

AN ORDINANCE OF THE TOWN COUNCIL: TOWN OF ENNIS, MONTANA PURSUANT TO 76-2-302 MONTANA CODE ANNOTATED, ESTABLISHING A COMMERCIAL ZONING ORDINANCE FOR ARCHITECTURAL DESIGN OF BUILDINGS WITHIN THE TOWN OF ENNIS, WITH SAID ORDINANCE EFFECTIVE WITHIN THE TOWN LIMITS AND WITHIN ONE MILE BEYOND THE CORPORATE BOUNDARIES OF THE TOWN

WHEREAS, on the 9th day of February, 1995, the Town Council of the Town of Ennis adopted Chapter 11.44.000 of the Ennis Town Code, otherwise known as the Sign Ordinance, to protect the western theme of the Town of Ennis; and

WHEREAS, it is the intention of the Architectural Review Board of the Town of Ennis to propose an Ordinance to require all commercial buildings to construct their facades in the 1880's architectural style, consistent with the design theme set forth in the Sign Ordinance; and

WHEREAS, it is the Town's intention to hold a public hearing on the proposed architectural design ordinance, and consider its adoption after receiving an appropriate recommendation from the Architectural Review Board.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS, MONTANA, THAT:

Section 1

Pursuant to Section 76-2-302 et seq. Montana Code Annotated, the Town Council, thru Interim Ordinance No. 116, required that all Commercial construction in the Town of Ennis commercial zones be within conformance of the 1880's Architectural style.

Section 2

Upon the enactment of this Zoning ordinance, all new buildings shall be required to submit plans as part of the building permit application and obtain approval of four (4) out of the seven (7) member Architectural Design Review Board.

Section 3

The Board shall take its action within two (2) weeks of receipt of the plans, which must include a front elevation drawing and a design of the building facade sufficient for determining whether the building is in compliance with the western theme of the Town of Ennis.

Section 4

Definition of 1880's Architectural Style: The words "Western Theme" and "1880's Architectural style" are synonymous. Construction materials permitted are those that closely imitate or duplicate those used in the 1880's period. Wood, stone, brick, log and clapboard are a few examples. Whatever the exterior facade material used, it is equally important that the use of the material is similar to the original structures of the 1880's Western Architectural style.

It is the intent of this Ordinance to allow some latitude in the review process by not limiting the exact choice of exterior construction materials. It is imperative that the building exteriors are compatible with existing structures in the commercial zones of Ennis.

Section 5

Existing Building Compliance: Upon change of ownership, or any renovation substantially effecting the entire building or the facade of a

building, all buildings which do not currently conform to this Ordinance shall be brought into compliance within the time limits set forth in 11.36.030, Ennis Town Code for renovation. A purchaser of a non-conforming building shall submit and complete a permit application to the Zoning Administrator which provides for bringing the structure into compliance with this section within sixty (60) days of purchase.

Section 6

Severability: If any provision of this Ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Ordinance and applicability thereof to other persons and circumstances shall not be affected thereby.

Section 7

Appeals: Any applicant for a commercial building permit which is denied by the Architectural Review Board on the basis of this ordinance shall have the right to appeal in writing to the Town Council within ten (10) days of the date of denial. The Council shall hear the appeal at the next regularly scheduled meeting.

PROVISIONALLY PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Ennis, Montana, this 12th day of January, 1995.

R.W. Barr
MAYOR

ATTEST:

Samela H. Allen
TOWN CLERK

FINALLY PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Ennis, Montana, this 9th day of February, 1995, and effective thirty (30) days after said date.

R.W. Barr
MAYOR

ATTEST:

Samela H. Allen
TOWN CLERK

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA }
County of Madison } SS.

Daryl L. Tubenon

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 19th

day of January, 1995,

and ending on the 26th day of

January, 1995

Daryl L. Tubenon

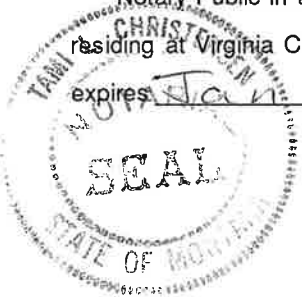
Publisher and Printer.

Subscribed and sworn to before me this 3rd

day of February, 1995

Jimi L. Christensen

Notary Public in and for the State of Montana,
residing at Virginia City, Montana. My commission
expires Jan 31, 1996.



ORDINANCE NO. 118

AN ORDINANCE OF THE TOWN COUNCIL: TOWN OF ENNIS, MONTANA PURSUANT TO 76-2-302 MONTANA CODE ANNOTATED, ESTABLISHING A COMMERCIAL ZONING ORDINANCE FOR ARCHITECTURAL DESIGN OF BUILDINGS WITHIN THE TOWN OF ENNIS, WITH SAID ORDINANCE EFFECTIVE WITHIN THE TOWN LIMITS AND WITHIN ONE MILE BEYOND THE CORPORATE BOUNDARIES OF THE TOWN.

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 Ordinance No. 118 provisionally passed and adopted at a regular session thereof held on the 12th day of January, 1995.

This Ordinance can be viewed in its entirety at the Town Hall office during regular office hours of 8 a.m. to 5 p.m. Monday through Friday.

Dated this 13th day of January, 1995.

Pamela M. Allison
Town Clerk

(Pub. Jan. 19, 26, 1995) et