of operation, number of full-time/part-time staff, staff qualifications, description of facilities, square footage, financial information—basic budget information, funding sources, etc. Applicants may substitute a program brochure or website reference provided it lists similar details.

If more space is needed, proceed to Page 5.

**Authorized Representative Listing:** Applicants must provide a list of persons authorized to sign for the release of property on its behalf. Individuals listed on prior applications will be deleted. A valid driver's license or state issued photo identification may be required prior to entering state or federal facilities. Those who sign below represent that they have read and understand all information contained in this application (including the fine print) and they will abide by the aforementioned agreements, certifications, assurances and statements. Museum applicants acknowledge they understand and will abide by the Museum Access Agreement, the Certification & Agreement Statement and the Nondiscrimination Assurance Statement as well.

Printed Name	Date (MM/DD/YYYY)	Signature	Phone Number (include Area Code)

Printed Name	Date (MM/DD/YYYY)	Signature	Phone Number (include Area Code)

Printed Name	Date (MM/DD/YYYY)	Signature	Phone Number (include Area Code)

To include additional representatives, proceed to Page 5.

**Museum Access Agreement (Museum Applicants only):**

As part of the Federal Surplus Property Donation Program, "museums"—pursuant to Section 23 of Public Law 114-287 and Federal Management Regulation (FMR) Part 102-37—agree that from an operational standpoint toward fulfilling the museum's mission and function for the general public that the museum will: Accede to any request submitted for access during typical "business" hours, interpreted here to be approximately 9:00am to 4:00pm, Monday through Friday—although a reasonable variation from these hours may be considered due to individual circumstances (e.g. location of museum requiring strict business hours that deviate from the aforementioned time parameter).

Print Name and Title of Head Authorized Museum Official	Date (DD/MM/YYYY)	Signature

**Property "Want" or "Needs" List:** Applicants must provide a listing of specific property items desired or the general categories of items desired:

**Certification & Agreement Statement (Including Conditions, Reservations and Restrictions):**

(f) THE DONEE AGREES TO THE FOLLOWING ADDITIONAL SPECIAL TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, AND FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

(1) The donation shall be subject to the additional special terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document or other agreement executed by the authorized donee representative, as well as the conditions set forth in C, at a minimum.

**Sample Restriction Periods:**

These are the general restriction periods for most types of property received. It is the applicant's responsibility to research, understand and comply with the specific restrictions placed upon each piece of property received.

Property must be placed into use within 12 months and used for a minimum compliance or restriction period of 12 months depending on the type of property. Special restrictions are applied to items with an original government unit acquisition cost of \$5,000 or more, passenger motor vehicles, NASA artifacts, noncombat aircraft and vessels over 50', noncombat flyable aircraft, combat aircraft and vessels 50' and greater, and firearms. See the SASP for specific restrictions and questions on all items acquired, including the following:

- Property with an original gov't unit acquisition cost of less than \$5,000 or more = 12 months
- Property with an original gov't unit acquisition cost of \$5,000 or more and passenger motor vehicles = 18 months
- NASA artifacts = 60 months & Perpetuity
- Noncombat Aircraft and Vessels 50' and greater = 60 months
- Combat Aircraft and Vessels over 50' = Perpetuity
- Firearms = Perpetuity

Note: SEAs can only acquire DOD property and are only subject to a 12 month restriction period!

SBA activities can acquire civilian agency and DOD property, but must use the property during its term of participation in the SBA program plus one year

**Nondiscrimination Assurance Statement:**

ASSURANCE AND COMPLIANCE WITH GSA REGULATIONS under Title VI of the Civil Rights Act of 1964, Section 806 of Title VI of the Federal Property and Administrative Service Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and Section 303 of the Age Discrimination Act of 1975.

Hereinafter called the "Donee", agrees that the program for or in connection with which any property is donated to the Donee will be conducted in compliance with, and the Donee will comply with and will provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulation of the General Service Administration (41 CFR 101.6-2, PR 101-8) issued under the provisions of Title VI of the Civil Rights Act of Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975. To the end that no person in the United States shall on the grounds of race, color, national origin, sex or age, or that no person with disabilities shall solely by reason of their disability, be excluded from participation in or be denied the benefits of, or be subject to discrimination under any program or activity for which the Donee receives Federal Assistance from the General Services Administration.

The Donee hereby gives assurance that it will immediately take any measure necessary to effectuate this agreement.

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by Governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, state, or local) terminated for cause of default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall draw a line through the statement(s) above- (1)(a), (1)(b), (1)(c), (1)(d) for which the prospective applicant cannot certify and attach a detailed explanation to this application.

