

COUNCIL ORDINANCE NO. 123

AN ORDINANCE OF THE TOWN COUNCIL, TOWN OF ENNIS, MONTANA ADOPTING MADISON COUNTY RULES AND REGULATIONS FOR SUB-DIVISIONS AND PLATTING FOR AREAS WITHIN THE TOWN OF ENNIS.

The purpose of this Ordinance is to protect the public safety, health and welfare through adoption, as an interim Ordinance regulating certain areas of land which may be in conflict with a contemplated zoning proposal which the Town Council is considering within a reasonable time. This Ordinance was originally adopted as an emergency Ordinance which was not pursuant to State Law time limits.

WHEREAS, on the 11th day of August, 1994, the Town Council of the Town of Ennis adopted the Madison County Subdivision Regulations which complied with the Montana Subdivision and Platting Act, as amended in 1993, with the intention of holding a Public hearing on a proposed Subdivision Regulations Ordinance to be presented by the Ennis Planning Board; and

WHEREAS, the 1995 State Legislature made changes to the Law regarding Subdivision Regulations; and

WHEREAS, the Ennis Planning Board had hired a Planner to draft a proposed Subdivision Regulations and said Planner has since resigned; and

WHEREAS, it is the Town Council's intention to hold a Public hearing on the proposed Subdivision Regulations Ordinance and consider its adoption on a permanent basis; and

WHEREAS, during the interim period in which the Town considers the permanent adoption of the Subdivision Regulations Ordinance, developments could occur under the non existence of Subdivision Regulation Ordinance for the Town of Ennis which could be in conflict with the intent and provision of the proposed Ordinance.

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

The Town Council of the Town of Ennis adopts the Madison County Subdivision Regulations which comply with the Montana Subdivision and Platting Act, as amended 1995.

This Ordinance does not affect proceedings that were begun before the effective date of this Ordinance.

Upon the enactment of this ordinance, all persons shall be required to submit plats and pay fees to the Ennis Planning Board.

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.

PROVISIONALLY PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Ennis, Montana, this 28th day of March, 1996.

Richard W. Barr

MAYOR

ATTEST:

Pamela M. Allison
TOWN CLERK

FINALLY PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Ennis, Montana, this 11th day of April, 1996, and effective thirty (30) days after said date.

Richard W. Barr

RICHARD W. BARR
Mayor

ATTEST:

Pamela M. Allison
PAMELA M. ALLISON
Town Clerk

APPROVED AS TO FORM:

Karen Mc Mullin
Karen Mc Mullin
Town Attorney

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA } SS.
County of Madison

Daryl L. Tichenor

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 1

successive weeks, commencing on the 4th

day of April, 1996,

and ending on the 4th day of

April, 1996

Daryl R. Tichenor

Publisher and Printer.

Subscribed and sworn to before me this 8th

day of May, 1996

Lami L. Christensen

Notary Public in and for the State of Montana,
residing at Ennis, Montana. My commission expires

Jan 3, 2000



**COUNCIL ORDINANCE
NO. 123**
An Ordinance of the Town Council, Town of Ennis, Montana Adopting Madison County Rules and Regulations for Subdivisions and Platting for Areas within the Town of Ennis.
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 No. 123 Provisionally passed and approved at a session of the thereof held on the 25th day of March, 1996.
Council will hear public input regarding this Ordinance at the Council meeting scheduled for April 11, 1996, at 7:30 p.m.
Dated this 1st Day of April, 1996
Pamela M. Allison
Town Clerk
(Pub. Apr. 4, 1996) te