

COUNCIL ORDINANCE 115

An ordinance establishing an Architectural Design Review Board for the Town of Ennis.

11.39.00 Establishment: The Board of Architectural Design Review is hereby established to maintain the 1880's Western Motif of the Zoning Areas of the Town of Ennis. This Board is charged with the acting on Variance Applications as specified in this ordinance.

This Board shall consist of 8 members, all appointed by the mayor and approved by the Ennis Town Council. Membership of the Board shall be as follows:

1. One non-voting member from the membership of the Town Council.
2. Five members chosen from within the Zoning Districts of the Town of Ennis.
3. Two members chosen from outside the Zoning Districts, but must be residents of Madison County.

Terms shall be for a three (3) year term after first appointments of two (2) members for one (1) year, two (2) member for two (2) years and three (3) members for three (3) years. Council member will serve at the discretion of the Mayor.

1139.011 Selection of Officers and Rules of Operation: The Board shall elect officers from its membership on an annual basis, the following officers:

1. Chairman
2. Vice Chairman
3. Secretary

The Board shall also establish its rules of operation as it or the Town Council deems necessary.

11.39.012 Compensation of Board Members: Members of the Board shall serve without compensation.

11.39.013 Duties & Responsibilities: It shall be the responsibility of the Board to meet quarterly or as deemed necessary by the Chairman or the Town Council to develop and/or update as necessary any

plan pertaining to the regulating of the Architectural of the Zoning Areas of the Town of Ennis.

This Board may, after public notice and hearing, conditionally approve, deny or approve the request to modify the requirements of ordinances that the Town Council deems necessary to implement in the Zoning Areas of the Town of Ennis which fall under the jurisdiction of this Architectural Design Review Board.

11.39.014 Procedure: Written applications for such variances shall be filed in the public office of the Zoning Administrator. Notwithstanding any other provisions of these regulations, the uniform fee as set by the Town Council fee schedules, shall be paid to the Town Clerk, upon the filing of each variance application, for the purpose of defraying expenses incidental to the proceedings.

The Architectural Design Review Board shall cause to be made such investigation of facts bearing on the application as will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of these regulations. No application will be regarded as having been filed until the appropriate fees shall be paid to the Town Clerk.

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11.39.015 Notice of Hearing: Notice of said hearing shall be published in a newspaper of general circulation within the county once, at least ten (10) days prior to the hearing date.

11.39.016 Approval of Modifications: Prior to approving such modifications, the Board shall find as follows:

1. Such modifications will not be inconsistent with the intent and purpose of these regulations and/or any adopted general plan.
2. That strict compliance with the provisions of these regulations would create unnecessary hardship or unreasonable situations on a particular property.
3. That such modifications shall have minimal adverse affect on neighboring properties.
4. That the conditions stated in the approval are deemed necessary to protect the public and general welfare.

11.39.017 Plan Appeals Procedure: An applicant or certain other parties may appeal a decision of the Ennis Architectural Design Review Board, by making a written appeal to the Ennis Town Council who will then hold a public hearing and review the decision of the Board. Fees for an appeal process, shall be set by the Town Council's Fee Schedule.

PASSED AND ADOPTED BY THE TOWN COUNCIL of the Town of Ennis at a regular session thereof held of the 13th day of January, 1994.



RICHARD W. BARR, Mayor

ATTEST:



PAMELA M. ALLISON
Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA }
County of Madison } SS.

Daryl L. Tuberos

being duly sworn says that he is publisher and printer of The Madisonian, a weekly newspaper published in the City of Virginia City, County of Madison, State of Montana; that the annexed notice is a true copy which was published in said newspaper for a period of 2

successive weeks, commencing on the 23rd

day of December, 1993,

and ending on the 30th day of

December, 1993

Daryl L. Tuberos

Publisher and Printer.

Subscribed and sworn to before me this 3rd

day of January, 1994

Tami L. Christensen

Notary Public in and for the State of Montana,
residing at Virginia City, Montana. My commission

expires Jan 31, 1996.



COUNCIL ORDINANCE #115

An ordinance of the Town Council of the Town of Ennis, Montana, establishing an Architectural Design Review Board for the Town of Ennis, Town of Ennis

State of Montana
County of Madison

I, Pamela M. Allison, Town Clerk of the Town of Ennis, Montana, do hereby certify that the foregoing is the true and correct title and number of Council Ordinance #115 passed and adopted at a regular session thereof held on the 9th day of December, 1993.

Dated this 10th day of December, 1993.

Pamela M. Allison
Town Clerk

(Pub. Dec. 23, 30, 1993) et