**My signature below represents that I have read and understand all of the information contained in this application (including the fine print). My signature below represents that I have accurately completed this form to the best of my ability and that my agency, organization, business and representatives will abide by the aforementioned agreements, certifications, assurances and statements.**

<b>Print Name and Title of Applicant's Head Authorized Official</b>	<b>Date (DD/MM/YYYY)</b>	<b>Signature</b>

(Internal SASP Use Only)

<b>Print Name and Title of SASP Reviewing/Processing Official (Optional)</b>	<b>Date (DD/MM/YYYY)</b>	<b>Signature</b>
<b>Print Name and Title of SASP Head Approving Official</b>	<b>Date (DD/MM/YYYY)</b>	<b>Signature</b>
<b>Approved:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>License/Accreditation/Approval Date:</b> [ ]	<b>Eligibility Expiration Date:</b> [ ]
<b>Notes</b> [ ]		

TO BE INCLUDED ON THE STATE AGENCY FOR SURPLUS PROPERTY (SASP) ISSUE OR DISTRIBUTION DOCUMENT.

(a) THE DONEE CERTIFIES THAT:

- (1) It is a public agency or a nonprofit institution or organization exempt from taxation under section 501 of the Internal Revenue Code of 1954 within the meaning of section 203(f) of the Federal Property and Administrative Services Act of 1949, as amended, and/or the regulations of the General Services Administration (GSA).
- (2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area and one or more public purposes, or, if a nonprofit, tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for any such purpose, or for programs for older individuals. The property is not being acquired for any other use or purpose, or for sale or other distribution or for permanent use outside the State, except with prior written approval of the SASP.
- (3) Funds are available to pay all costs and charges incident to donation, including but not limited to shipping fees, repairs, costs relating to making a donated item serviceable.
- (4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus property issued under title VI of the Civil Rights Act of 1964, Section 606 of title VI of the Federal Property and Administrative Services Act of 1949, as amended, section 504 of the Rehabilitation Act of 1973, as amended, title IX of the Education Amendments of 1972, as amended, and section 303 of the Age Discrimination Act of 1975.

(b) THE DONEE AGREES TO THE FOLLOWING CONDITIONS:

- (1) All items of property shall be placed in use for the purposes for which acquired within 1 year of receipt and shall be continued to be used for such purposes for a minimum of 1 year from the date the property was placed in use. In the event the property is not placed in use, or continued in use, the donee shall immediately notify the SASP and, at the donee's expense, return such property to GSA or SASP, otherwise make the property available for transfer or other disposal by the SASP, provided the property is still usable as determined by the SASP.
- (2) Such special handling or use limitations as are imposed by GSA on any item(s) of property listed hereon.
- (3) In the event the property is not so used or handled as required by (b)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and, upon demand, the donee shall release such property to such persons as GSA or its designee shall direct.

(c) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE SASP, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$500 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT, FOREIGN GIFTS, OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE IN LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

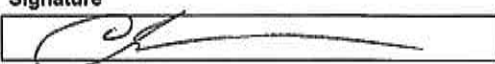
- (1) The property shall be used only for the purpose(s) for which acquired, and for no other purpose(s).
- (2) There shall be a period of restriction which will expire after such property has been used for the purposes(s) for which acquired for a period of 18 months from the date the property is placed in use.
- (3) In the event the property is not used as required by c (1) and (2), and Federal restrictions (b)(1) and (b)(2) and (f) have expired, then title and right to the possession of such property shall at the option of the SASP revert to the SASP and the donee shall release such property to such persons as the SASP shall direct.
- (d) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, RESERVATIONS, AND RESTRICTIONS:
  - (1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (b), (c), and (f), remain in effect, the donee shall not sell, trade, lease, lease, lend, ball, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently for use outside the State, without the prior approval of GSA under (b), (c), and (f), or the SASP under (c) and (f). The proceeds from any sale, trade, lease, loan, ballment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the SASP, shall be remitted promptly by the donee to GSA or the SASP, as the case may be.
  - (2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (b), (c), and (f) remain in effect, any of the proceeds of GSA or the SASP, the donee, at the option of GSA or the SASP shall pay to GSA or the SASP, as the case may be, the proceeds of the disposal of the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the SASP.
  - (3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (b), (c), and (f) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the SASP, and shall, as directed by the SASP, return the property to the SASP, release the property to another donee, or another SASP, or to a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the U.S. Government.
  - (4) The donee shall make reports to the SASP on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the SASP. The SASP reserves the right to, at its discretion, conduct on-site, virtual, telephonic, written reviews of property acquired for use to ensure the donee is properly utilizing the property and following all applicable program rules.
  - (5) At the option of the SASP, the donee may abrogate the State conditions set forth in (c) and the State terms, reservations, and restrictions pertinent thereto in (d) by payment of an amount determined by the SASP in conjunction with GSA.

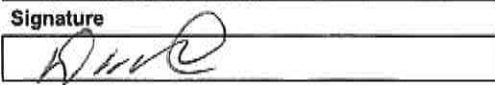
(e) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

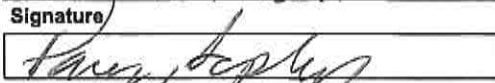
- (1) The property acquired by the donee is on an "as is, where is" basis, without warranty of any kind, and the Government of the United States of America, as well as the SASP will be held harmless from any or all debts, liabilities, costs, demands, suits, actions, or claims of any nature arising from or incident to the donation of the property, its use, or final disposition.
- (2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, GSA or the SASP, as the case may be, will be entitled to reimbursement from the donee out of the insurance proceeds of an amount equal to the unamortized portion of the fair market value of the damaged or destroyed donated items.

