PETITION PROCEDURE TO CREATE A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) UNDER SECTION 7-12-2101 M.C.A.

GENERAL: The Board of County Commissioners is authorized and empowered to order and create special improvement districts whenever the public interest or convenience may require (7-12-2102 M.C.A.). The purpose of a Rural Special Improvement District is to provide funding for improvements and maintenance of pre-existing improvements including, but not limited to streets (avenues, highways, lanes, alleys, crossings or intersections, courts, and places which have been dedicated and accepted according to the law or in common and undisputed use by the public for a period of not less than 5 years next preceding), ditches, bridges, culverts, curbs, gutters, sewers, and waterworks. A Petition to Create a Rural Special Improvement District must have the consent of at least 60% of the land owners located in the proposed District.

1. Obtain a petition packet from the Yellowstone County Public Works Department located in Room 608 located in the John V. Ostlund Yellowstone County Administration Building (2825 3rd Ave N). Each packet contains all the necessary documents to be filled out. Read the petition procedure carefully. If you have any questions or need clarification about the petition procedure, please contact the Public Works Department at (406) 256-2735. Incomplete or inaccurate petitions will cause delays in the petition process.

2. Complete the cover sheet of the Petition to Establish a Rural Special Improvement District. Include the date submitted and the name, address, phone number and signature of the petitioner.

3. Provide 2 maps detailing the Rural Special Improvement District. Darken and/or highlight the map to clearly identify the District boundary (Section A).

   The proposed District boundary could be shown on the following:

   a) Subdivision Plat
   b) Certificate of Survey
   c) Assessor Map

   These maps are available at the Clerk and Recorders Office (4th Floor of the Ostlund Building) or the Assessors Office (1st floor of the Ostlund Building).

4. Provide legal descriptions of the property within the proposed District (Section B).
   Example:
   Lots 1-8, Block 1, Sunshine Subdivision
   Lots 1-4, Block 2, Happy Subdivision
   Etc.

5. Indicate the annual maintenance activities desired (Section C), including the estimated costs. The Public Works Department will assist with cost estimates based on activities requested. Maintenance activities could include but are not limited to:

   a) snow plowing/ice control
   b) road blading
   c) water system maintenance
   d) weed control
   e) sewer system maintenance

   If specific improvements are desired please list them as well as the estimated cost. Public Works may be able to assist with the cost estimate. If the improvements desired are such that it is necessary to hire a consulting engineering firm, they could assist in the development of a cost estimate.

6. Choose a method of assessment for the properties in the proposed Rural Special Improvement District (Section D).

   a) Square Footage: Each lot, tract, or parcel of land in the district is assessed based on its area as a percentage of the total property within the district.
   b) Equal Amount: Each lot, tract, or parcel of land in the district is assessed the same amount.
   c) Front Footage: Each lot, tract, or parcel of land in the district abutting upon the improvement is assessed based on its lineal feet abutting the improvement as a percentage of the total lineal feet of property abutting the improvement.

7. Provide recommendations for property owners to serve on an Ad Hoc Committee for the proposed Rural Special Improvement District (Section E). *An Ad Hoc Committee is made up of property owners within the district that make recommendations on matters related to the Rural Special Improvement District expenditures to all the property owners within the district and to the Board of County Commissioners.*

8. Obtain signatures of at least **60%** of the property owners who consent to the creation of the proposed Rural Special Improvement District (Section F). Owners must sign their name as it appears in the title report.

   FOR EXAMPLE: Richard Edward Smith and Dorothy Jones Smith can't sign as Dick Smith and Doty J. Smith.

   **Note* Percentage is based on method of assessment chosen in Step 6 above. For example, if method of assessment is by square footage then the petition must contain the signatures of the owners of 60% of the total square footage within the proposed district.*

9. Obtain and attach an Ownership Report from a Title Company for all legal descriptions listed in step 4 (Section G). This report must include owner names, mailing addresses,

and tax codes. **Note** *Cost of ownership report can only be recovered by the applicant(s) if the district is formed. It is therefore recommended that this report be obtained only after receipt of the consent of at least 60% of the property owners. See Step 8.*

10. Submit the petition and all necessary attachments to the Yellowstone County Public Works Department.

11. The Board of County Commissioners will review the petition for the creation of a Rural Special Improvement District. If the Board finds that the proposed District benefits the properties listed in the petition, the Board will pass a Resolution of Intent to Create a Rural Special Improvement District. The County Clerk and Recorder will publish notice of the passage of the Resolution of Intent to Create the Rural Special Improvement District and mail a copy of the notice to each property owner within the proposed District.

    At any time within 15 days after the date of the first publication of the notice of passage of the Resolution of Intent to Create a Rural Special Improvement District, any owner of property liable to be assessed for improvements or maintenance activities may make written protest against the proposed District. Written protests must be delivered to the County Clerk and Recorder.

    If protests are filed within the expiration date, a public hearing will be held at the next regular meeting of the Board of County Commissioners.

12. If no protests are delivered to the County Clerk and Recorder within 15 days after the date of the first publication or when a protest filed is found by the Board to be insufficient or overruled, the Board of County Commissioners will appoint members to the Ad Hoc Committee and pass a Resolution Creating the Rural Special Improvement District.

EXHIBIT 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVER SHEET

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this _____ day of _____, 20___.

Petitioner/Initiator (and/or) Contact Person:

NAME: _____

ADDRESS: _____

_____

PHONE NO: _____

I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.

_____ _____

Petitioner's Signature Date

LIST ALL ADDITIONAL ATTACHMENTS:

EXHIBIT 1, cont'd

SECTION A
MAPS OF RURAL SPECIAL IMPROVEMENT DISTRICT BOUNDARY (ATTACHED)

EXHIBIT 1, cont'd

SECTION B
LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

EXHIBIT 1, cont'd

SECTION C
ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	$
	$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	$
	$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	$
	$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	$
	$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: _____

EXHIBIT 1, cont'd

SECTION D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

☐	Square Footage
☐	Equal Amount
☐	Front Footage
☐	Other (Describe)

_____

_____

_____

_____

_____

_____

EXHIBIT 1, cont'd

SECTION E
PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME **TELEPHONE NUMBER**

1. _____ (Chairman) _____
   Printed Name

   _____
   Signature

2. _____ _____
   Printed Name

   _____
   Signature

3. _____ _____
   Printed Name

   _____
   Signature

4. _____ _____
   Printed Name

   _____
   Signature

5. _____ _____
   Printed Name

   _____
   Signature

EXHIBIT 1, cont'd

SECTION F

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RSID. It is our understanding that if support exists for the RSID, information will be provided to the County and a public hearing scheduled regarding the creation of this district. Following the public hearing, the County Commissioners shall take action on whether or not to create the district. Should the County Commissioners create the district, WE, as property owners, understand that we shall bear the costs of the district as formally approved by the County Commissioners.

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED

EXHIBIT 1, cont'd

SECTION F (Continued)

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RSID. It is our understanding that if support exists for the RSID, information will be provided to the County and a public hearing scheduled regarding the creation of this district. Following the public hearing, the County Commissioners shall take action on whether or not to create the district. Should the County Commissioners create the district, WE, as property owners, understand that we shall bear the costs of the district as formally approved by the County Commissioners.

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED

EXHIBIT 1, cont'd

SECTION G
OWNERSHIP REPORT (ATTACHED)