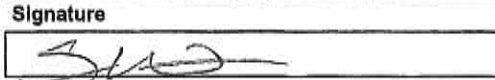
**Program Narrative (Continued):** Applicants must provide a written description of program(s), at a minimum and as applicable, details such as population served, number of individuals served, hours of operation, number of full-time/part-time staff, staff qualifications, description of facilities, square footage, financial information— basic budget information, funding sources, etc. Applicants may substitute a program brochure or website reference provided it lists similar details.

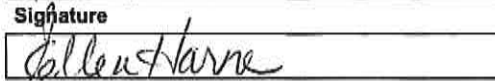
**Authorized Representative Listing (Continued):** Applicants must provide a list of persons authorized to sign for the release of property on its behalf. Individuals listed on prior applications will be deleted. A valid driver's license or state issued photo identification may be required prior to entering state or federal facilities. Those who sign below represent that they have read and understand all information contained in this application (including the fine print) and they will abide by the aforementioned agreements, certifications, assurances and statements. Museum applicants acknowledge they understand and will abide by the Museum Access Agreement, the Certification & Agreement Statement and the Nondiscrimination Assurance Statement as well.

<b>Printed Name</b> CHRIS MOSHER	<b>Title</b> COMMUNITY IMPROVEMENT COOR.	<b>Phone Number (Include Area Code)</b> 406-220-9181
<b>Email Address</b> cmosher@cityofboulder.com	<b>Date (MM/DD/YYYY)</b> 12-15-22	<b>Signature</b> 

<b>Printed Name</b> Dennis Wortman	<b>Title</b> PWD	<b>Phone Number (Include Area Code)</b> 406-439-1082
<b>Email Address</b> wortmand@cityofboulder.net	<b>Date (MM/DD/YYYY)</b> 12-20-2022	<b>Signature</b> 

<b>Printed Name</b> Harry Lepley	<b>Title</b> W.O	<b>Phone Number (Include Area Code)</b> 406-437-1021
<b>Email Address</b>	<b>Date (MM/DD/YYYY)</b> 12-21-2022	<b>Signature</b> 

<b>Printed Name</b> Scott Warten	<b>Title</b> PW	<b>Phone Number (Include Area Code)</b> 406-224-7019
<b>Email Address</b>	<b>Date (MM/DD/YYYY)</b> 12/21/22	<b>Signature</b> 

<b>Printed Name</b> Ellen Harne	<b>Title</b>	<b>Phone Number (Include Area Code)</b> 406-225-3381
<b>Email Address</b> CityClerk@cityofboulder.net	<b>Date (MM/DD/YYYY)</b> 12/23/2022	<b>Signature</b> 

**Property "Want" or "Needs" List (Continued):** Applicants must provide a listing of the specific property items desired or the general categories of items desired:



# RECORDS DESTRUCTION DOCUMENT (RM88)

NO.

PAGE 1 OF 1 PAGES

**1. AGENCY NAME AND DIVISION/PROGRAM:**  
City of Boulder

**2. AGENCY CONTACT:**  
NAME: Rosemary Perna

PHONE #: 406-225-3081

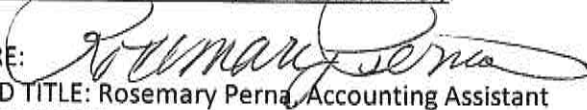
EMAIL: cityofboulder@cityofbouldermt.com

**3. NOTICE OF INTENTION:** The schedule records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

- Delete     
  Incinerate     
  Shred as Classified     
  Toss without Restriction  
 Other: Explain

**4. SUBMITTED BY:** I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements or **Offer to the State Historical Society Archives** has been fully justified, and that further retention is not required for any litigation pending or imminent. *Documentation attached from Historical Society.*

SIGNATURE:



NAME AND TITLE: Rosemary Perna, Accounting Assistant

DATE: 01/06/20023

## 5. LIST OF RECORD SERIES

**NOTE: Attach any inventories or Excel spreadsheets to this form to help validate records destroyed.**

a. Retention Schedule Number	b. Item number listed on Retention Schedule	c. Record Series Title	d. Retention in months/years	e. Inclusive Dates	f. Volume in Cubic Feet	g. Disposition Action and Date completed after Authorization
Schedule 8	Pg. 24 #5	Claims	5 years	FY 2013- FY 2016	2	
Schedule 8	Pg. 46 #5	Purchase Orders	5 years	FY 2016- FY 2017	<1	
Schedule 8	Pg. 51 #3	Journal Vouchers	5 years	FY 2015	<1	
Schedule 8					<1	
Schedule 8					<1	
Schedule 8					1	

**6. DISPOSAL AUTHORIZATION:** Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Manager

Name: Ellen Harne

Date: January 06, 2023

Signature:



**7. DISPOSAL CERTIFICATE:** The above listed records have been disposed of in the manner and on the date shown in column g.

Name and Title:

Signature:

