FROMBERG TOWN COUNCIL AGENDA
MEETING TIME IS THURSDAY, OCTOBER 8, 2026, AT 6:30 PM
FROMBERG TOWN HALL, 118 W RIVER STREET

(Discussion And Possible Action on All Items.)

Thursday, October 8, 2026

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: (3-minute limit per person)

CORRESPONDENCE: None

MAYOR/COUNCIL:

- This is a time when the Mayor or the Council members can bring a concern before the council that is not otherwise listed on the agenda. No action can be taken at this time. If action is necessary, the item may be put on the next meeting agenda.

SHERIFF DEPARTMENT REPORT:

ZONING/VARIANCE APPLICATION: None

OLD BUSINESS:

- Discussion/Decision regarding possible litigation with Stillwater Conservation District/River Project
  - Dennison any updates

NEW BUSINESS:

- Discussion/Decision: Town Hall Facelift
- Discussion/Decision: Amendment to Fee Schedule
  - Working on Town Property only
  - Variance Fee Removed? -No Variance in current Town Code
- Discussion/Decision: Updating Ordinances
  - Zoning Committee-Appointed in January 2025

CONSENT AGENDA:

- Approve Minutes
  - 2026-9-10 Regular Meeting
- Approve Claims
- Approve Payroll Summary
- Approve Journal Vouchers

TOWN ATTORNEY: Dennison Butler

PUBLIC WORKS: Mike Ventling

TOWN CLERK: Michele Auch

ADJOURN:

Conduct at Public Meetings

The public is invited to speak on any item under discussion by the Council, after recognition by the presiding officer.

The speaker should stand at the podium, and for the record, give his/her name and address, and, if applicable, the person, firm or organization he/she represents. Comments should be limited to three (3) minutes unless approval by the presiding officer, and citizens requesting to speak shall limit him or herself to matters of fact regarding the issue of concern. Prepared statements are welcomed and should be given to the Clerk of the Council. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become part of the hearing record.

While the Town Council is in session, those in attendance must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer. Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission continues to be granted by the presiding officer
or a majority vote of the Council.

The Fromberg Town Council reserves the right to amend these rules of procedure as deemed necessary.

TOWN OF FROMBERG 9/10/26

TABLE OF FEES

Water-Rates Changed in July 2024

Residential Active	$ 57.00
Commercial Active	$ 57.00
Non-Residential Active	$ 57.00
Non-Active	$ 41.00
School	$ 57.00
Per 1000 gallons	$ 2.50
Bulk Water	$ 0.03 per gallon
Water Disconnect	$ 50.00 (turn-off)
Water Reconnect	$ 50.00 (turn-on)
Household Tapping	$ 2,500.00—Work only performed on Town Property
Business Tapping	$ 3,500.00—Work only performed on Town Property

Garbage-4.5% increase in July 2026-2029

96 gal	$ 30.60
2 yd Dumpster	$ $90.65
3 yd Dumpster	$ 133.35
4 yd Dumpster	$ 176.90
6 yd Dumpster	$ 263.20
8 yd Dumpster	$ 349.45

Sewer-Rates Changed in July 2024

Full	$ 75.00
Full x2	$ 150.00
Full x3	$ 225.00
Full x4	$ 300.00
Full x5	$ 375.00
Full x6	$ 450.00
Schools	$ 101.00
Non-Active	$ 45.00
Exempt	$ 0.00
Household Tapping	$ 2,500.00—Work only performed on Town Property
Business Tapping	$ 3,500.00—Work only performed on Town Property

Dog Licenses-Due May 1st Every Year

Male or Spayed Female	$ 10.00
Female Unaltered	$ 15.00
Kennel Licenses-more than (3) dogs	$100.00
Up to May 30th Late Fee	$ 75.00
May 31st Late Fee Increases to	$ 200.00

Business Licenses-Due Jan. 1st Every Year

Business	$50.00
Bars/Saloons	$125.00

Back Room Rental $5.00

Labor & Equipment **$ 200.00 per Man Hour – Work only performed on Town Property**

Tampering with Water/Sewer Property-Time & Materials

Damage Fee to Water/Sewer Mains-Time & Materials

Zoning Variance requiring Public Hearing $400.00 per Variance Application

Special Meeting Fee $150.00 per Special Meeting

Currently in Effect

Zoning

Amended
Effective 1-01-01

Chapters:

Chapter 1: Title, Purpose and Scope
Chapter 2: Definitions
Chapter 3: Zoning Districts Established
Chapter 4: Residential Districts; "A District"
Chapter 5: Residential Mobile Home Districts; "B District"
Chapter 6: Commercial - Industrial Use Regulations; "C District"
Chapter 7: General Regulations
Chapter 8: Nonconforming Uses
Chapter 9: Special Review Procedure
Chapter 10: Amendments
Chapter 11: Enforcement

Zoning

Chapter 1: Title, Purpose and Scope

10-1-01 Title Cite.

This title herein referred to maps shall be known and cited as the "Fromberg Zoning Ordinance" for the incorporated limits of the city and any additional territory authorized by either state statue or county commissioners.

10-1-02 Purpose of Provisions.

A. The zoning regulations, classifications and districts as herein set forth are in accordance with S 76-2-301 to S 76-2-328, MCA 1995.

B. They have been made in accordance with the comprehensive planning process and have been deemed necessary and developed with consideration among other things, to the character of each zoning district and its peculiar suitability for particular uses, to conserve the value of buildings, to stabilize property values, to preserve recreation and agricultural lands from conflict of urban development, to promote the interest of health, safety, and general welfare, to secure safety from fire, and to provide adequate open space for light and air, and to facilitate the economic provision of adequate transportation, water, sewer, schools, parks, and other public requirements.

C. The Fromberg City Council further declares the zoning plan is adopted for the following purposes:

1. To promote and guide development consistent with the goals and objectives of the comprehensive planning process;
2. To prevent waste and inefficiency in land use;
3. To encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety in type and design of dwellings and by conservation of open space; and
4. To provide adequate land and space for the development of commercial and industrial uses and to encourage such development in locations calculated to benefit the community at large and in a manner consistent with the goals and objectives of the city's comprehensive planning process.

10-1-03 Scope

A. This title applies to all lands in the incorporated limits of the city; and any additional territory authorized by either state statues or the county commissioners.

B. In their interpretation and application, the provisions of this title may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity and welfare;

C. This title is not intended to abrogate or annul any building permit, certificate of occupancy, variance of other lawful permit issued prior to the effective date of the ordinances codified in this title.

Chapter 2: Definitions

10-02-01 Purpose of provisions.

For the purpose of this title, certain words and terms used herein are defined in this chapter.

10-02-02 Rules of construction.

All words used in the present tense include the future tense. All words used in the plural number include the singular number, and all words used in the singular number include the plural number, unless the natural construction of the working indicates otherwise. The word "building" includes the word "structure". The word "shall" is mandatory and not directory. The word "used" shall be deemed to include "designed, intended or arranged to be used. Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the city of Fromberg, Montana: the term "city council" means the city council of the city: the term "city zoning commission" means the zoning commission of the city.

10-02-03: Agriculture

"Agriculture" is defined as the science for practice of large-scale soil cultivation.

10-02-04: Alley

"Alley" means a public way, which affords only secondary access to abutting property.

10-02-05: Animals

Refer to Title 5 "Animals" of the Fromberg Municipal Code Book.

10-02-06: Apartment

"Apartment" means a room or suite of two or more rooms in a multiple dwelling or in any other building not a single dwelling or a two-family dwelling, occupied or suitable for occupancy as a dwelling unit for one family. A bachelor apartment or efficiency unit shall qualify under this definition.

10-02-07: Basement.

"Basement" means that portion of a building below the first floor joists, the floor of which is more than one-half clear ceiling height below the adjacent ground.

10-02-08: Block.

"Block" means the property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

10-02-09: Building.

"Building" means a structure having a roof supported by walls or columns for the shelter, support, or enclosure of persons, animals or chattels. When, in a building all of which is used for

nonresidential purposes, any portion of the building is completely separated from all other portions by a masonry division wall from the ground up to the roof, and no door or other opening directly communicating between the two portions of the building, such portions so separated shall be deemed separate buildings.

10-02-10: Building, accessory.

"Accessory building" means a subordinate building, the use of which is customarily incidental to that of a principal building on the same lot.

10-02-11: Building line.

"Building line" means a line established in general, parallel to the front street line between which and the front street line no part of a building shall project, except as otherwise provided by this title.

10-02-12: Building, principal.

"Principal building" means a building in which is conducted the principal use of the lot on which it is situated.

10-02-13: Business or commerce.

"Business" or "commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management or occupancy of the office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures or premises by professions and trades or persons rendering services.

10-02-14 City.

"City" means the city of Fromberg, Montana.

10-02-15: Commercial district.

"Commercial district" means any "C" district.

10-02-16: Condominium.

"Condominium" means ownership in common with others of a parcel of land and certain parts of a building, together with individual ownership in fee of a particular unit or apartment in such building. Each individual has an absolute title to this apartment which he may sell, mortgage or devise as he could with a single-family dwelling that he owned.

10-02-17: Density.

"Density" means the number of families residing on, or dwelling units developed on, and acre of land. As used in this title, all densities are stated in families per net acre, that is, per acre of land devoted to residential use, exclusive of land in street, alleys, parks, playgrounds, schoolyards, or other public lands and open spaces.

10-02-18: Dwelling.

"Dwelling" means a building or portion thereof arranged or designed to provide living facilities for one or more families. The term "dwelling" shall not be deemed to include a motel, hotel, tourist home or mobile home.

10-02-19: Dwelling, group.

In general, "group dwelling" means a building in which several unrelated individuals or families permanently reside, but in which individual cooking facilities are not provided for the individual persons or families. Specifically, "group dwelling" shall include a rooming house, fraternity house, sorority house and private club in which one or more members have a permanent residence. "Group dwelling" shall not be deemed to include a hotel, motel, tourist home, mobile park, or any use included in the "health medical group."

10-02-20: Dwelling, single-family.

"Single-family dwelling" means a building containing only one dwelling unit; provided, however, that:

A. No highly reflective exterior finish, siding, or surface material is used;

B. Roof pitch conforms to standards delineated in the one- and two- family dwelling code of the Uniform Building Code:

C. The dwelling be placed on a continuous base or footing composed of concrete or other material satisfactory to the city council.

10-02-21: Dwelling, two family.

"Two family dwelling" means a building containing only two dwelling units.

10-02-22: Dwelling unit.

"Dwelling unit" means a building or portion thereof providing complete housekeeping facilities for one family.

10-02-23: Easement:

"Easement" means a grant by the property owner of the use of a strip of land by the public, or by one or more persons or corporations for a specific purpose or purposes.

10-02-24: Elderly housing.

"Elderly housing" mean housing designed specifically for elderly occupancy with a least one resident domiciled in each living unit therein with an age of sixty-two years or older.

10-02-25: Family.

"Family" means one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

10-02-26: Fence.

"Fence" means a barrier of posts connected by boards, rails, panels or wire constructed for purposes of enclosing space, for separating parcels of land or for landscaping and including masonry walls, ornamental structures, privacy screens and shrubs.

10-02-27: Floodplain or Floodway.

"Floodplain" or floodway" means in all cases or interpretation the regulations of the Montana Water Resources Board as provided in S76-5-103 and S76-5-104, MCA, 1995.

10-02-28: Floodplain zone.

"Floodplain zone" means a separate and distinct portion of the Fromberg Zoning Ordinance governing those lands affected by a one hundred-year floodplain classification.

10-02-29: Frontage

"Frontage" means all of the property on one side of the street or highway between two intersecting streets or highways (cross or terminating) measured along the line of the street or highway, or if the street or highway is dead ended, then all of the property abutting on one side between an intersecting street or highway and the dead end of the street or highway.

10-02-30: Garage, private.

"Private garage" means an accessory building or part of principal building, which may be used, for the storage of motor vehicles or personal property.

10-02-31: Garage, public.

"Public garage" means a building or premises which is operated for commercial purposes and used for the storage, care or repair of motor vehicles, but a "public garage" shall not be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

10-02-32: Height of building.

"Height of building" means the vertical distance measured from the highest of the following three levels:

A. The street curb level;

B. The established or mean street grade in case the curb has not been constructed; or

C. The average finished ground level adjoining the building it sets back from the street line to the level of the highest point at the roof beams to flat roofs. or roofs inclining not more than one inch to the foot. and to the mean height level of the top of the main plate and highest ridge for other roofs.

10-02-33: Junkyard.

"Junkyard" means the use of any premises whether inside or outside of a building for the storage, keeping or abandonment of junk, including scrap metals, rags, paper, or other scrap material and equipment for dismantling, demolition or storage of unlicenced or abandoned automobiles or other vehicles, or machinery or parts thereof. Refer to Title 6, Chapter 9, Section 01 of the Fromberg Municipal Code.

10-02-34: Jurisdictional area.

"Jurisdictional area" means area included within the city limits of the Town of Fromberg. Such jurisdictional area may be changed by joint resolution of the city council and board of county commissioners in accordance with S 76-1-501 to S76-1-508, MCA, 1995.

10-02-35: Livestock.

"Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, llamas, etc.

10-02-36: Lot.

"Lot" when used alone, means, unless the context clearly indicates otherwise, "zoning lot" as defined in this title.

10-02-37: Lot corner.

"Corner lot" means a zoning lot at the junction of and abutting on two or more intersecting streets when the interior angle of intersection does not exceed one hundred and thirty-five degrees. Any zoning lot adjoining a curved street at a point where the street boundary described an arc subtended by an angle of one hundred thirty-five degrees or less, shall be considered a "corner lot".

10-02-38: Lot depth.

"Lot depth"means the mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

10-02-39: Lot interior.

"Interior lot" means a zoning lot other than a corner lot.

10-02-40: Lot line rear.

"Rear lot line" means the lot line generally opposite or parallel to the front street line. If a rear lot line is less than ten feet long, or the lot line is assumed to be a line at least ten feet long, lying wholly within the lot, parallel to the front street line is curbed. parallel to the chord of the arc of the front street line.

10-02-41: Lot record.

"Record lot" means land designated as a separate and distinct parcel on a legally recorded subdivision plat or in a legally recorded deed filed in the records of Carbon County, Montana.

10-02-42: Lot width.

"Lot width"means the average width of the lot.

10-02-43: Lot zoning.

"Zoning lot"means a tract of land occupied or to be occupied by a principal building and its accessory buildings, together with such open spaces and yards as are required under the provisions of this title, having not less than the minimum area required by this for a zoning lot in the district in which such land is situated and having its principal frontage on a street or a permanent, exclusive, nonobstructed easement of access or right-of-way to a street, not less then twenty feet wide. A "zoning lot" need not necessarily coincide with a "record lot"as herein defined.

10-02-44: Modular or manufactured housing unit.

"Modular" or "manufactured housing united" means a factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into modular structure. terms intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees and other prefabricated subelements which are to be incorporated into a structure at site.

10-02-45: Motor vehicle parts salvage yard.

"Motor vehicle parts salvage yard" means the use of not more than fifty percent of the premises of a motor vehicle repair garage or motor vehicle body repair shop for the storage of motor vehicles for dismantling and sale for used parts thereof.

10-02-46: Nonconforming use.

The use of a building or other structure or of a tract of land which does not conform to the use or regulations of this title for the district it is located, either at the effective date of the ordinance codified in this title, or as a result of subsequent amendments which may be incorporated into this title.

10-02-47: Off-street parking space.

"Off-street parking space"means an off-street area for parking of one motor vehicle having all -weather surface, shall have a width of not less than twelve feet when directly connected to a driveway approach in all other instances the width shall not be less than twelve feet; in both instances the length shall be not less than twenty feet. Easy access to a street shall be provided by a driveway.

10-02-48: Parking lot.

"Parking lot" means any land legally used for the parking of motor vehicles.

10-02-49: Pasture.

"Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock.

10-02-50: Permanent Foundation.

Permanent foundation is defined as a poured in place foundation, continuous footing, or solid concrete slab.

10-02-51: Principle use.

"Principle use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premise are accessory.

10-02-52: Property Line

Property line means property boundary as defined by recorded survey document.

10-02-53: Public use zone.

"Public use zone" means a separate zone intended to reserve land for public and semipublic uses.

10-02-54: School, commercial.

"Commercial school" means a building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

10-02-55: School, elementary, junior or senior high, including public, private and parochial.

"Elementary, junior or senior high, including public private and parochial school" means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education.

10-02-56: Story.

"Story" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if its ceiling is more than five feet above the level from which the height of the building is measured.

10-02-57: Story, half.

"Half story" means a story with at least two opposite exterior sides meeting at a sloping roof not more than two feet above the floor of such story.

10-02-58: Street.

"Street" means a public thoroughfare which affords principle means of access to abutting property.

10-02-59: Structure.

"Structure" means anything constructed or erected, which requires location on the ground or is attached to some thing having a location on the ground; including but not limited to buildings,

advertising signs, billboards, and poster panels; but not including customary fences or boundary or retaining walls.

10-02-60: Trailer or mobile home.

"Trailer or mobile home" means:

A. Any dwelling larger than two-hundred fifty-six square feet in area which is either wholly or in substantial part manufactured at an off-site location and any movable or portable dwelling over thirty-two feet in length and over eight feet wide, constructed to be towed on its own chassis and designed without permanent foundation for year-around occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit:

B. This definition does not include any dwelling of preconstructed nature meeting applicable local building codes pertaining to on-site assemble of structures.

10-02-61: Travel trailer.

"Travel trailer" means a portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation use.

10-02-62: Trailer or mobile home park.

"Trailer or mobile home park" means land designed or used for the temporary or permanent parking of two or more trailers or mobile homes, and where the lot is rented or owned.

10-02-63: Trailer subdivision or mobile home subdivision.

"Trailer subdivision" or "mobile home subdivision" means subdivision designed and intended predominantly for permanent or temporary occupancy of mobile home or travel trailers.

10-02-64: Use

"Use" means the term referring to:

A. Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied; and

B. Any occupation, business, activity or operation carried on (or intended to be carried on) in a building or other structure or on land; or

C. A name of a building, other structure or tract of land which indicates the purpose for which it is arranged, designed, intended, maintained or occupied.

10-02-65: Usable open space.

"Usable open space" means space on the same lot and contiguous to the principal building or buildings and which either landscaped or developed and maintained for recreational purposes and excludes that portion of lot which is utilized for off-street parking or loading space or for front yard setback requirements.

10-02-66: Uses permitted.

"Uses permitted" means any use permitted by the regulations of this title. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

10-02-67: Variance.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in same vicinity or zone.

10-02-68: Yard, front.

"Front yard" means a yard, extending across the full width of lot and lying between the front line of lot and the nearest line of principal building.

10-02-69: Yard, rear.

"Rear yard" means a yard extending across the full width of lot and lying between the rear line of lot and the nearest line of the principal building.

10-02-70: Yard, side.

"Side yard" means a yard between the sideline of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either side yards, is a front or rear lot line, respectively, no case being closer than four feet. The first two feet of the overhang shall not be subtracted from the allowable side yard spacing; provided, that the overhang is not closer than four feet to the property line.

10-02-71: Yard.

"Yard" means an open space of uniform width or depth on the same zoning lot with a building or group of buildings, which open space lies between the buildings or group of buildings and the nearest lot line and is unoccupied and unobstructed, from the ground upward except as may be specifically provided in this title. In measuring a yard, the line of the building shall be deemed to mean a line parallel to the nearest lot line drawn through the point of a building or group of buildings nearest to such lot line, exclusive of such features specified as not to be considered in measuring yard dimensions or as being permitted to extend into a yard, and the measurements shall be taken at right angles from the line to the building to the nearest lot line.

Chapter 3: Zoning Districts Established

10-3-01 Intent.

It is the intent of this chapter to establish zones wherein compatible uses of land may be located to create, protect, and maintain a desirable living environment, to stabilize and protect residential harmony and to conduct a profitable business. It is also the intent of this chapter to make it possible to efficiently and economically design and install public facilities in terms of size and capacity to adequately meet the needs resulting from a defined intensity of land use.

10-3-02 Districts designated.

In order to carry out the provisions of this title, the city and other areas so authorized by the county commissioners or state statute, is divided into the following zoning districts in which the erection, construction, alteration, reconstruction, repair of use of buildings, structures, and land shall be regulated and restricted. The regulations in each district shall be uniform throughout each district but may differ from those in other districts. The districts are as follows:

A. AO - Agriculture Open-Space;
B. "A" - Residential Districts
C. "B" - Residential Mobile Home Districts
D. "C" - Commercial - Industrial Use Regulations

10-3-03 Agriculture Open-Space.

The agricultural-open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually unsubdivided and with a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered infusion of uses not compatible with an agricultural rural environment.

10-3-04 Residential "A" District.

The Residential "A" District is intended to provide an area for medium, urban density, single-family, residential environment on lots that are served by public water and sewer system.

10-3-05 Residential "B" Mobile Home Districts.

The Residential "B" Mobile Home District is intended to provide a suitable residential environment for individual mobile homes, mobile home parks, and competitive accessory uses.

10-3-06 Commercial - Industrial "C" Use Districts.

The Commercial - Industrial "C" Use District is intended to accommodate convenience retail, personal service, community retail, service and office facilities, and light industry uses. Facilities within the classification will generally serve an area within a one and one-half mile radius. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community

and those who use such services.

10-3-07 District Boundaries and Zoning Map.

The location and boundaries of districts established in the city are shown on the official zoning map of the city. This map is entitled "Zoning Map of the City of Fromberg," and is on file in the office of the city clerk. This map is hereby made a part of this chapter. This map shall reflect the ordinances adopted prior to this date and all ordinances adopted prior to this date and all ordinances adopted after this date relating to the boundaries of zoning districts.

10-3-08 Interpretation of District Boundaries.

Where uncertainties exist as to the boundaries of the various districts as shown on the zoning map accompanying and made a part of this title, the following rules shall apply:

A. District boundary lines are intended to follow street, alley or lot lines, or lines parallel to or perpendicular thereto, unless such district boundary lines are fixed by dimensions as shown on the zoning map;

B. Where district boundaries are indicated as approximately following street or alley lines or proposed street or alley lines, such line shall be construed to be such boundaries;

C. Where district boundaries are so indicated that they approximately follow lot lines and is not more than ten feet distant therefrom; such lot lines shall be such boundaries;

D. Where land within the city limits is not subdivided into lots and blocks or where district boundary lines are not approximately street, alley, or lot lines, the district boundary lines on the zoning map shall be determined by the scale shown on such map, and where uncertainty exists, the district boundary line shall be determined by the zoning commission by written decision. Land within the city limits that has been or was subsequently subdivided or resubdivided into lots and blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the district boundaries were established, the zoning commission, after notice to the property affected thereby and a public hearing, may interpret the zoning map and make minor readjustments in the district boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street and lot layout of the ground. Such interpretations or adjustments shall be by written decision, and thereafter the copies of the zoning map in the office of the city clerk shall be changed to conform thereto;

E. Any street, alley or railroad right-of-way, watercourse, channel, or body of water, included in the zoning map shall, unless otherwise indicated, be included in the zoning district of adjoining property on either side thereof. Where such a street, alley, right-of-way, watercourse, channel or body of water serves as a boundary between two or more different zoning districts, a line midway in such street, alley, right-of-way, watercourse, channel or body of water, and extending in the general direction of the long dimension thereof shall be considered the boundary between zones. If a dedicated street or alley shown on the zoning map is vacated by ordinance, the property formerly in the street or alley shall be included within the zone of the adjoining property on either side of the vacated street or alley. In the event the street or alley was a zone boundary between two or more different zones, the new zone boundary shall be the former center line of the vacated street or alley;

F. All land or territory annexed to the city after the date of adoption of this section shall

immediately become classified as an "A" Residential Zoning District and the zoning map shall thereupon be amended to indicate such land or territory in the "A" Residential Zoning District without further zoning request variance.

Chapter 4: Residential Districts; " A District"

10-4-01 Uses.

In any "A" residential district, no land shall be used, and no building shall be erected or altered except for the following uses:

a. Single family dwellings
b. Manufactured homes that are ten years old and less and set up on a permanent foundation. (To be classified as real property only)
c. Schools
d. Parks, recreation buildings, and country clubs not conducted as a business or for profit
e. Fire departments
f. Churches or temples
g. Libraries

10-4-02 Building Area.

Except as otherwise provided in this chapter, no building with its accessory building shall be erected or altered, so as to occupy more than forty five percent (45%) of the area of a corner lot, more than thirty-five percent (35%) of the area of the interior lot.

10-4-03 Rear Yards.

Except as otherwise provided in this chapter, every building shall have a rear yard, the depth of which shall not be less than fifteen (15) feet for lots less than one hundred fifty feet in depth, and not less than twenty five (25) feet for lots one hundred fifty feet and over.

10-4-04 Side Yards.

Except as otherwise provided in this chapter, every lot shall have two side yards, each of which is not less than six (6) feet in width. The sum of the widths of the two side yards shall in no case be less than twenty four percent (24%) of the width of the lot.

10-4-05 Height.

Except as otherwise provided in this chapter, no building shall exceed thirty five (35) feet in height.

10-4-06 Set Back Line.

No building shall be erected or altered so as to place its street wall nearer than fifteen (15) feet from the property line. No accessory building shall be erected nearer than fifteen (15) feet from the property line.

10-4-07 Manufactured Homes.

For the purpose of single family homes, manufactured homes may **not** be placed in a "A" residential unless it is newer than a ten year old multisectional model and is set up and skirted in one of the following ways:'

1) placed on a permanent foundation,
2) individual pads with cinder blocks are used for supports, coupled with uniform skirting,
3) a dug-out style with cinder blocks for support, designed to lower the unit to ground level.

10-4-08 Schools, Temples, Libraries and Fire Departments.

For the purpose of erecting schools, churches, temples, libraries, or fire departments, two or more adjoining lots shall be considered a single lot provided that the side line, rear yard, and building set back provisions are observed. Two side yards of not less than six (6) feet in width shall be provided in each single lot. The depth of the rear yard of the single lot shall not be less than ten (10) feet. The street wall of the building erected on the side yard shall be placed no closer than thirty (30) feet to the property line. The building shall not exceed sixty (60) feet in height.

10-4-09 Barley Field Subdivision Regulations Required

The following restrictions shall be complied with by any owner/developer of the said Barley Field Subdivision containing approximately ten (10) acres located on the east end of the property as described below:

That part of NE¼ of Section 20, Township 5 south, Range 23 East, P.M.M., Carbon County, Montana, described as Tract 1A, of Certificate of Survey No. 288 on file in the office of the Clerk and Recorder of said County, under Document #190460.

- Lots shall be ½ acre or more,
- Dwelling shall be no less than 1200 square feet on the main floor,
- Dwelling can be a double wide or approved modular style home (cannot be older than 10 years),
- All units will be required to hook up to the city water and sewer system and garbage pickup provided by the developer and/or homeowner.

10-4-10 Conformity with Regulations Required.

No building shall be erected or altered in an "A" residential district except in conformity with the regulations prescribed in this chapter.

10-4-11 Exceptions to "A" Residential

Any land mass in excess of 2 acres may be used for approved agricultural activity as defined by agriculture open space of Title 10, Chapter 3, Section 3 of the Fromberg Municpal Code Book.

Chapter 5: Residential "B" Mobile Home Districts

10-05-01 Intent

The Residential Mobile Home District is established as a district in which the principal use of land is for single-family mobile home dwellings. For the Residential Mobile Home District the specific intent of this section is:

A. To encourage placement of, and the continued use of the land for single family mobile home dwellings located within mobile home parks or mobile home subdivisions,

B. To prohibit commercial and industrial uses of the land;

C. To encourage suitable and proper development of mobile home parks or mobile home subdivisions.

10-05-02 Definitions.

For the purpose of this section:

"Mobile home park" also means " Mobile home court."

"Mobile home subdivision" means a surveyed, approved, and filed subdivision where the lots are primarily for sale rather than individual spaces for rent.

10-05-03 Permitted uses.

The following use is permitted:

Single-family mobile home dwellings must have been manufactured on or prior to fifteen (15) years of age when located within mobile home parks or individual lots within a mobile home subdivision.

10-05-04 Allowable density.

The maximum allowable density for all mobile home parks shall be nine mobile homes per acre.

10-05-05 Lot dimensions.

A. For single-wide mobile home dwellings units, minimum site dimensions shall be forty feet wide and one hundred feet deep with a minimum site area of four thousand square feet.

B. For double-wide mobile home dwelling units, minimum site dimension shall be fifty feet wide and one hundred feet deep with a minimum of five thousand square feet.

10-05-06 Lot coverage.

A. The ground area occupied by a mobile home, attached storm shed, patio, storage building and off-street parking spaces shall not exceed fifty percent of the total area of the site. In computing the ground coverage, four hundred square feet shall be added to actual area of the mobile home and the accessory buildings for the two required off-street parking spaces.

B. No mobile home, storm shed or other legal attachments to the mobile home shall be located less than six feet from the side property line. Detached tool sheds shall be located not less than five feet from the side or rear property lines. The ends of the mobile homes shall be at least ten feet apart when opposing rear walls are staggered, other wise fifteen feet apart. No portion of a

mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than fifteen feet away from any site or property line adjacent to a public right-of-way.

10-05-07 Mobile home park requirements.

A. The minimum total area of a mobile home park shall be at least one acre, including alleys and/or roadways.

B. The minimum street roadway shall conform to the requirements found in the city-county subdivision regulations.

10-05-08 Mobile home park restrictions.

Existing mobile home parks shall not be enlarged or extensively altered unless such alteration complies with the provisions of this chapter.

10-05-09 Mobile home subdivision requirements.

A. All lots in a mobile home subdivision shall conform to the requirements set forth in Section 10-05-05.

B. All lots shall be served by the city's water and sewer systems.

C. All lots shall be provided with direct access to a public street unless a home owner's association has been set up to maintain a private street.

10-05-10 Mobile home requirements.

A. All mobile homes, whether located in a mobile home park or a mobile home subdivision, shall be set up and skirted in one of the following ways:

1. Individual pads with cinder blocks used for supports, coupled with uniform skirting:
2. Permanent concrete foundation:
3. A dug-out style area with cinder blocks for support, designed to lower the unit to ground level:

B. The owner of a mobile home park shall be required to establish one of these methods for exclusive use throughout the park.

C. Individual lot owners in a mobile home subdivision will be required to indicate which of the three methods they will use prior to receiving a permit to move a mobile home onto the lot.

Chapter 6: Commercial-Industrial Use Regulations; "C" District

10-06-01 Uses.

In any commercial and industrial district building may be erected or altered and land used for all lawful purposes except:

A. Storage yards for scrap, bulk or raw materials

B. Railroad yards or roundhouses

C. Livestock, corrals, or feedlots

D. Any manufacture or treatment whatsoever except light manufacturing as are carried on within an entirely enclosed building which create no objectionable noise, odor, smoke, fumes, vapor, dust or gas.

10-06-02 Rear and Side Yards.

Except as otherwise provided in this chapter, there is no requirement for a building in "C" district to have a rear or side yard.

10-06-03 Height

Except as other wise provided in this chapter, no building shall exceed seventy (70) feet in height.

10-06-04 Set back line.

All buildings shall be built in line with existing structures.

10-07-01 Authority of provisions.

In interpreting and applying the provisions contained in this chapter, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purposes of this title. The provisions of this chapter shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties so long as those agreements are not contrary to any laws or ordinances of the United States, the State of Montana, and the City of Fromberg; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are imposed or required by other articles, rules, regulations, or permits, or by easements, covenants or agreements, the provisions of this chapter shall prevail.

10-07-02 Permitted uses.

No building or structures erected, and no existing building or structure shall be moved, altered, added to or enlarged; nor shall any land, building or structure be used, designed or arranged for use for any purpose or in any manner not included among the uses listed elsewhere in this title as permitted in the district in which such building, structure or land be located.

10-07-03 Zoning Lot.

Every building hereafter erected shall be located on a zoning lot as defined in this title; and, except as provided elsewhere in this title, there shall be no more than one principal building on one lot.

10-07-04 Height limitations.

No building or structure shall be erected, reconstructed or structurally altered to exceed in height the limit designated in this title for the district in which such building or structure is located.

10-07-05 Area and yards.

A. No building or structure shall be erected; nor shall any existing building or structure be altered, enlarged or rebuilt; nor shall any open space surrounding any building be encroached upon or reduced in any manner except in conformity with the yard, lot, area, and building location regulations designated in this title for the district in which such building or open space is located.

B. No yard or other open space provided without a building, for the purpose of complying with the provisions of these regulations, shall be considered as a yard or open space for any other building; and no yard or other open space on one lot shall be considered as a yard or open space for a building on any other lot.

C. All other yards required by these regulations shall be open and unobstructed to the sky, except provided in this title.

Chapter 8: Nonconforming Uses

10-08-01 Nonconforming use designated.

Any lawful use of the land or buildings existing at the date of passage of the ordinance codified in this chapter, and located in a district in which it would not be permitted as new use under the regulations of this chapter, is declared to be nonconforming use, and not in violation of this title at the date of adoption of the ordinance codified in this chapter, provided, however, a nonconforming use shall be subject to, and the owner shall comply with the regulations set out in Sections 10-08-02 through Sections 10-08-07.

10-08-02 Extension of.

The nonconforming use of a building may be extended throughout any part of a building clearly designated for such use but not so used at the date of the adoption of this chapter. No nonconforming use may be extended to occupy any land outside the building nor any additional building not used for such nonconforming use at the date of adoption of the ordinance codified in this chapter. The nonconforming use of land shall not be extended to any additional land not so used at the date of adoption of the ordinances codified in this title.

10-08-03 Additions, repairs and alteration allowed when.

A. No building used for nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless use is changed to one which complies with the provisions of this chapter; provided, however, permits may be issued for reconstruction of an existing building to be continued as a nonconforming use if the following conditions are complied with:

1. New use would decrease the number of living units or population density in case such is violated:

2. New use would decrease the automobile parking congestion in the area;

3. New use would not increase the cubical contents of the structure, floor area ratio, if such would violate provisions of this chapter;

4. The issuance of such permit would not violated the provisions of 10-08-04 of this chapter.

B. In addition, repairs and maintenance work may be carried out each year in an amount not to exceed twenty-five percent of the assessed value of the building for that year. Such repairs and maintenance work shall not increase the cubical content of the building, nor the floor area devoted to the nonconforming use. Nor shall it increase the number of dwelling units provided in a building.

10-08-04 Applicability when building damaged or destroyed.

A. If any building in which there is a nonconforming use is damaged by fire, flood, explosion, wind, war, or other catastrophe, in an amount equal to or greater than fifty percent of its assessed valuation, it shall not be again used or reconstructed to be used for any use except on complying with provisions of this title in which it is located.

B. Nothing in this chapter shall be deemed to prevent the strengthening nor repair of a building which may be necessary to restore the building to a safe condition or to improve the

sanitary conditions of the building; provided, that such strengthening and repair may not be used to restore a building to the provisions of Section 10-08-04 of this chapter.

10-08-05 Restriction on moving building.

Any building in which there is a nonconforming use shall not be moved unless it is moved to a district in which the use for which the building was designed is permitted by this title. If any building in which there is a nonconforming use is moved any distance whatsoever, the building shall thereafter be used only in compliance with the provisions of this title for the district in which it is located.

10-08-06 Continuance and change.

A nonconforming use may be continued in accordance with the provisions of this chapter, but it shall not be changed to any other use except the one which would be permitted as anew use in the district in which the building is located.

10-08-07 Discontinuance.

A. If for any reason a nonconforming use of land ceases for continuous period of more than thirty days, the land shall thereafter not be used except in compliance with provisions of this title for the district in which the land is located.

B. If for any reason a nonconforming use of a building ceases for a continuous period of more than six months, the building shall thereafter not be used except in compliance with the provisions of this title for the district in which the building is located.

10-9-03 Zoning Commission Action

A. After presentation to the zoning commission of the request for a special review by the applicant, the zoning commission shall make a recommendation to the city council to:

1. Grant the application for special review;
2. Deny the application;
3. Delay action on the application for a period not to exceed thirty days; or
4. Grant the application subject to conditions and recommendations and give the reasons therefor.

B. Before approving a special review use, the zoning commission shall find that the contemplated use(s):

1. Complies with all requirements of this section;
2. Is consistent with the objectives and purposes of this title and the Fromberg comprehensive planning process;
3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
4. Further, the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
    a. Street and road capacity,
    b. Ingress and egress to adjoining streets,
    c. Off-street parking,
    d. Fencing, screening and landscaping,
    e. Building bulk and location,
    f. Usable open space,
    g. Signs and lighting,
    h. Noise, vibration, air pollution an similar environmental influences.

10-9-04 City Council Action

A. Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.

B. The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning commission and the notice of public hearing before the city council shall both be published twice in a newspaper of general circulation in the jurisdictional area of the Fromberg- Carbon County area with the first publication being at least fifteen days prior to the hearing.

Chapter 9: Special Review Procedure

10-9-01 Purpose of Provisions

Although each zoning district is primarily intended for a predominant type of use there are a number of uses, which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances for the development should be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this title and the objectives of the Fromberg comprehensive planning process.

10-9-02 Application Requirements

The property owner, contract purchaser, or his authorized agent may file an application for a special review. The application shall be filed with the zoning commission secretary and shall be submitted under the following conditions:

A. The application shall include, but not be limited to the following information:

1. A legal and general description of the tract(s) upon the special review use is sought;
2. A map showing the dimensions, acreage and location of the tract(s);
3. The name and addresses of the owner(s) of the tract(s) and their agents, if any, and the names and addresses of property owners of record within three hundred feet of the property for which a special review has been requested;
4. A site plan showing major details of the proposed development including but not limited to, the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping; screening; signs and open space areas;
5. A time schedule for development;
6. Any other information the applicant believes will support his/her request.

B. Request for Change Use District: Changes in the classification or boundaries of any use district may be made by the town council either on its own initiative, or upon a petition of thirty-five percent of the owners of real property within and immediately adjoining the land to be reclassified.

C. Procedure for Changing Use District: A proposed change in use district shall be referred to the zoning commission, which shall make a careful investigation. The town council shall then hold a public hearing on the matter. Notice of the hearing shall be published twice in a newspaper of general circulation in the municipality, the first notice to be published not less than fifteen days before the date of the hearing. At such hearing, the council shall hear the report of the zoning commission and all other persons presenting recommendation or objections relative to the proposed change, and thereupon take action on the proposed change.

Chapter 10: Amendments

10-10-01 Purpose of Provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

10-10-02 Amendment Procedure.

Amendments to this title shall be initiated only in the following manner:

A. Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendments shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

B. Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by the required fee of one hundred twenty five dollars and all other materials and data required in the application.

10-10-03 Application Requirements.

A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:

1. Name of applicant;
2. Mailing address;
3. Telephone number;
4. Accurate legal description of location;
5. Nature of zoning change requested;
6. Description of present land uses;
7. Description of adjacent land uses;
8. Statement of intended land uses;
9. Statement concerning any expected effect upon the adjacent neighborhood;
10. Names and addresses of adjacent property owners, within three hundred feet;
11. Signature of applicant;
12. Payment of all applicable fees;

B. An application for amendment to the official map shall be made on or before three p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before three p.m.

C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

10-10-04 Zoning Commission Action.

A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.

B. The zoning commission shall make a recommendation including reasons for the recommendation to the city council to:

1. Deny the application for amendment to the official map;
2. Grant actions on the application for a period not to exceed thirty days;
3. Delay action on the application for a period not to exceed thirty days;

C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

10-10-05 Public Hearing - Notice Required.

A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.

B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Fromberg-Carbon County, and fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.

C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.

D. In case, however, of a valid protest petition against such change, signed by the owners of twenty per centrum, or more, either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

Chapter 11 Enforcement

10-11-01 Purpose of Provisions

The provisions of this title shall be enforced by the police department, subject to such variations or interpretations as may be made by the city council.

10-11-02 Abatement Procedure

A. If on any inspection the condition of a building or premises, or its use or occupancy is found not to conform to the provisions of this title, the police department (with the approval of the city council) shall issue written notice to the owner or tenant, specifying the manner in which the building or premises, or its use or occupancy fails to conform, and the owner or tenant shall take steps and make it conform as directed by the police department.

B. Appeal from the actions of the police department shall be made with the city council.

10-11-03 Violation - Penalty

A. Any person violating a provision of this chapter for which another penalty has not been provided shall, upon conviction thereof, be punished as set forth in the table of fees which is $250.

B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, building, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

C. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation or to bring an action to enjoin any violation of this title.

Past Attorney Hope Freeman proposed Changes. NOT ADOPTED

TITLE 10 ZONING

CHAPTER 1

TITLE, PURPOSE AND SCOPE

10-1-01 Title Cite.
This title herein referred to shall be known and cited as the "Fromberg Zoning Ordinance" for the incorporated limits of the city and any additional territory authorized by either state statute or county commissioners.

10-1-02 Purpose of Provisions.
A. The zoning regulations, classifications and districts as herein set forth are in accordance with Sections 76-2-301 through 76-2-328, MCA (1995).
B. They have been made in accordance with the comprehensive planning process and have been deemed necessary and developed with consideration among other things, to the character of each zoning district and its peculiar suitability for particular uses, to conserve the value of buildings, to stabilize property values, to preserve recreation and agricultural lands from conflict of urban development, to promote the interest of health, safety, and general welfare, to secure safety from fire, and to provide adequate open space for light and air, and to facilitate the economic provision of adequate transportation, water, sewer, schools, parks, and other public requirements.
C. The Fromberg City Council further declares the zoning plan is adopted for the following purposes: (1) to promote and guide development consistent with the goals and objectives of the comprehensive planning process; (2) to prevent waste and inefficiency in land use; (3) to encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety in type and design of dwellings and by conservation of open space; and (4) to provide adequate land and space for the development of commercial and industrial uses and to encourage such development in locations calculated to benefit the community at large and in a manner consistent with the goals and objectives of the city's comprehensive planning process.

10-1-03 Scope.
A. This title applies to all lands in the incorporated limits of the city and any additional territory authorized by either state statutes or the county commissioners.
B. In their interpretation and application, the provisions of this title may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity, and welfare.
C. This title is not intended to abrogate or annul any building permit, certificate of occupancy, variance of other lawful permit issued prior to the effective date of the ordinances codified in this title.
D. This Title is not intended to replace, abrogate or waive the requirements contained in the Floodplain Regulations in Title 11.

CHAPTER 2

DEFINITIONS

10-02-01 Rules of Construction. All words used in the present tense include the future tense. All words used in the plural number include the singular number, and all words used in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "building" includes the word "structure." The word "shall" is mandatory and not directory. The word "used" shall be deemed to include "designed, intended or arranged to be used." **Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the city of Fromberg, Montana. The term "city council" means the city council of the city. The term "city zoning commission" means the zoning commission of the city.**

10-02-01

10-02-02 Definitions. **Except where specifically defined in this section, all words and phrases used in this title shall carry the customary meanings. Wherever used in this title, the following definitions shall apply:**

AGRICULTURE. The science for practice of large-scale soil cultivation.

ALLEY. A public way, which affords only secondary access to abutting property.

10-02-05 Animals. Refer to Title 5 "Animals" of the Fromberg Municipal Code Book.

10-02-06 "Apartment" means a room or suite of two or more rooms in a multiple dwelling or in any other building not a single dwelling or a two-family dwelling, occupied or suitable for occupancy as a dwelling unit for one family. A bachelor apartment or efficiency unit shall qualify under this definition.

BASEMENT. That portion of a building below the first floor joists, the floor of which is more than one-half clear ceiling height below the adjacent ground.

BLOCK. The property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

BUILDING. A structure having a roof supported by walls or columns for the shelter, support or enclosure of persons, animals, or chattels. When, in a building all of which is used for nonresidential purposes, any portion of the building is completely separated from all other portions by a masonry division wall from the ground up to the roof, and no door or other opening direcly communicating between the two portions of the building, such portions so separated shall be deemed separate buildings.

BUILDING (ACCESSORY). A subordinate building, the use of which is customarily incidental to that of a principal building on the same lot. **Examples of accessory buildings include, but are not limited to, carports, garages, and storage buildings.**

10-02-11 "Building line" means a line established in general, parallel to the front street line between which and the front street line no part of a building shall project, except as otherwise provided by this title.

10-02-13

BUSINESS OR COMMERCE. The purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or, the management or occupancy of office buildings, offices, recreational or amusement enterprises; or, the maintenance and use of buildings, offices, structures or premises by professions and trades or persons rendering services.

10-02-14 "City" means the Town of Fromberg, Montana.

10-02-15 "Commercial District" means any "C" district.

10-02-16 "Condominium" means ownership in common with others of a parcel of land and certain parts of a building, together with individual ownership in fee of a particular unit or apartment in such building. Each individual has an absolute title to this apartment which he may sell, mortgage or devise as he could with a single-family dwelling that he owned.

DENSITY. The number of families residing on, or dwelling units developed on, an acre of land. As used in this title, all densities are stated in families per net acre; that is, per acre of land devoted to residential use, exclusive of land in street, alleys, parks, playgrounds, schoolyards, or other public lands and open spaces.

DWELLING. A building or portion therof arranged or designed to provide **permanent** living facilities for one or more families. The term "dwelling" shall not be deemed to include a motel, tourist home or mobile home.

10-02-19 "Dwelling group." In general, "group dwelling" means a building in which several unrelated individuals or families permanently reside, but in which individual cooking facilities are not provided for the individual persons or families. Specifically, "group dwelling' shall include a rooming house, fraternity house, sorority house and private club in which one or more members have a permanent residence. "Group dwelling" shall not be deemed to include a hotel, motel, tourist home, mobile park, or any use included in the "health medical group."

DWELLING, SINGLE-FAMILY. **A building constructed and designed for occupancy by one (1) family and containing one (1) dwelling unit.**

DWELLING, TWO-FAMILY. **A detached building designed for, or occupied exclusively by two (2) families living independently of each other.**

DWELLING UNIT. A building or portion thereof providing complete housekeeping facilities for one family.

10-02-23 "Easement" means a grant by the property owner of the use of a strip of land by the public, or by one or more persons or corporations for a specific purpose or purposes.

10-02-24 "Elderly Housing" mean housing designed specifically for elderly occupancy with a least one rsident domiciled in each living unit therein with

an age of sixty-two years or older.

10-02-25 "Family" means one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

FENCE. A barrier of posts connected by boards, rails, panels or wire constructed for purposes of enclosing space and for separating parcels of land. **This term also includes a masonry wall.**

10-02-27 "Floodplain" or "floodway" means all cases or interpretation the regulations of the Montana Water Resources Board as provided in 76-5-103 and 76-5-104, MCA, 1995.

10-02-28 "Floodplain zone" means a separate and distinct portion of the Fromberg Zoning Ordinance governing those lands affected by a one hundred-year floodplain classification.

FRONTAGE. All of the property on one side of the street or highway between two intersecting streets or highways (cross or terminating) measured along the line of the street or highway, or if the street or highway is dead-ended, then all of the property abutting on one side between an intersecting street or highway and the dead end of the street or highway.

10-02-30 "Garage, private" or private garage means an accessory building or part of principal building, which may be used for the storage of motor vehicles or personal property.

10-02-31 "Garage, public" or public garage means a building or premises which is operated for commercial purposes and used for the storage, care or repair of motor vehicles, but a "public garage" shall not be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

HEIGHT OF BUILDING. **The vertical distance measured from the surface of the ground upon which the building is constructed to the highest point of the roof surface in a flat roof, to the deck line of a mansard roof and to the mean height level between eaves and ridge of gable, hip and gambrel roofs. For buildings set back from the street line, the height of the building shall be measured from average elevation of the finished grade along the front of the building. (Prior Code 10-02-32)** whats used

JUNKYARD. The use of any premises whether inside or outside of a building for the storage, keeping or abandonment of junk, including scrap metals, rags, paper, or other scrap material and equipment for dismantling, demolition or storage of unlicensed or abandoned automobiles or other vehicles, or machinery or parts thereof.

10-02-34 "Jurisdictional area" means area included within the city limits of the Town of Fromberg. **Such jurisdictional area may be changed by joint resolution of the city council and board of county commissioners in accordance with S 76-1-501 to S76-1-508, MCA, 1995.**

10-02-35 "Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, llamas, etc.

LOT. **A single parcel of land intended for use or occupied by one main building**

and accessory buildings which may or may not be a plotted lot shown on a filed subdivision plat, townsite plat or other plat. (Prior Code 10-02-36)

LOT, CORNER. **A lot located at the intersection of two (2) streets, two (2) avenues, or one street and one avenue. (Prior Code 10-02-37)**

LOT, DEPTH. The mean horizontal distance between the front and rear lot lines measured in the general direction of the side lot lines.

LOT, INTERIOR (Interior Lot). A zoning lot other than a corner lot.

LOT, REAR LOT LINE. The lot line generally opposite or parallel to the front street line. **If a rear lot line is less than ten feet long, or the lot line is assumed to be a line at least ten feet long, lying wholly within the lot, parallel to the front street line is curbed, parallel to the chord of the arc of the front street line.**

10-02-42 "Lot width" means the average width of the lot.

10-02-41 "Lot record" means land designated as a separate and distinct parcel on a legally recorded subdivision plat or in a legally recorded deed filed in the records of Carbon County, Montana.

10-02-43 "Zoning lot" means a tract of land occupied or to be occupied by a principal building and its accessory buildings, together with such open spaces and yards as are required under the provisions of this title, having not less than the minimum area required by this for a zoning lot in the district in which such land is situated and having its principal frontage on a street or a permanent, exclusive, nonobstructed easement of access or right-of-way to a street, not less than twenty feet wide. A "zoning lot" need not necessarily coincide with a "record lot" as herein defined.

MOBILE HOME. Any dwelling larger than two-hundred fifty-six square feet in area which is either wholly, or in substantial part, manufactured at an off-site location and any movable or portable dwelling over thirty-two feet in length and over eight feet wide, constructed to be towed on its own chassis and designed without permanent foundation for year-round occupance, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit. **This definition includes a "double-wide" mobile home**, but does not include any dwelling of preconstructed nature meeting applicable local building codes pertaining to on-site assemble of structures or **travel trailers as defined in this section.**

MOBILE HOME PARK.Land designed or used for the temporary or permanent parking of two or more trailers or mobile homes, and where the lot is rented or owned.

MODULAR OR MANUFACTURED HOME. A single-family dwelling, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States

department of housing and urban development at the time of its production. A manufactured home shall be classified as "real property" with the Department of Revenue. A manufactured home does not include a trailer or mobile home as defined in this section. (Ord. 250, 2004)

MOTOR VEHICLE SALVAGE YARD. The use of not more than fifty percent of the premises of a motor vehicle repair garage or motor vehicle body repair shop for the storage of motor vehicles for dismantling and sale for used parts thereof.

NONCONFORMING USE. The use of a building or other structure or of a tract of land which does not conform to the use or regulations of this title in the district it is located, either at the effective date of the ordinance codified in this title, or as a result of subsequent amendments which may be incorporated into this title. (Prior Code 10-02-46)

OFF-STREET PARKING. An off-street parking place means an off-street area for parking of one motor vehicle having all-weather surface, shall have a width of not less than twelve feet when directly connected to a driveway approach in all other instances the width shall not be less than twelve feet; in both instances the length shall be not less than twenty feet. Easy access to a street shall be provided by a driveway.

"Parking lot" means any land legally used for the parking of motor vehicles.

PASTURE. A pasture means an area confined within a fence or other physical barrier and whih area is used for grazing or roaming of livestock.

PERMANENT FOUNDATION. A poured-in-place foundation, continuous footing, or solid concrete slab.

PRINCIPAL USE. The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premise are accessory.

PROPERTY LINE. Property boundary as defined by recorded survey document. **Also known as "lot line."**

SCREENING. A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like. A device or materials used to conceal one element of a development from other elements, or from adjacent or contiguous development. Screening may include one or a combination of the following materials of sufficient mass to be opague or which shall become opaque within twelve (12) months and which shall be maintained in an opaque condition.

SETBACK. The distance which a building or struture is required to be set back from a particular boundary or lot line. The distance will be measured from the nearest portion of the structure or building to the particular boundary or lot line from which the building or struture is to be set back. For example, where the eaves of the building project out beyond the wall of the building, the distance will be measured from the eaves of the building.

"Public use zone" means a separate zone intended to reserve land for public and semipublic uses.

"Commercial school" means a building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

"Elementary, junior or senior high, including public private and parochial school" means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education.

"Story" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if its ceiling is more than five feet above the level from which the height of the building is measured.

"Half story" means a story with at least two opposite exterior sides meeting at a sloping roof not more than two feet above the floor of such story.

STREET. A public thoroughfare which affords principle means of access to abutting property.

STRUCTURE.Anything constructed or erected, which requires a location on the ground or is attached to something having a location on the ground; including but not limited to buildings, advertising signs, billboards, and poster panels, but not including customary fences or boundary or retaining walls.

TRAVEL TRAILER. A portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation use.

"Trailer subdivision or mobile home subdivision" means subdivision designed and intended predominately for permanent or temporary occupancy of mobile homes or travel trailers.

USE. A term referring to any one of the following: any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied; any occupation, business, activity or operation carried on (or intended to be carried on) in a building or other structure or on land; or the name of a building, other structure or tract of land which indicates the purpose for which it is arranged, designed, intended, maintained or occupied.

USABLE OPEN SPACE. Usable open space means space on the same lot and contiguous to the principal building or buildings and which either landscaped or developed and maintained for recreational purposes and excludes that portion of lot which is utilized for off-street parking or loading space or for front yard setback requirements.

UTILITY OR TOOL SHED. A structure that is defined by its use. If it is used for long-term storage (more than one month), it is considered a utility or tool shed. A utility or tool shed is an accessory building as defined in this section. On a single lot of 50' wide x 140' deep, a structure can be no larger than 8' x 12'. On a larger lot, the utility or tool shed can be no larger than 12' x 14.'

10-2-66 "Permitted Uses" mean any use permitted by the regulations of this title. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

VARIANCE. An adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.

YARD. An open space about a building, other than a court, unoccupied and unobstructed from the ground to the sky, except as otherwise specificially provided in this Title. (Prior Code 10-02-71)

YARD, FRONT. A yard, extending across the full width of lot and lying between the front line of lot and the nearest line of principal building.

YARD, REAR. A yard extending across the full width of lot and lying between the rear line of lot and the nearest line of the principal building.

YARD, SIDE. "Side yard" means a yard **not designated as a front or a rear yard. (Prior Code 10-02-70)**

CHAPTER 3

ADMINISTRATION AND ENFORCEMENT

10-3-01 ZONING COMMISSION. The zoning commission shall consist of three members, to be appointed by the mayor subject to confirmation by the town council. The members shall serve for terms of two years each, and shall be removable for cause. Each zoning commission member will be called an agent of the zoning commission. (Prior Code 10-11-01; Ord. No. 250; Interim Ord. 275)

Enforcement police department

10-3-02 DUTIES OF THE ZONING COMMISSION. A commission shall perform the following duties:

(1) Review zoning applications for compliance with the Fromberg zoning ordinances set forth in Title 10 of the Fromberg Town Code. This review includes visiting the site, making measurements, and interviewing the applicant.

(2) Based on the review of the zoning application and relevant documents, the commission shall make recommendations to the town council to approve, approve in part, or deny zoning applications. The recommendation must be in writing and signed by at least two of the three commission members.

(3) Where the zoning commission agent finds that any of the provisions of this title have been violated, he or she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The agent shall order discontinuance of illegal buildings or structures, or of illegal additions, alterations, or structural changes; or shall take any other action authorized by this title to ensure compliance with or to

prevent a violation of its provisions.
(4) The commission shall have the power to make recommendations to the town council concerning the following matters: annexations, changes in the district boundaries or regulations and variances as it may deem necessary or desirable.
(5) The commission may from time to time adopt such rules and regulations as may be deemed necessary to carry into effect the provisions of the zoning regulations. (Interim Ord 275)

10-3-03 ABSENCE OF ZONING COMMISSION. In the absence of a zoning commission due to lack of members or inability to act, the council shall perform the duties of the zoning commission. The city council, through the mayor, may direct city personnel or departments to provide assistance as appropriate.

10-3-04 Board of Adjustment. The city council may act as a board of adjustment or may provide for the appointment of a board of adjustment, as provided in the Montana Code Annotated, as amended. The board of adjustment (hereinafter referred to as "the board") shall hear and decide appeals from any determination made by the zoning commission. The board shall also review all variance applications following the procedures provided in Title 10, Chapter 6.

10-3-05 Appeals. Appeals from the board of adjustment or city council decision may be made to a court of record in accordance with MCA 76-2-327 and 76-2-328.

CHAPTER 4

CONSTRUCTION OF BUILDINGS AND USE OF LAND

10-4-01 AUTHORITY OF PROVISIONS. In interpeting and applying the provisions contained in this title, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purposes of this title. The provisions of this chapter shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties so long as those agreements are not contrary to any laws or ordinances of the United States, the State of Montana, and the City of Fromberg. Where this chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are imposed or required by other articles, rules, regulations, or permits, or by easements, covenants or agreements, the provisions of this chapter shall prevail. (Prior Code 10-07-01)

10-4-02 PERMITTED USES. No building or structure erected, and no existing building or structrure shall be moved, altered, added to or enlarged; nor shall any land, building or structure be used, designed or arranged for use for any purpose or in any manner not included among the uses listed elsewhere in this title as permitted in the district in which such building, structure or land be located. **If the building, structure or use does not conform to the regulations of this title, then the zoning applicant must obtain a variance following the procedure set forth in Title 10,**

Chapter 6. (Prior Code 10-07-02)

10-4-03 NONCONFORMING BUILDING OR USE DESIGNATED **(GRANDFATHER CLAUSE)**. Any lawful use of the land or buildings existing at the date of passage of the ordinances codified in this title, and located in a district in which it would not be permitted as new use under the regulations of this chapter, is declared to be a nonconforming use, and not in violation of this title at the date of adoption of the ordinances codified in this chapter. Provided, however, if such nonconforming building or **use of building** ceases for a continuous period of more than **one year,** the building **or use** shall thereafter not be used except in compliance with the provisions of this title for the district in which the building is located. **(Prior Code 10-8-01; 10-08-07)**

10-4-04 EXTENSION OF **NONCONFORMING USE LIMITED**.

The nonconforming use of a building may be extended throughout any part of a building clearly designated for such use but not so used at the date of the adoption of this chapter. No nonconforming use may be extended to occupy any land outside the building nor any additional building not used for such nonconforming use at the date of adoption of the ordinances codifed in this chapter. The nonconforming use of land shall not be extended to any additional land not so used at the date of adoption of the ordinances codified in this title. (Prior Code 10-08-02)

10-8-03 ADDITIONS, REPAIRS, AND ALTERATION ALLOWED WHEN.
A. No building used for nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless use is changed to one which complies with the provisions of this chapter; provided, however, permits may be issued for reconstruction of an existing building to be continued as a nonconforming use if the following conditions are complied with: (1) New use would decrease the number of living units or population density in case such is violated; (2) New use would decrease the automobile congestion in the area; (3) New use would not increase the cubial contents of the structure, floor area ratio, if such would violate provisions of this chapter; (4) The issuance of such permit would not violate the provisions of 10-8-06.

10-08-04 APPLICABILITY WHEN BUILDING DAMAGED OR DESTROYED. If any building in which there is a nonconforming use is damaged by fire, flood, explosion, wind, war, or other catastrophe, in an amount equal to or greater than fifty percent of its assessed valuation, it shall not be again used or reconstructed to be used for an use excpet on complying with provisions of this title in which it is located.
B. Nothing in this chapter shall be deemed to prevent the strengthening nor repair of a building which may be necessary to restore the building to a safe condition or to improve the sanitary conditions of the building; provided, that such strengthening and repair may not be used to restore a building to the provisions of Section 10-08-04 of this chapter.

10-08-05 RESTRICTION ON MOVING BUILDING. Any building in which there is a nonconforming use shall not be moved unless it is moved to a district in which

the use for which the building was designed is permitted by this title. If any building in which there is a nonconforming use is moved any distance whatsoever, the building shall thereafter be used only in compliance with the provisions of this title for the district in which it is located.

10-4-07 CONTINUANCE AND CHANGE. A nonconforming use may be continued in accordance with the provisions of this chapter, but it shall not be changed to any other use except the one which would be permitted as a new use in the district in wih the building is located.

CHAPTER 5

ZONING PERMITS

10-5-01 ZONING PERMIT REQUIRED: A zoning permit shall be required for any construction, reconstruction, addition, relocation of a structure, or change of land use, fences and for permanent signs of all kinds. Interior modifications of structures, and any other renovations that do not increase the floor area of a structure or cause expansion of the structure in any way, are not subject to zoning permits. Zoning permits shall be applied for on a form provided by the town clerk, and are reviewed according to procedures set forth in this Title. A zoning permit is not a building permit.

10-5-02 LIMITATIONS ON ISSUANCE OF A ZONING PERMIT: The issuance of a zoning permit is limited to granting permission to build as set forth in 10-5-01 on the applicant(s)' property. Issuance of a zoning permit does not grant permission to build on town property or on property not owned by the applicant. The zoning permit does not grant permission to build in a Floodplain as set forth in Title 11 Floodplain regulations.

10-5-03 ZONING PERMIT FEE REQUIRED: Each application for a zoning permit shall include the applicable fee. Fees are established by resolution of the city council. No application for a zoning permit is complete without the required fee.

10-5-04 APPLICATION FOR ZONING PERMIT: The purpose of the zoning permit is to assure that all building construction and development activity complies with these regulations as well as regulations promulgated by other agencies as applicable.

(A) The applicant shall file a properly completed application form, including a site plan, project description, and any other required supporting materials, with the town clerk, who will forward the application to the zoning commission for review. Any variance application will go directly to the town council for review under the procedures set forth in Title 10, Chapter 6.

(B) Zoning commission agent(s) shall review the application to determine compliance with these regulations. Should the zoning commission find that the application complies with these regulations, the zoning commission may recommend to the town council approval of the application. The zoning commission may also impose reasonable conditions on the zoning permit to ensure compliance with these regulations as well as the regulations promulgated by other agencies as they may apply. The zoning commission's recommendation is only a recommendation and does not grant any rights to the applicant.

10-5-05 SITE INSPECTIONS:

The filing of an application for a zoning permit constitutes consent of the property owner and applicant for zoning commission agent(s) or authorized city personnel to conduct inspections of

the subject property during the review process. Refusal of the owner or applicant to allow authorized personnel on site for necessary inspections may delay review of the permit application, and/or result in denial of the application.

10-5-06 EXPIRATION OF ZONING PERMITS; EXTENSION:

If the work described in the zoning permit has not been completed within one year from the date of issuance, the permit expires and is void. The town clerk shall provide written notice to the permittee once a permit expires. Should the permittee request in writing an extension of the zoning permit, the town may grant such extension for not more than one year. Any such request for an extension must be made prior to the actual expiration of the zoning permit (Previous Code 13-2-06).

10-5-07 REVOCATION OF ZONING PERMITS:

(A) Zoning permits may be revoked for good cause shown. Procedures to revoke zoning permits may only be initiated by the Town of Fromberg, and only the town council is authorized to revoke a zoning permit.

(B) Prior to initiating any permit revocation procedure, the Town shall have:

1. conducted an inspection of the subject property,

2. thoroughly investigated any complaints,

3. contacted the permittee notifying him/her of the nature of complaints, issues, and/or potential violations,

4. provided the permittee every reasonable opportunity to address and correct conditions, violations, or deficiencies.

(C) A zoning permit may be revoked based on one or more of the following findings:

1. that the initial application and/or representations made by the applicant in connection with the application were fraudulent or otherwise inaccurate or misleading to the extent that the decision to grant the zoning permit was based upon or influenced by said application or representations.

2. that operation of the authorized use or development has become a public nuisance and/or an imminent threat to the public health, safety, and general welfare.

(D) At a regular or special council meeting, the town council may revoke a zoning permit upon approval of a motion by simple majority where findings and cause for the revocation are set forth in the motion to revoke.

(E) The permittee shall be notified of the revocation action through a written cease and desist order issued by mayor or his/her designee.

CHAPTER 6

Chapter 9 Special Review

VARIANCES

10-9-01 Purpose of Provisions. Although each zoning district is primarily intended for a predominant type of use, there are a number of uses, which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances for the development should be individually reviewed. It is the intent of this section to provide a system of

review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this title and the objectives of the Carbon County Growth policy previously adopted by the Town.

10-6-01 VARIANCES FOR NONCONFORMING BUILDINGS AND USE OF LAND.
The town council may grant variances for the alteration or construction of nonconforming buildings and non-conforming use of land, provided such building or use will not be detrimental to, or tend to alter, the character of the neighborhood.

10-6-02 VARIANCE APPLICATION REQUIREMENTS.
The property owner, **contract purchaser,** or his authorized agent may file an application for a **variance in nonconforming building or use of land.** The application shall be filed with **the town clerk and shall contained the following:**
A. A legal and general description of the **lot(s)** upon which **the variance** is sought;
B. A map showing the dimensions, acreage and location of the lot(s);
C. The name and addresses of the owner(s) of the lots and their agents, if any, and the names and addresses of property owners of record within three hundred (300') of the property for which a variance in use is requested;
D. A site plan showing major details of the proposed development including but not limited to, the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of egress and ingress; landscaping; screening; signs and open space areas;
E. A time schedule for development;
F. Any other information the applicant believes will support his/her request. (Prior Code 10-9-02)

10-6-03 CITY COUNCIL'S ACTION ON VARIANCE APPLICATION.
A. Before acting upon a variance application, the city council **shall** hold a public hearing. Notice of the hearing and the proposed variance shall be: **(1) sent to all owners at their last known address of lots within 300' of the variance property**; (2) published twice in a newspaper of general circulation in Carbon County, the first publication being at least fifteen days prior to the hearing; (3) **posted in three public places in the Town of Fromberg**;
B. After the public hearing, the council will review the public's comments on the variance application, the application, the site plan, the zoning commission's recommendation, and all accompanying documents at the next regular council meeting.
C. The council may either grant the application for variance, deny the application, delay the application for a period not to exceed 30 days; or grant the application subject to conditions and reommendations and give the reasons therefore. (Prior Code 10-9-03)

10-9-02

10-6-04 REQUEST FOR CHANGE OF USE DISTRICT. Changes in the classification or boundaries of any use district may be made by the town council either on its own initiative, or upon a petition of thirty-five percent of the owners of real property within and immediately adjoining the land to be re-classified. (Prior Code 10-9-02(B))

10-6-05 PROCEDURE FOR CHANGING USE DISTRICT. A proposed change in use district shall be referred to the **zoning commission**, which shall make a careful investigation. The town council shall then hold a public hearing on the matter. Notice of the hearing shall be published twice in a newspaper of general circulation in the municipality, the first notice to be published not less than fifteen days before the date of the hearing. At such hearing, the council shall hear the report of the zoning **commission**, and all other persons presenting recommendations or objections relative to the proposed change, and thereupon take action on the proposed change. (Prior Code 10-9-02(C))

CHAPTER 10 AMENDMENTS. Propose repeal as the amendment procedure is already covered in 10-5-04 and 10-5-05.
10-10-01 Purposes of Provisions.
10-10-02 Amendment Procedure.
10-10-03 Application Requirements.
10-10-04 Zoning Commission Action.
10-10-05 Public Hearing-Notice Required.

CHAPTER 7

ZONING USE DISTRICTS

10-7-01 INTENT. It is the intent of this chapter to establish zones wherein compatible uses or land may be located to create, protect, and maintain a desirable living environment, to stabilize and protect residential harmony and to conduct a profitable business. **It is also the intent of this chapter to make it possible to efficiently and economically design and install public facilities in terms of size and capacity to adequately meet the needs resulting from a defined intensity of land use.**

10-7-02 USE DISTRICTS. In order to carry out the provisions of this title, the city and other areas so authorized by the county commissioners or state statute, is divided into the following zoning districts in which the erection, construction, alteration, reconstruction, repair or use of buildings, structures, and land shall be regulated and restricted. The regulations in each district shall be uniform throughout each district, but may differ from those in other districts. The districts are as follows:
A. AO-Agriculture Open-Space **District**;
B. "A"-Residential District;
C. "B"-Residential Mobile Home District;
D. "C"-Commercial-Industrial Use **District**.

10-7-03 DISTRICT BOUNDARIES AND ZONING MAP. The location and boundaries of districts established in the city are shown on the official zoning map of the city. This map is entitled "Zoning Map fo the City of Fromberg," and is on file in the office of the city clerk. This map is hereby made a part of this chapter. **This map shall reflect the ordinances adopted prior to this date and all ordinances adopted prior to this date and all ordinances adopted after this date relating to the boundaries of zoning districts.**

10-7-04 INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainties exist as to the boundaries of the various districts as shwn on the zoning map accompanying and made a part of this title, the following rules shall apply:

A. district boundary lines are intended to follow street, alley or lot lines, or lines parallel to or perpendicular thereto, unless such district boundary lines are fixed by dimensions as shown on the zoning map;

B. Where district boundaries are indicated as approximately following street or alley lines or proposed street or alley lines, such line shall be construed to be such boundaries;

C. Where district boundaries are so indicated that they approximately follow lot lines and are not more than ten feet distant therefrom, such lot lines shall be such boundaries;

D. Where land within the city limits is not subdivided into lots and blocks or where district boundary lines are not approximately street, alley, or lot lines, the district boundary lines on the zoning map shall be determined by the scale shown on such map, and where uncertainty exists, the district boundary line shall be determined by the zoning commission by written decision. Land within the city limits that has been or was subsequently subdivided or resubdivided into lots and blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the district boundaries were established, the zoning commission, after notice to the property affected thereby and a public hearing, may interpret the zoning map and make minor readjustments in the district boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street and lot layout of the ground. Such interpretations or adjustments shall be by written decision, and thereafter the copies of the zoning map in the office of the city clerk shall be changed to conform thereto.

E. Any street, alley or railroad right-of-way, watercourse, channel, or body of water included in the zoning map shall, unless otherwise indicated, be included in the zoning district of adjoining property on either side thereof. Where such a street, alley, right-of-way, watercourse, channel or body of water serves as a boundary between two or more different zoning districts, a line midway in such street, alley, right-of-way, watercourse, channel or body of water, and extending in the general direction of the long dimension thereof shall be considered the boundary between zones. If a dedicated street or alley shown on the zoning map is vacated by ordinance, the property formerly in the street or alley shall be included within the zone of the adjoining property on either side of the vacated street or alley. In the event the street or alley was a zone boundary between two or more different zones, the new zone boundary shall be the former center line of the vacated street or alley.

10-7-05 SUBDIVISIONS.

A. Declaration. The Carbon County subdivision regulations are declared to be the town subdivision regulations for the purpose of prescribing regulations governing subdvisions within the town.

B. Copy on File; Adoption. One full printed copy of the regulations are on file in the office of the town clerk. The Carbon County regulations are hereby adopted by reference and made a part of this Chapter as fully, and for all intents and purposes, as though set forth herein at length.

C. If a subdivision is contemplated, the applicant must follow the subdivision regulations of the Carbon County planning department and follow the application process set forth therein.

CHAPTER 8 Chapter 4

RESIDENTIAL "A" DISTRICT

10-8-01 INTENT OF DISTRICT. The Residential "A" District is intended to provide a suitable residential environment for medium, urban density, single-family, residential environment on lots that are served by public water and sewer system. (Prior Code 10-3-04)

10-8-02 USES. In any Residential "A" district, no land shall be used, and no building shall be erected or altered, except for the following uses:
A. Single-family dwellings, **excluding mobile homes or travel trailers as defined in Title 10, Chapter 2**;
B. Manufactured homes that are less than ten years old and set up on a permanent foundation, classified as real property only;
C. Schools;
D. Parks, recreation buildings, and country clubs not conducted as a business or for profit;
E. Fire Departments;
F. Churches or temples;
G. Libraries. (Prior Code 10-4-01)

10-8-03 BUILDING AREA. Except as otherwise provided in this chapter, no building with its accessory building shall be erected or altered, so as to occupy more than forty five percent (45%) of the area of a lot **of more than 7000 square feet**, or more than thirty-five percent (35%) of the area of a lot **of less than 7000 square feet**. (Prior Code 10-4-02)

10-8-04 SIDE YARDS. Except as otherwise provided in this chapter, every lot shall have two side yards, each of which is not less than six (6) feet in width. The sum of the widths of the two side yards shall in no case be less than twenty four percent (24%) of the width of the lot. (Prior Code 10-4-04)

10-8-05 Height. Except as otherwise provided in this chapter, no building shall exceed thirty five (35) feet in height. (Prior Code 10-4-05)

10-8-06 Set Back Line. No building shall be erected or altered so as to place its **street wall** nearer than fifteen (15) feet from the property line. No accessory building shall be erected no nearer than **six (6) feet** from the property line. **Detached tool sheds shall be located not less than six (6) feet from the side or rear property lines.** (Ord. 250, 2004)

10-4-07 Manufactured Homes. For the purpose of single-family homes,

manufactured homes may not be placed in "A" residential, unless it is newer than a ten-year-old multisectional model and is set up and skirted in one of the following ways: (1) placed on a permanent foundation, (2) individual pads with cinder blaock are used for supports, coupled with uniform skirting; (3) a dug-out style with cinder blocks for support, desgined to lower the unit to ground level. (Suggest repeal since the definition of manufactured home is already set forth in the definitions section and this code section conflicts with that definition)

10-8-07 Schools, Temples, Libraries and Fire Departments. For the purpose of erecting schools, churches, temples, libraries or fire departments, two or more adjoining lots shall be considered a single lot provided that the side line, rear yard, and building set back provisions are observed. Two side yards of not less than six (6) feet in width shall be provided in each signle lot. The depth of the rear yard of the single lot shll not be less than ten (10) feet. The street wall of the building erected on the side yard shall be placed no closer than thirty (30) feet to the property line. The building shall not exceed sixty (60) feet in height. (Prior Code 10-4-08)

10-4-09 (suggest repeal given the enactment of 10-7-05 Subdivision requirements and the previous sale of a Barley Field) Barley Field Subdivision Regulations Required. The following restrictions shall be complied with by any owner/developer of the said Barley Field Subdivision containing approximately ten (10) acres located on the east end of the property described below:

That part of NE ¼ of Section 20, Township 5 south, Range 23 East, P.M.M., Carbon County, Montana, described as Tract 1A, of Certificate of Survey No. 288 on file in the office of the Clerk and Recorder of siad County, under Document #190460.

still in Book

- **Lots shall be ½ acre or more,**
- **Dwelling shall be no less than 1200 square feet on the main floor,**
- **Dwelling can be double wide or approved modular style home (cannot be older than 10 years) (This conflicts with use requirements in this district preventing double wide trailer homes)**
- **All units will be required to hook up to the city water and sewer system and garbage pickup provided by the developer and/or homeowner.**

10-8-09 Conformity with Regulations Required. No building shall be erected or altered in an 'A" residential district except in conformity with the regulations prescribed in this chapter. (Prior Code 10-4-10)

10-8-10 Exceptions in "A" Residential. Any land mass in excess of 2 acres may be used for approved agricultural activity as defined by agriculture open space of Title 10, Chapter 11, of the Fromberg Municipal Code. (Prior Code 10-4-11)

3, Section 3

10-8-11 FENCING. No fence shall be erected to exceed 48 inches in height from the street line to the front of the main building. The rear yard fence shall not exceed six feet in height.

CHAPTER 9

MOBILE HOME DISTRICT
RESIDENTIAL "B"

10-9-01 The Residential "B" Mobile Home District is intended to provide a suitable residential environment for individual mobile homes, mobile home parks, and competitive accessory uses. (Prior Codes 10-3-05, 10-05-1)

10-05-02 Definitions. (Suggest repeal as the definitions of mobile home park is already contained in Chapter 2 of this title and the definition of mobile home subdivision conflicts with the definition of mobile home park and is confusing.)

10-9-02 Permitted Uses. Uses permitted in this district are limited to single-family mobile home dwellings manufactured no older than fifteen (15) years of age. (Perior Code 10-05-03)

10-9-03 Allowable Density. The maximum allowable density for all mobile home parks shall be nine mobile homes per acres. (Prior Code 10-05-04)

10-9-04 Lot Dimensions. (A) For single-wide mobile home dwelling units, minimum site dimensions shall be forty (40) feet wide and one hundred (100) feet deep with a minimum site area of four thousand (4000) square fee. (B) For double-wide mobile home dwelling units, minimum site dimension shall be fifty (50) feet wide and one hundred (100) feet deep with a minimum of five thousand (5000) square feet. (Prior Code 10-05-05)

10-9-05 Lot Coverage. (A) The ground area occupied by a mobile home, attached storm shed, patio, storage building and off-street parking spaces shall not exceed fifty percent (50%) of the total area of the site. In computing the ground coverage, four hundred (400) square feet shall be added to actual area of the mobile home and the accessory buildings for the two required off-street parking spaces. (B) No mobile home, storm shed or other legal attachments to the mobile home shall be located less than six (6) feet from the side property line. Detached tool sheds shall be located not less than five feet from the side or rear property lines. The ends of the mobile homes shall be at least ten (10) feet apart when opposing rear walls are staggered, otherwise fifteen (15) feet apart. No portion of a mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than fifteen (15) feet away from any site or property line adjacent to a public right-of-way. (Prior Code 10-05-06)

10-9-06 Mobile home park requirements. (A) The minimum total area of a mobile home park shall be at least one acre, inlcuding alleys and/or roadways; (B) The minimum street roadway shall conform to the requirements found in the city-county subdivision regulations. (Prior Code 10-05-07)

10-9-07 Mobile home park restrictions. Existing mobile home parks shall not be enlarged or extensively altered unless such alteration complies with the provisions of this chapter. (Prior Code 10-05-08)

10-9-08 Mobile home subdivision requirements. (A) All lots in a mobile home subdivision shall conform to the requirements set forth in **Section 10-9-04.** (B) All lots shall be served by the town's water and sewer systems. (C) All lots shall be provided with direct access to a public street unless a home owner's association has been set up to maintain a private street. (Prior Code 10-05-09)

10-9-10 Mobile home requirements. (A) All mobile homes, whether located in a mobile home park or a mobile home subdivision, shall be set up and skirted in one of the following ways:

1. Individual pads with cinder blocks used for supports, coupled with uniform skirting;
2. Permanent concrete foundation;
3. A dug-out style area with cinder blocks for support, designed to lower the unit to ground level.

(B) The owner of a mobile home park shall be required to establish one of these methods for exclusive use throughout the park.
(C) Individual lot owners in a mobile home subdivision will be required to indicate which of the three methods they will use prior to receiving a permit to move a mobile home onto a lot. (Prior Code 10-05-10)

CHAPTER 10

COMMERCIAL INDUSTRIAL
"C" DISTRICT

10-10-01 Uses. Any commercial and industrial district building may be erected or altered and land used for all lawful purposes except: (A) Storage yards for scrap, bulk or raw materials; (B) Railroad yards or roundhouses; (C) Livestock, corrals, or feedlots; (D) Any manufacture or treatment whatsoever except light manufacturing as are carried on within an entirely enclosed building which create no objectionable noise, odor, smoke, fumes, vapor, dust or gas. (Prior Code 10-06-01)

10-10-02 Restrictions on residential buildings. No building, other than the principal building on a lot, may be used used for residential purposes in "C" district.

10-10-03 RESTRICTIONS OR CONDITIONS. All operations carried out under this ordinance shall be subject to the restrictions or conditions outlined below:
(a) <u>Outside Storage.</u> Temporary outside storage or staging of inventory or materials shall be allowed, but the area for such storage shall be enclosed in a six foot visual screening fence and shall be equal to no more than fifty percent of the area of the business structure on the lot or tract.
(b) <u>Activities to be Enclosed.</u> All business activities shall be carried out within a completely enclosed building. Limited outdoor display shall be permitted for advertising or publicity purposes.
(c) <u>Nuisance.</u> All activities carried out under this ordinance shall be carried out in a manner which will produce no offensive, objectionable or harmful noises,

odors, fumes, dust, smoke, or interference with radios, telephone, or television facilities. Security, advertising, or other lights shall be installed so as not to be objectionable to surrounding owners or residents.

(d) Appearance and Maintenance. All facilities shall be maintained in a clean, attractive state of repair. All weeds must be controlled. Waste materials must be kept under control, in closed containers where deemed necessary by the zoning commission and in complete compliance with applicable County, State and Federal laws.

(e) Fencing. A high, screening fence may be constructed around the lot or tract, subject to the following exception: any fencing installed within the thirty foot set back zone shall not exceed seventy two (72) inches in height.

(f) Signs. There shall be no size restrictions on signs mounted or painted flush upon the surface of commercial buildings. Signs protruding at an angle from the side of said buildings shall not exceed twenty square feet in area. No roof mounted signs shall be allowed. Detached signs may not exceed twenty square feet in area, and may not be placed so as to obstruct a clear view of traffic, i.e., less than thirty six inches in height or mounted above the ground by at least ten feet.

Any sign erected on Highway 310 right-of-way must comply with MCA requirements regarding signs posted on state highways.

10-10-04 Rear and Side Yards. Except as otherwise provided in this chapter, there is no requirement for a building in "C" district to have a rear or side yard. (Prior Code 10-06-02)

10-10-05 Height. Except as otherwise provided in this chapter, no building shall exceed seventy (70) feet in height. (Pior Code 10-06-03)

10-10-06 Set back line. The **front of** all buildings shall be built in line with existing structures. **If no other structures exist on the lot, no building or accessory building shall be built closer than six (6) feet from the property line.** (Prior Code 10-06-04)

CHAPTER 11

AGRICULTURAL/OPEN SPACE "AO" DISTRICT

10-11-01 Intent. The agricultural-open space zone is intended to preserve land for agricultural and related uses. Land within this zone is usually unsubdivided and with a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered infusion of uses not compatible with an agricultural rural environment. (Prior Code 10-3-03)

CHAPTER 12

ANNEXATION AND ENLARGEMENT OF SERVICE AREA

10-12-01 Annexation. With the exception of the restrictions set forth in MCA 7-2-4608, the boundaries of the town may be altered and new areas annexed as provided by MCA 7-2-4601 *et seq.*

10-12-02 Use District Designated Upon Annexation. All land or territory annexed to the town after the date of adoption of this section shall immediately become classified as an "A" Residential Zoning District and the zoning map shall thereupon be amended to indicate such land or territory in the "A" Residential Zoning District without further zoning request variance. (Prior Code 10-3-08(F))

10-12-03 Annexation as Requirement for Water/Sewer Service.

A. Authority: This section is adopted pursuant to the authority granted the Town Council in MCA 7-13-4314 concerning annexation as a requirement for receiving service; pursuant to the authority granted the Town Council in MCA 69-7-201 regarding adoption of rules and regulations for the municipal water utility; and, pursuant to the general authority granted to the Town Council pursuant to MCA 7-1-4123 and 7-1-4124 regarding legislative powers.

B. Annexation Prior to Initiation of Service: It shall be the policy of the town and the municipal water and sewer utilities, at the sole option of the Town Council, to require any person, firm or corporation who desires to become a user of the municipal water supply and sewer system that, prior to initiation of service, the council may require the person, firm or corporation to petition for annexation into the municipal boundardaries. Said annexation shall be accomplished by petition pursuant to those statutes contained in MCA 7-2-46.

10-12-04 Enlargement Application.

A. Petition, Request or Application: Persons desiring water and/or wastewater service to serve properties located either partially or entirely outside the service areas shall make application to the city on a special form furnished for this purpose by the city.

B. Written Comprehensive Plan or Report: Any such person shall submit with his/her petition, request or application a written comprehensive plan or report describing: (1) the existing boundary; and (2) the proposed extension of the existing boundary insofar as the same is affected by the petition, request or application.

C. Connection Points with Existing City Water and Sewer Mains: The comprehensive report or plan shall also contain information which reveals fully the intended connection points with existing city water and sewer mains.

D. Extensions of City Streets and Alleys: The comprehensive plan and report shall also contain information which reveals fully proposed extensions of city streets and alleys or portions thereof which are to be included within the city boundaries as dedicated public ways.

10-12-05 Prerequisites to Enlargement Application.

The following conditions shall be met prior to making application for enlargement of the water and/or wastewater service areas:

A. The property at the time the application is filed: (1) shall be contiguous to

the boundary of the water and/or wastewater service areas as same exists; (2) shall entirely fall under the County's growth policy as previously adopted.
B. Applicant shall complete annexation requirements.

10-12-06 Application Reviews and Recommendations.
The town council shall review all water and/or wastewater service area enlargement applications so filed. Any applications which are filed with the town at least two (2) weeks prior to the next regularly scheduled council meeting, shall be submitted to the town council at the next regularly scheduled meeting. Applications filed less than two (2) weeks prior to the next regularly scheduled town council meeting, need not be submitted until the next regularly scheduled meeting following the date of submission of the application.

Under no circumstances shall the town council grant approval to any applicant for enlargement of the water and/or wastewater service areas which would include property in the service area that is beyond the service capabilities of the municipal systems.

10-12-07 Public Hearing Required.
At the time of completion of annexation, the annexed territory shall automatically be included in the service area; however, before officially acting upon any application for enlargement of the service area into an unannexed area, the town council shall hold a public hearing thereon and shall give public notice of hearing upon each such application published two (2) consecutive weeks in a newspaper of general circulation in the county. Said notice shall set forth the time and place of the public hearing and shall be published not less than fifteen (15) nor more than thirty (30) days prior to the date of the hearing.

10-12-08 Town Council Action.
The town council shall approve, conditionally approve, or deny an application for enlargement of a service area within thirty (30) days after the date of the public hearing. The approval or conditional approval shall be in force for the period of time set forth in the approval. A denial of an application shall be in force for one year after the date of such denial unless stipulations are identified in such denial, in which case the application may be resubmitted with deficiencies corrected.

10-12-09 New System or Major Alteration or Extension.
A. Review and Approval of Department of Environmental Quality: Before any construction of a new system or major alteration or extension of any existing public water system, an engineering report along with necessary plans and specifications for the public water system shall be submitted to the Department of Environmental Quality (DEQ) for review and approval. The DEQ must approve the submitted plans before construction commences.
B. Costs: Cost of the design, engineering study and all material for the extension shall be bourne by the area receiving service or the developer thereof.
C. Acceptance of System, Maintenance: Upon acceptance of the new system, and extension of existing mains by the water department, maintenance of the main

line will be provided by the water department and will become part of the overall water system.
D. Reservation of Right: The Town water department shall reserve the right to specify the necessary size of the main for any and all extensions and new systems.

CHAPTER 13

ABATEMENT/PENALTY

10-13-01 Abatement Procedure. (A) If on any inspection the condition of a building or premises, or its use or occupancy is found not to conform to the provisions of this Title, the **zoning officer or person designated by the city council** shall issue written notice to the **property** owner **or tenant**, specifying the manner in which the building or premises, or its use or occupancey fails to conform, and the **property** owner **or tenant** shall take steps and make it conform as directed by the **zoning officer or city council designee**. (B) Appeal from the actions of the zoning officer **or city council designee** shall be made to the city council. (Prior Code 10-11-02)

10-13-02 Violation-Penalty. (A) Any person violating a provision of this chapter for which another penalty has not been provided shall, upon conviction thereof, be punished as set forth in the table of fees which is $250. (B) The owner or tenant of any building, structure, premises, or part thereof, and any architect, building contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. (C) Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation or to bring an action to enjoin any violation os this Title. (Prior Code 10-11-03)

All Interim Zoning Ordinances no longer in Valid

ORDINANCE NO. 275

AN INTERIM ZONING ORDINANCE TO SET FORTH THE PROCEDURE FOR APPOINTMENT OF THE ZONING COMMISSION MEMBERS AND ESTABLISH THEIR DUTIES RELATED TO REVIEWING ZONING APPLICATIONS.

WHEREAS, MCA 76-2-306 allows the Town, in order to protect the public safety, health, and welfare of the Town's citizens, to enact interim zoning ordinances without following the procedures otherwise required prior to the adoption of a zoning ordinance. This interim ordinance is no longer in effect 6 months from its adoption. However, after proper notice and pursuant to a public hearing, the council may extend the interim ordinance for 1 year. [MCA 76-2-306(3)]

WHEREAS, previously, the police department was assigned the duties of issuing zoning permits, conducting inspections, and instituting appropriate action or proceedings to prevent or correct unlawful constructon (Ord. No. 250). This interim ordinance will allow the Town to amend the zoning application review process to assign the duties of review and investigation of zoning permit applications to the zoning committee. The zoning committee then will make their written recommendations regarding approval or disapproval of the zoning application to the council for a final decision on the zoning application.

WHEREAS, this interim ordinance also establishes a procedure for the formation of the zoning commission and appointment of its members.

WHEREAS, upon the date of adoption of this interim ordinance, the Town shall follow the following procedure in establishing a zoning commission and setting forth the zoning committee members' duties relating to review of zoning permit applications.

1. ZONING COMMISSION. The zoning commission shall consist of three members, to be appointed by the mayor subject to confirmation by the town council. The members shall serve for terms of three years each, and shall be removable for cause. Each zoning commission member will be called an agent of the zoning commission.
2. DUTIES OF THE ZONING COMMISSION. The commission shall have the following duties:
   (a) Review zoning applications for compliance with the Fromberg zoning ordinances set forth in Title 10 of the Fromberg Town Code. This review includes visiting the site, making measurements, and interviewing the applicant.
   (b) Based on the review of the zoning applications, the commission shall make recommendations to the town council to approve, approve in part, or deny zoning applications. The recommendation must be in writing and signed by at least two of the three commission members.
   (c) The commission shall have the power to make recommendations to the town council concerning the following matters: annexations, changes in the district boundaries or regulations as it may deem necessary or desirable, and variances.
   (d) The commission may from time to time adopt such rules and regulations as may be deemed necessary to carry into effect the provisions of the zoning regulations.

PASSED AND APPROVED on first reading this 4 day of July, 2018.

Shirley Miller

Shirley Miller, Mayor

Attested to by:

Brenda Kansala, Clerk/Treasurer

date: person fills out zoning application
. goes before council.

ORDINANCE NO. 276

INTERIM ZONING ORDINANCE TO PROVIDE THE TOWN WITH A PROCEDURE TO FOLLOW IN REVIEWING AND APPROVING ZONING APPLICATIONS.

WHEREAS, MCA 76-2-306 allows the Town, in order to protect the public safety, health, and welfare of the Town's citizens, to enact interim zoning ordinances without following the procedures otherwise required prior to the adoption of a zoning ordinance. This interim ordinance is no longer in effect 6 months from its adoption. However, after proper notice and pursuant to a public hearing, the council may extend the interim ordinance for 1 year. [MCA 76-2-306(3)]

WHEREAS, this interim ordinance will allow the Town to have an interim procedure in place to review and approve zoning applications while the Town studies and develops new zoning procedures and regulations.

WHEREAS, upon the date of adoption of this interim ordinance, the Town shall follow the following procedure in reviewing and approving or disapproving zoning applications.

1. Zoning Permit Required. A zoning permit shall be required for any construction, reconstruction, addition, relocation of a structure, or change of land use, and for permanent signs of all kinds. Zoning permits shall be applied for on a form provided by the Town of Fromberg, and are reviewed according to the procedures set forth in this interim zoning ordinance.

2. Application and Approval Process for Zoning Permit. The purpose of the zoning permit is to assure that all building construction and development activity complies with these regulations as well as regulations promulgated by other agencies as applicable.
(A) The applicant shall file a properly completed application form, including a site plan, project description, and any other required supporting materials, with the town clerk, who will forward the application to the zoning commission for review.

(B) Zoning commission agents shall review the application to determine compliance with the zoning regulations. Should the agents find that the application complies with these regulations, the agents will make a favorable recommendation to the Town Council for approval. However, the agents may impose reasonable conditions on the zoning permit to ensure compliance with the zoning regulations as well as the regulations promulgated by other agencies as they may apply.

(C) Once the zoning commission has completed its review, the commission shall make its recommendation to the Town Council. The Council will review the zoning application and the zoning commission recommendation at the next regular council meeting. In emergency circumstances, in the mayor's discretion, the Town Council may call a special meeting to address a zoning application.

3. Revocation of Zoning Permits. Zoning permits may be revoked for good cause shown. Procedures to revoke zoning permits may only be initiated by the Town of Fromberg, and only the FrombergTown Council is authorized to revoke a zoning permit.
(A) Prior to initiating any permit revocation procedure, the Town shall have conducted an

inspection of the subject property, thoroughly investigated any complaint, contacted the permittee in writing notifying him/her of the nature of complaints, issues, and/or potential violations, and provided the permittee every reasonable opportunity to address and correct conditions, violations, or deficiencies.

(B) A zoning permit may be revoked based on one or more of the following findings: (1) that the initial application and/or representations made by the applicant in connection with the application were fraudulent or otherwise inaccurate or misleading to the extent that the decision to grant the zoning permit was based upon or influenced by said application or representations; (2) that operation of the authorized use or development has become a public nuisance and/or an imminent threat to the public health, safety, and general welfare.

(C) The FrombergTown Council may revoke a zoning permit upon approval of a motion by simple majority where findings and cause for the revocation are set forth in the motion to revoke. (D) The permittee shall be notified of the revocation action through a cease and desist order issued by mayor or his designee.

PASSED AND APPROVED on first reading this 7th day of May, 2018.

Shirley Miller

Shirley Miller, Mayor

Attested to by:

Brenda Kansala

Brenda Kansala, Clerk/Treasurer

To date: Person fills out variance application and goes before Council.

ORDINANCE NO. 277

AN INTERIM ZONING ORDINANCE TO PROVIDE A PROCEDURE TO REVIEW AND APPROVE VARIANCE APPLICATIONS UNDER TITLE 10-ZONING.

WHEREAS, MCA 76-2-306 allows the Town, in order to protect the public safety, health, and welfare of the Town's citizens, to enact interim zoning ordinances without following the procedures otherwise required prior to the adoption of a zoning ordinance. This interim ordinance is no longer in effect 6 months from its adoption. However, after proper notice and pursuant to a public hearing, the council may extend the interim ordinance for 1 year. [MCA 76-2-306(3)]

WHEREAS, upon the date of adoption of this interim ordinance, the Town shall follow the following procedure with regard to variance requests:

VARIANCES. The town council may grant permits for the alteration or construction of nonconforming buildings, provided such building will not be detrimental to, or tend to alter, the character of the neighborhood.

(A) A person requesting a variance must fill out an application for variance, including a site plan, project description, and any other supporting materials, along with application fee, with the town clerk. The site plan should clearly describe the proposed variance.

(B) The person must also obtain 100% approval of the proposed variance in writing from all property owners within 300' from each property line. The signature form must be attached to the variance application.

(C) If 100% approval is not obtained, then a public hearing must be held on the request for variance. The town council may meet in its next regular session to vote on the variance.

PASSED AND APPROVED this 7 day of May, 2018.

Shirley Miller

Shirley Miller, Mayor

Attested to by:

Brenda Kansala

Brenda Kansala, Clerk/Treasurer

APPLICATION FOR VARIANCE
TOWN OF FROMBERG, MONTANA

Under Fromberg Interim Ordinance No. ___, the Fromberg town council may grant permits for the alteration or construction of nonconforming buildings, provided such building will not be detrimental to, or tend to alter, the character of the neighborhood in which the variance is requested.

Name of Zoning Permit Applicant: _____

Applicant's address and telephone number: _____

Location of project: _____

Description of Project: _____

Description of requested Variance: _____

_____

_____

Provide with application the following documentation:

- A legal and general description of the property lot upon which the building or accessory building is to be built.
- A site plan, project description, to-scale diagram with measurements of proposed building. A legal survey may be requested.
- A signature form with signatures of 100% of the legal owners of property within 300' of each your property lines.

If you cannot obtain the signatures of all of the property owners within 300' of your property lines, then still attach the form indicating you have not obtained 100% of the property owners' signatures. In the event 100% of the signatures are not obtained, a public hearing on your request for variance must be held.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your request for variance. **If 100% of the adjacent property owners' signatures is not obtained, then the town council will schedule a public hearing on your request, after which the council will then decide whether or not to grant your request for variance.**

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant): _____
Printed Name: _____

_____

ACTION OF THE FROMBERG TOWN COUNCIL

Request for Variance:
□ Approved.
□ Approved with conditions_____
_____
□ More information needed: _____
_____
□ Denied.
□ PUBLIC HEARING scheduled for _____.

Dated this ___ day of _____, 201__.

Signed by _____
Fromberg Mayor

FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING HELD ON SEPTEMBER 10, 2026

On September 10th, 2026, meeting of the Fromberg Town Council was held at 118 W River Street in Fromberg, MT. The Pledge of Allegiance was recited, and the meeting was called to order at 6:30 pm by Mayor, Terry Feller. Other council members present were Don Wilson, Mark Seyler, and Cheryl Olson. Others present were Jerry Hall, Sandy Bauwens, Harvey Nott, Christine Miller, Mike Ventling, Public Works Director and Michele Auch, Clerk.

Appointment of New Council Member: Tammy has resigned. Elton Kirtley decided to step up and take her place. Councilman Seyler motion to accept Elton on board, seconded by Councilman Wilson. The motion carried with the following votes: Councilman Wilson—aye, Councilman Seyler—aye and Councilwoman Olson – aye. Clerk Michele swore Elton Kirtley to the Council. Motion Carries

Public comment on items not on the agenda. No public comment.

Correspondence was next on the agenda. Mayor read out loud Tammy Taylor's letter of resignation.

Mayor/Council was next on the agenda. Leak at 45 North was discussed.

Sheriff department report was next on the agenda: Not present

Zoning/Variance application was next on the agenda. Carol and Harvey Nott were next on the agenda for a Variance. Mayor stated that if you go with your normal plan, and don't put in the double car garage, you could probably advance that tonight, because you meet your offsets. Mayor shared that the variance we were running off of had an interim date that expired in 2018. So, from 2018 forward we've been running this very same variance, they've all been illegal. Hope Freeman, who's been dead since 2020, had written more zoning rules and Elton had a copy of them, she suggested variance and instead of you going out and getting signatures, the town would because they're looking at putting a fee in for the variances. So, she suggested that the town be responsible for sending letters to landowners that are affected, then it has to be posted, and publicly posted in the newspaper. We did get advice from the lawyer to carry on, as we're doing. $200 fee for a variance and would have to be pushed back to next month for a decision. One car garage could be passed tonight, waiting on Carol to get to the meeting. Will move on till he hears from Carol. MacKenzie lawsuit was discussed

Old business was next on the agenda. Discussion/Decision regarding possible litigation with Stillwater Conservation District/River Project was next on the agenda. Dennison was not present.

Discussion/Decision on Table of Fees was next on the agenda. Clerk shared that fees highlighted in yellow were discussed at the prior meeting. Water Household tapping fee $2,500, Water Business tapping fee $3,500; Sewer Household tapping fee $ 2,500, Sewer Business Tapping fee $ 3,500. Labor & Equipment $200 per man hour, tampering with water/sewer property=time & materials, damage fee to water/sewer mains=time and materials. Councilman Wilson had a question about back-room rental $5.00; meetings can be held in Town Hall backroom. Zoning Variance fee being raised from $200 to $400 was suggested due to paying council, clerk, postage and advertising. Special meeting fee was set up at $150.00. Business licenses were next, currently billing $20.00, removed financial institution, utilities, hotels/motels and trailer parks from fee schedule. Change business license to $50.00 and leave bars/saloons at $125.00 since they have a lot more fees to pay. Councilman Wilson motioned to approve the new table of fees, seconded by Councilwomen Olson. The motion carried with the

following votes: Councilman Wilson—aye, Councilman Seyler—aye, Councilwoman Olson – aye and Councilman Kirtley--aye. Motion Carries.

New business was next on the agenda.

Discussion/Decision for appointment of new President of the Town Council. Mayor stated you're second in charge, if I am gone, they come to you. Councilwomen Olson was interested. Councilman Wilson motioned to approve Cheryl as president of the Town Council, seconded by Councilman Seyler. The motion carried with the following votes: Councilman Wilson—aye, Councilman Seyler—aye, and Councilman Kirtley--aye. Motion Carries.

Discussion/Decision to remove Tammy Taylor as a signer at the Bank of Bridger and appoint new signer on the account. Councilman Wilson motioned to approve Cheryl as the check signer, seconded by Councilman Seyler. The motion carried with the following votes: Councilman Wilson—aye, Councilman Seyler—aye, and Councilman Kirtley-aye. Motion Carries.

Council moved to address Nott's variance application to zoning application with a one car garage with 15-foot setback off boundary, that's what they decided to change to. Councilman Wilson motion to approve zoning permit for Harvey and Carol Nott, seconded by Councilwomen Olson. Councilman Wilson—aye, Councilman Seyler—aye, Councilwomen Olson--aye and Councilman Kirtley-aye. Motion Carries

Councilman Seyler had called Mark Vargas regarding 45 North water lines and sewer lines, and he relayed what was said. Mark tried to give Sue a variance, and she didn't want it, and ran under storage units, just water, about 5 years ago their septic was failing just about the time Nate was buying it, they hooked the sewer towards the highway.

Discussion/Decision regarding Resolution #555 Setting Fee Schedule. Mayor read out loud. Councilman Seyler made a motion to accept Resolution #555, seconded by Councilwomen Olson. The motion carried with the following votes: Councilman Wilson—aye, Councilman Seyler—aye, Councilwomen Olson--aye and Councilman Kirtley-aye. Motion Carries.

Discussion/Decision regarding attorney fee agreement from Susan B Swimley for Riverbank Project. Mayor stated that during the budget planning we set aside $10,000 to take a look at paperwork as the project was not completed as it was supposed to. Dennison said that the contract could be altered so as not to exceed $10,000 per clerk. Clerk stated this is to see if we even have a case and what our options are and then do we want to go further. Councilman Wilson either we pursue or walkway from it, spend some money to find out and these are the two attorneys that Dennison talked about at the last time and they are willing to look at it. Clerk asked if they want any other language that you want to put in there for the agreement. Not to exceed the $10,000 without approval. Councilman Wilson motioned to approve the attorney fee agreement for Susan B Swimley and Tara DePuy, seconded by Councilman Seyler. The motion carried with the following votes: Councilman Wilson—aye, Councilman Seyler—aye, Councilwomen Olson--aye and Councilman Kirtley-aye. Motion Carries.

Mayor had a question if the pipe was taken out of the Park Fund? Clerk Yes.

The Consent Agenda was next on the agenda. A motion to approve the consent agenda was made by Councilman Wilson, seconded by Councilwoman Olson. The motion carried with the votes as follows: Councilman Wilson—aye, Councilman Seyler—aye, Councilwoman Olson—aye and Councilman Kirtley--aye. Motion Carries.

Town Attorney was next on the agenda. Was not present.

Public Works was next on the agenda. Mike gave his report: Hopes to get the vac truck on Saturday, cleaned out Larry's curb stop, major leak at Randy Grahams, has done 12 digs, 9 redo's, sewer back online, leave Sagar beds for the winter, supposed to trim tress in October on Mine Spur, Montana, Carbon, School Street and ones by the Yellow Bank. Trim trees up 15' on city street side. Beartooth electric put in a security light up at the tank, which Homeland Security had highly recommended, just have to get electrician to wire in. Northwest Energy to put one at the control panels at the wells, need to fill diesel tank, have not heard anything from Downing yet on the meters, Montana Rural Water applied for a grant to cover installing a generator at the wells. Supposed to be getting a grant for $10K-$12K for engineer but hasn't been confirmed yet, discussed new sewer line on Bartlett and tie into manhole on Billy's alley, bridge over canal, Mayor thought the baseball committee ought to hit up Vargas to get the baseball field back or donate it back, old shack by the river is due to come down, and talked about Vac Truck.

Town Clerk was next on the agenda. Billed out $39,343 this month for water, sewer, garbage; received $32,410, past due at $28,554. Tax lines are going out on Monday, 8 properties at $8,234.25. So much better than last time. Bulk water sales to date are $2,823.08. Regarding Karp, Dennison says we need to get a letter from a realtor about the market value of the land we're swapping, make a resolution, and he's checking if we have to do public notice. Worked on budget. Update on garbage account.

A motion to adjourn was made by Councilman Wilson and seconded by Councilwoman Olson. The motion carried with the votes as follows: Councilman Wilson—aye, Councilman Seyler—aye, Councilwoman Taylor – aye and Councilman Kirtley—aye.

Adjourn at 7:36 pm

_____
Terry Feller, Mayor

ATTEST:

_____
Michele Auch, Town Clerk

TOWN OF FROMBERG
Claims by Vendor Report
For the Accounting Period: 9/26

Vendor	Claim #	# of Lines	Date Accepted	Check	Amount
349 A-One Garage Door	CL 5475	4	10/01/26	24112	490.50
18 Beartooth Electric Cooperative	CL 5474	1	10/01/26	24113	26.55
344 Bert Kraft	CL 5465	1	10/01/26	24114	200.00
20 Carbon County Sheriff's Office	CL 5467	1	10/01/26	24115	13,873.06
200 Carbon Equipment Repair, Inc.	CL 5477	6	10/01/26	24116	100.00
184 Core & Main LP	CL 5476	3	10/01/26	24117	5,529.98
256 Debit Card Transactions	CL 5458	21	10/02/26	-99827	3,867.09
289 Dennison A Butler	CL 5468	1	10/01/26	24118	1,200.00
26 Energy Labs	CL 5459	2	10/01/26	24119	445.00
213 Flowpoint Environmental Systems	CL 5479	1	10/01/26	24120	1,095.00
342 John Deere Company	CL 5470	6	10/05/26	24121	220.36
319 Michele Auch	CL 5480	3	10/01/26	24122	40.60
34 Montana Dakota Utilities	CL 5462	3	10/01/26	24123	154.00
84 Northwest Pipe Fittings	CL 5478	2	10/01/26	24124	13.82
31 NorthWestern Energy	CL 5464	10	10/01/26	24125	2,599.22
348 NorthWestern Energy	CL 5473	1	10/01/26	24126	1,567.54
40 Republic Services #892	CL 5460	1	10/01/26	24127	5,065.72
251 Taylor Electric, Inc.	CL 5471	2	10/01/26	24128	1,100.48
334 TCT	CL 5469	15	10/01/26	24129	452.56
43 USA Blue Book	CL 5472	4	10/01/26	24130	2,511.67
243 USDA RD DCFO PAYMENT	CL 5466	1	10/01/26	-99826	2,591.00
42 Verizon	CL 5461	2	10/01/26	24131	169.05
				Total:	43,313.20

TOWN OF FROMBERG
Cash Report
For the Accounting Period: 9/26

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 General						
101000 Cash	38,298.12	16,311.28	0.00	0.00	19,384.90	35,224.50
101100 Investment Interest	833.35	0.00	0.00	0.00	0.00	833.35
103000 Petty Cash	100.00	0.00	0.00	0.00	0.00	100.00
Total Fund	39,231.47	16,311.28			19,384.90	36,157.85
2260 Emergency						
101000 Cash	27,083.37	0.00	0.00	0.00	0.00	27,083.37
2388 Large Taxpayer Reserve Fund						
101000 Cash	73.00	0.00	0.00	0.00	0.00	73.00
2450 Red Lodge Area Community Foundation Grant/Reimaging Rural						
101000 Cash	83.01	0.00	0.00	0.00	0.00	83.01
2820 Gas Tax						
101000 Cash	98,018.82	2,214.35	0.00	0.00	0.00	100,233.17
101200 Restricted Cash-Equipment	5,953.00	0.00	0.00	0.00	0.00	5,953.00
Total Fund	103,971.82	2,214.35				106,186.17
2821 Gas Tax - BaRSAA						
101000 Cash	5,796.94	0.00	0.00	0.00	0.00	5,796.94
2940 Program Income						
101000 Cash	4.00	0.00	0.00	0.00	0.00	4.00
2942 HUD Revolving Loan						
101000 Cash	19,362.60	0.00	0.00	0.00	0.00	19,362.60
2992 America Rescue Plan Act (ARPA)						
101000 Cash	38,791.24	0.00	0.00	0.00	0.00	38,791.24
4010 Capital Improvement						
101000 Cash	50,000.00	0.00	0.00	0.00	0.00	50,000.00
5210 Water						
101000 Cash	-23,269.69	21,809.68	0.00	0.00	21,259.11	-22,719.12
102220 Future Debt / Bond Reserve	21,463.00	0.00	0.00	0.00	0.00	21,463.00
102240 Replacement & Depreciation	33,030.61	0.00	0.00	0.00	0.00	33,030.61
Total Fund	31,223.92	21,809.68			21,259.11	31,774.49
5250 Water - ARPA						
101000 Cash	482.00	0.00	0.00	0.00	0.00	482.00
5310 Sewer						
101000 Cash	156,548.11	16,482.44	612.39	11,525.00	21,312.86	140,805.08
102220 Future Debt / Bond Reserve	52,188.00	0.00	0.00	0.00	0.00	52,188.00
102240 Replacement & Depreciation	83,958.00	0.00	0.00	0.00	0.00	83,958.00
Total Fund	292,694.11	16,482.44	612.39	11,525.00	21,312.86	276,951.08
5350 Sewer - ARPA						
101000 Cash	482.00	0.00	0.00	0.00	0.00	482.00
5410 Garbage						
101000 Cash	1,313.28	7,520.87	239.71	0.00	5,117.72	3,956.14
7200 Rural Fire - Voted Mill						
101000 Cash	772.49	45.02	0.00	0.00	0.00	817.51
7699 VICTIM SURCHARGE						
101000 Cash	-1.00	0.00	0.00	0.00	0.00	-1.00
7910 PAYROLL CLEARING FUND						

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
101000 Cash	16,244.87	0.00	22,909.29	29,359.48	0.00	9,794.68
7930 CLAIMS CLEARING FUND						
101000 Cash	26,203.44	0.00	43,313.20	27,122.53	0.00	42,394.11
Totals	653,812.56	64,383.64	67,074.59	68,007.01	67,074.59	650,189.19

*** Transfers In and Transfers Out columns should match, with the following exceptions:
1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
1000 General						
410000 GENERAL GOVERNMENT						
410100 Town Council						
110 Salaries and Wages	73.10	73.10	493.00	493.00	419.90	15%
140 Social Security	4.53	4.53	29.00	29.00	24.47	16%
142 Medicare	1.04	1.04	6.00	6.00	4.96	17%
143 Work Comp	0.34	0.34	1.00	1.00	0.66	34%
200 Supplies	0.00	0.00	100.00	100.00	100.00	0%
300 Purchased Services	0.00	0.00	100.00	100.00	100.00	0%
Account Total:	**79.01**	**79.01**	**729.00**	**729.00**	**649.99**	**11%**
410300 City Court						
111 Contract Labor	200.00	400.00	2,400.00	2,400.00	2,000.00	17%
200 Supplies	0.00	75.68	500.00	500.00	424.32	15%
310 Postage	0.00	0.00	100.00	100.00	100.00	0%
380 Training	0.00	0.00	1,000.00	1,000.00	1,000.00	0%
Account Total:	**200.00**	**475.68**	**4,000.00**	**4,000.00**	**3,524.32**	**12%**
410400 Financial Administration						
110 Salaries and Wages	1,251.20	4,379.46	20,538.00	20,538.00	16,158.54	21%
111 Contract Labor	0.00	0.00	3,000.00	3,000.00	3,000.00	0%
130 MMIA - Health Benefits	674.55	2,023.65	8,095.00	8,095.00	6,071.35	25%
140 Social Security	77.58	271.55	1,274.00	1,274.00	1,002.45	21%
141 Unemployment Insurance	8.14	28.49	154.00	154.00	125.51	19%
142 Medicare	18.15	63.52	298.00	298.00	234.48	21%
143 Work Comp	5.74	17.28	116.00	116.00	98.72	15%
146 MMIA - DENTAL	22.44	67.32	269.00	269.00	201.68	25%
147 MMIA - LIFE INSURANCE	4.60	13.76	55.00	55.00	41.24	25%
148 MMIA - VISION	4.68	14.05	57.00	57.00	42.95	25%
200 Supplies	34.52	118.10	1,500.00	1,500.00	1,381.90	8%
300 Purchased Services	13.54	336.91	1,200.00	1,200.00	863.09	28%
330 Publicity, Subscriptions and Dues	0.00	50.00	1,000.00	1,000.00	950.00	5%
340 Utilities/Phone	166.75	513.03	3,000.00	3,000.00	2,486.97	17%
362 Computer and Equipment	0.00	0.00	3,200.00	3,200.00	3,200.00	0%
370 Travel	0.00	0.00	100.00	100.00	100.00	0%
380 Training	0.00	0.00	300.00	300.00	300.00	0%
Account Total:	**2,281.89**	**7,897.12**	**44,156.00**	**44,156.00**	**36,258.88**	**18%**
410530 Auditing						
352 Audit/AFR	0.00	0.00	2,000.00	2,000.00	2,000.00	0%
Account Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
410600 Elections						
300 Purchased Services	0.00	0.00	1,000.00	1,000.00	1,000.00	0%
Account Total:	**0.00**	**0.00**	**1,000.00**	**1,000.00**	**1,000.00**	**0%**

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
1000 General						
411100 Legal Services						
350 Legal Services	1,200.00	3,600.00	24,400.00	24,400.00	20,800.00	15%
Account Total:	**1,200.00**	**3,600.00**	**24,400.00**	**24,400.00**	**20,800.00**	**15%**
411200 Facilities						
200 Supplies	0.00	0.00	500.00	500.00	500.00	0%
Account Total:	**0.00**	**0.00**	**500.00**	**500.00**	**500.00**	**0%**
Account Group Total:	**3,760.90**	**12,051.81**	**76,785.00**	**76,785.00**	**64,733.19**	**16%**
420000 PUBLIC SAFETY						
420100 Police						
351 Police Contract	13,873.06	13,873.06	55,493.00	55,493.00	41,619.94	25%
Account Total:	**13,873.06**	**13,873.06**	**55,493.00**	**55,493.00**	**41,619.94**	**25%**
420750 Central Emergency Dispatch - 911						
391 Dispatch	0.00	0.00	6,435.00	6,435.00	6,435.00	0%
Account Total:	**0.00**	**0.00**	**6,435.00**	**6,435.00**	**6,435.00**	**0%**
Account Group Total:	**13,873.06**	**13,873.06**	**61,928.00**	**61,928.00**	**48,054.94**	**22%**
430000 PUBLIC WORKS						
430200 Road & Street						
200 Supplies	0.00	0.00	5,000.00	5,000.00	5,000.00	0%
225 Maint & Repair-Vehicles	553.20	1,351.77	2,000.00	2,000.00	648.23	68%
300 Purchased Services	15.00	15.00	2,000.00	2,000.00	1,985.00	1%
900 Capital Outlay	0.00	0.00	3,333.00	3,333.00	3,333.00	0%
Account Total:	**568.20**	**1,366.77**	**12,333.00**	**12,333.00**	**10,966.23**	**11%**
430263 Street Lighting						
340 Utilities/Phone	879.47	2,631.56	10,100.00	10,100.00	7,468.44	26%
Account Total:	**879.47**	**2,631.56**	**10,100.00**	**10,100.00**	**7,468.44**	**26%**
Account Group Total:	**1,447.67**	**3,998.33**	**22,433.00**	**22,433.00**	**18,434.67**	**18%**
460000 CULTURE AND RECREATION						
460400 Parks						
200 Supplies	197.26	4,921.57	2,800.00	2,800.00	-2,121.57	176%
225 Maint & Repair-Vehicles	0.00	0.00	300.00	300.00	300.00	0%
260 Maint & Repair-Buildings	0.00	0.00	500.00	500.00	500.00	0%
300 Purchased Services	0.00	5,470.00	6,000.00	6,000.00	530.00	91%
340 Utilities/Phone	32.55	109.26	600.00	600.00	490.74	18%
Account Total:	**229.81**	**10,500.83**	**10,200.00**	**10,200.00**	**-300.83**	**103%**
Account Group Total:	**229.81**	**10,500.83**	**10,200.00**	**10,200.00**	**-300.83**	**103%**
490000 DEBT SERVICE						
490000 DEBT SERVICE						
620 Bond Interest	6.65	19.95	80.00	80.00	60.05	25%
Account Total:	**6.65**	**19.95**	**80.00**	**80.00**	**60.05**	**25%**
Account Group Total:	**6.65**	**19.95**	**80.00**	**80.00**	**60.05**	**25%**

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
1000 General						
510000 MISCELLANEOUS						
510330 Insurance						
510 Liability Insurance	0.00	3,262.00	3,262.00	3,262.00	0.00	100%
511 Property Insurance	0.00	3,634.00	3,635.00	3,635.00	1.00	100%
Account Total:	**0.00**	**6,896.00**	**6,897.00**	**6,897.00**	**1.00**	**100%**
Account Group Total:	**0.00**	**6,896.00**	**6,897.00**	**6,897.00**	**1.00**	**100%**
520000 OTHER FINANCING USES						
521000 Transfer						
820 Transfer out	0.00	73.00	0.00	0.00	-73.00	0%
Account Total:	**0.00**	**73.00**	**0.00**	**0.00**	**-73.00**	**0%**
Account Group Total:	**0.00**	**73.00**	**0.00**	**0.00**	**-73.00**	**0%**
Fund Total:	**19,318.09**	**47,412.98**	**178,323.00**	**178,323.00**	**130,910.02**	**27%**
2260 Emergency						
510000 MISCELLANEOUS						
510000 MISCELLANEOUS						
200 Supplies	0.00	0.00	13,542.00	13,542.00	13,542.00	0%
392 Disposal Contract Pmt	0.00	0.00	13,541.00	13,541.00	13,541.00	0%
Account Total:	**0.00**	**0.00**	**27,083.00**	**27,083.00**	**27,083.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**27,083.00**	**27,083.00**	**27,083.00**	**0%**
Fund Total:	**0.00**	**0.00**	**27,083.00**	**27,083.00**	**27,083.00**	**0%**
2450 Red Lodge Area Community Foundation Grant/Reimaging Rural						
510000 MISCELLANEOUS						
510300 Misc						
200 Supplies	0.00	698.59	981.00	981.00	282.41	71%
Account Total:	**0.00**	**698.59**	**981.00**	**981.00**	**282.41**	**71%**
Account Group Total:	**0.00**	**698.59**	**981.00**	**981.00**	**282.41**	**71%**
Fund Total:	**0.00**	**698.59**	**981.00**	**981.00**	**282.41**	**71%**
2820 Gas Tax						
430000 PUBLIC WORKS						
430200 Road & Street						
200 Supplies	0.00	0.00	118,363.00	118,363.00	118,363.00	0%
940 Capital Outlay-Equip/Tools	0.00	0.00	5,953.00	5,953.00	5,953.00	0%
Account Total:	**0.00**	**0.00**	**124,316.00**	**124,316.00**	**124,316.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**124,316.00**	**124,316.00**	**124,316.00**	**0%**
Fund Total:	**0.00**	**0.00**	**124,316.00**	**124,316.00**	**124,316.00**	**0%**

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
2821 Gas Tax - BaRSAA						
430000 PUBLIC WORKS						
430200 Road & Street						
200 Supplies	0.00	0.00	5,796.00	5,796.00	5,796.00	0%
Account Total:	**0.00**	**0.00**	**5,796.00**	**5,796.00**	**5,796.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**5,796.00**	**5,796.00**	**5,796.00**	**0%**
Fund Total:	**0.00**	**0.00**	**5,796.00**	**5,796.00**	**5,796.00**	**0%**
4010 Capital Improvement						
410000 GENERAL GOVERNMENT						
411800 Facilities						
900 Capital Outlay	0.00	0.00	25,000.00	25,000.00	25,000.00	0%
Account Total:	**0.00**	**0.00**	**25,000.00**	**25,000.00**	**25,000.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**25,000.00**	**25,000.00**	**25,000.00**	**0%**
460000 CULTURE AND RECREATION						
460400 Parks						
900 Capital Outlay	0.00	0.00	25,000.00	25,000.00	25,000.00	0%
Account Total:	**0.00**	**0.00**	**25,000.00**	**25,000.00**	**25,000.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**25,000.00**	**25,000.00**	**25,000.00**	**0%**
Fund Total:	**0.00**	**0.00**	**50,000.00**	**50,000.00**	**50,000.00**	**0%**
5210 Water						
410000 GENERAL GOVERNMENT						
410530 Auditing						
352 Audit/AFR	0.00	0.00	2,000.00	2,000.00	2,000.00	0%
Account Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
430000 PUBLIC WORKS						
430510 Water Adm						
110 Salaries and Wages	4,869.62	17,973.56	70,415.00	70,415.00	52,441.44	26%
130 MMIA - Health Benefits	2,304.06	7,265.45	27,648.00	27,648.00	20,382.55	26%
140 Social Security	301.91	1,114.34	4,366.00	4,366.00	3,251.66	26%
141 Unemployment Insurance	31.18	116.37	525.00	525.00	408.63	22%
142 Medicare	70.62	260.59	1,020.00	1,020.00	759.41	26%
143 Work Comp	206.90	640.46	3,131.00	3,131.00	2,490.54	20%
146 MMIA - DENTAL	77.08	243.09	924.00	924.00	680.91	26%
147 MMIA - LIFE INSURANCE	13.89	43.68	167.00	167.00	123.32	26%
148 MMIA - VISION	17.16	54.15	177.00	177.00	122.85	31%
200 Supplies	9,307.07	13,372.23	60,000.00	60,000.00	46,627.77	22%
225 Maint & Repair-Vehicles	553.20	1,438.49	3,000.00	3,000.00	1,561.51	48%
300 Purchased Services	1,485.24	4,401.26	30,000.00	30,000.00	25,598.74	15%
310 Postage	52.00	236.19	800.00	800.00	563.81	30%
330 Publicity, Subscriptions and Dues	0.00	0.00	500.00	500.00	500.00	0%

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
5210 Water						
340 Utilities/Phone	1,043.63	3,029.64	11,300.00	11,300.00	8,270.36	27%
362 Computer and Equipment	0.00	0.00	3,200.00	3,200.00	3,200.00	0%
370 Travel	0.00	0.00	200.00	200.00	200.00	0%
380 Training	0.00	0.00	1,000.00	1,000.00	1,000.00	0%
510 Liability Insurance	0.00	3,262.00	3,262.00	3,262.00	0.00	100%
511 Property Insurance	0.00	3,635.00	3,635.00	3,635.00	0.00	100%
620 Bond Interest	6.65	19.95	0.00	0.00	-19.95	0%
900 Capital Outlay	0.00	0.00	23,333.00	23,333.00	23,333.00	0%
Account Total:	**20,340.21**	**57,106.45**	**248,603.00**	**248,603.00**	**191,496.55**	**23%**
Account Group Total:	**20,340.21**	**57,106.45**	**248,603.00**	**248,603.00**	**191,496.55**	**23%**
490000 DEBT SERVICE						
490300 Debt Service						
610 Bond Pmt Princ & Interest	0.00	0.00	51,600.00	51,600.00	51,600.00	0%
Account Total:	**0.00**	**0.00**	**51,600.00**	**51,600.00**	**51,600.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**51,600.00**	**51,600.00**	**51,600.00**	**0%**
520000 OTHER FINANCING USES						
521000 Transfer						
820 Transfer out	0.00	-1,204.00	0.00	0.00	1,204.00	0%
Account Total:	**0.00**	**-1,204.00**	**0.00**	**0.00**	**1,204.00**	**0%**
Account Group Total:	**0.00**	**-1,204.00**	**0.00**	**0.00**	**1,204.00**	**0%**
Fund Total:	**20,340.21**	**55,902.45**	**302,203.00**	**302,203.00**	**246,300.55**	**18%**
5250 Water - ARPA						
430000 PUBLIC WORKS						
430510 Water Adm						
300 Purchased Services	0.00	-482.00	0.00	0.00	482.00	0%
Account Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**
Account Group Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**
Fund Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**
5310 Sewer						
410000 GENERAL GOVERNMENT						
410530 Auditing						
352 Audit/AFR	0.00	0.00	2,000.00	2,000.00	2,000.00	0%
Account Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
5310 Sewer						
430000 PUBLIC WORKS						
430610 Sewer Adm						
110 Salaries and Wages	7,941.08	27,188.88	113,276.00	113,276.00	86,087.12	24%
130 MMIA - Health Benefits	3,717.39	10,798.90	44,610.00	44,610.00	33,811.10	24%
140 Social Security	492.35	1,685.71	7,023.00	7,023.00	5,337.29	24%
141 Unemployment Insurance	51.16	176.24	847.00	847.00	670.76	21%
142 Medicare	115.15	394.27	1,642.00	1,642.00	1,247.73	24%
143 Work Comp	379.20	1,157.40	5,714.00	5,714.00	4,556.60	20%
146 MMIA - DENTAL	124.48	361.59	1,494.00	1,494.00	1,132.41	24%
147 MMIA - LIFE INSURANCE	22.01	64.06	263.00	263.00	198.94	24%
148 MMIA - VISION	27.96	81.20	282.00	282.00	200.80	29%
200 Supplies	1,267.14	4,561.77	35,000.00	35,000.00	30,438.23	13%
225 Maint & Repair-Vehicles	553.22	1,438.53	3,000.00	3,000.00	1,561.47	48%
300 Purchased Services	2,626.29	6,619.57	15,000.00	15,000.00	8,380.43	44%
310 Postage	52.00	236.19	850.00	850.00	613.81	28%
340 Utilities/Phone	1,278.98	3,236.99	18,000.00	18,000.00	14,763.01	18%
362 Computer and Equipment	0.00	0.00	3,100.00	3,100.00	3,100.00	0%
370 Travel	0.00	0.00	1,200.00	1,200.00	1,200.00	0%
380 Training	0.00	0.00	1,000.00	1,000.00	1,000.00	0%
510 Liability Insurance	0.00	3,262.00	3,262.00	3,262.00	0.00	100%
511 Property Insurance	0.00	3,635.00	3,635.00	3,635.00	0.00	100%
620 Bond Interest	6.65	19.95	0.00	0.00	-19.95	0%
900 Capital Outlay	11,525.00	11,525.00	14,859.00	14,859.00	3,334.00	78%
Account Total:	**30,180.06**	**76,443.25**	**274,057.00**	**274,057.00**	**197,613.75**	**28%**
Account Group Total:	**30,180.06**	**76,443.25**	**274,057.00**	**274,057.00**	**197,613.75**	**28%**
490000 DEBT SERVICE						
490300 Debt Service						
610 Bond Pmt Princ & Interest	2,591.00	7,773.00	46,342.00	46,342.00	38,569.00	17%
Account Total:	**2,591.00**	**7,773.00**	**46,342.00**	**46,342.00**	**38,569.00**	**17%**
Account Group Total:	**2,591.00**	**7,773.00**	**46,342.00**	**46,342.00**	**38,569.00**	**17%**
520000 OTHER FINANCING USES						
521000 Transfer						
820 Transfer out	0.00	-1,204.00	0.00	0.00	1,204.00	0%
Account Total:	**0.00**	**-1,204.00**	**0.00**	**0.00**	**1,204.00**	**0%**
Account Group Total:	**0.00**	**-1,204.00**	**0.00**	**0.00**	**1,204.00**	**0%**
Fund Total:	**32,771.06**	**83,012.25**	**322,399.00**	**322,399.00**	**239,386.75**	**26%**
5350 Sewer - ARPA						
430000 PUBLIC WORKS						
430610 Sewer Adm						
300 Purchased Services	0.00	-482.00	0.00	0.00	482.00	0%
Account Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**
Account Group Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**

Fund Account Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
Fund Total:	**0.00**	**-482.00**	**0.00**	**0.00**	**482.00**	**0%**
5410 Garbage						
430000 PUBLIC WORKS						
430810 Garbage Adm						
200 Supplies	0.00	0.00	600.00	600.00	600.00	0%
300 Purchased Services	0.00	0.00	500.00	500.00	500.00	0%
310 Postage	52.00	236.18	950.00	950.00	713.82	25%
362 Computer and Equipment	0.00	0.00	3,200.00	3,200.00	3,200.00	0%
392 Disposal Contract Pmt	5,065.72	10,127.39	68,000.00	68,000.00	57,872.61	15%
Account Total:	**5,117.72**	**10,363.57**	**73,250.00**	**73,250.00**	**62,886.43**	**14%**
Account Group Total:	**5,117.72**	**10,363.57**	**73,250.00**	**73,250.00**	**62,886.43**	**14%**
Fund Total:	**5,117.72**	**10,363.57**	**73,250.00**	**73,250.00**	**62,886.43**	**14%**
7120 Fire Relief Disability						
420000 PUBLIC SAFETY						
420000 PUBLIC SAFETY						
700 Grants, Contributions &	0.00	0.00	2,000.00	2,000.00	2,000.00	0%
Account Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
Fund Total:	**0.00**	**0.00**	**2,000.00**	**2,000.00**	**2,000.00**	**0%**
7200 Rural Fire - Voted Mill						
420000 PUBLIC SAFETY						
420460 Rural Fire						
540 Rural Fire Protection	0.00	0.00	10,838.00	10,838.00	10,838.00	0%
Account Total:	**0.00**	**0.00**	**10,838.00**	**10,838.00**	**10,838.00**	**0%**
Account Group Total:	**0.00**	**0.00**	**10,838.00**	**10,838.00**	**10,838.00**	**0%**
Fund Total:	**0.00**	**0.00**	**10,838.00**	**10,838.00**	**10,838.00**	**0%**
Grand Total:	**77,547.08**	**196,425.84**	**1,097,189.00**	**1,097,189.00**	**900,763.16**	**18%**

TOWN OF FROMBERG
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 26

Fund	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Comm.
1000 General	19,318.09	47,412.98	178,323.00	178,323.00	130,910.02	27%
2260 Emergency	0.00	0.00	27,083.00	27,083.00	27,083.00	0%
2450 Red Lodge Area Community Foundation	0.00	698.59	981.00	981.00	282.41	71%
2820 Gas Tax	0.00	0.00	124,316.00	124,316.00	124,316.00	0%
2821 Gas Tax - BaRSAA	0.00	0.00	5,796.00	5,796.00	5,796.00	0%
4010 Capital Improvement	0.00	0.00	50,000.00	50,000.00	50,000.00	0%
5210 Water	20,340.21	55,902.45	302,203.00	302,203.00	246,300.55	18%
5250 Water - ARPA	0.00	-482.00	0.00	0.00	482.00	0%
5310 Sewer	32,771.06	83,012.25	322,399.00	322,399.00	239,386.75	26%
5350 Sewer - ARPA	0.00	-482.00	0.00	0.00	482.00	0%
5410 Garbage	5,117.72	10,363.57	73,250.00	73,250.00	62,886.43	14%
7120 Fire Relief Disability	0.00	0.00	2,000.00	2,000.00	2,000.00	0%
7200 Rural Fire - Voted Mill	0.00	0.00	10,838.00	10,838.00	10,838.00	0%
Grand Total:	77,547.08	196,425.84	1,097,189.00	1,097,189.00	900,763.16	18%

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
1000 General						
310000 TAXES						
311010	Real Tax	319.95	5,457.98	66,139.00	60,681.02	8 %
311020	Personal Tax	0.00	130.78	150.00	19.22	87 %
311021	Mobile Homes	0.00	221.23	2,143.00	1,921.77	10 %
312000	Penalty & Interest	14.26	147.50	340.00	192.50	43 %
314140	County Option Taxes	2,146.09	6,625.35	22,000.00	15,374.65	30 %
314150	Marijuana excise Tax	0.00	1,227.80	9,000.00	7,772.20	14 %
	Account Group Total:	2,480.30	13,810.64	99,772.00	85,961.36	14 %
320000 LICENSES AND PERMITS						
322020	Business License	0.00	0.00	200.00	200.00	0 %
323030	Animal License	10.00	40.00	1,800.00	1,760.00	2 %
	Account Group Total:	10.00	40.00	2,000.00	1,960.00	2 %
330000 INTERGOVERNMENTAL REVENUE						
335065	Oil & Gas Prod Tax	0.00	313.56	750.00	436.44	42 %
335120	Gambling Machine Permits	0.00	0.00	500.00	500.00	0 %
335230	State Entitlement Share	12,226.07	12,226.07	48,904.00	36,677.93	25 %
	Account Group Total:	12,226.07	12,539.63	50,154.00	37,614.37	25 %
350000 FINES						
351030	Town Law Violations	0.00	70.00	1,500.00	1,430.00	5 %
351033	Misdemeanor Surcharge	0.00	30.00	165.00	135.00	18 %
	Account Group Total:	0.00	100.00	1,665.00	1,565.00	6 %
360000 MISCELLANEOUS REVENUE						
362000	Other misc revenue	1,124.00	4,540.81	2,000.00	-2,540.81	227 %
	Account Group Total:	1,124.00	4,540.81	2,000.00	-2,540.81	227 %
370000 INVESTMENT EARNINGS						
371000	Interest	470.91	724.81	1,500.00	775.19	48 %
	Account Group Total:	470.91	724.81	1,500.00	775.19	48 %
	Fund Total:	16,311.28	31,755.89	157,091.00	125,335.11	20 %
2388 Large Taxpayer Reserve Fund						
310000 TAXES						
311010	Real Tax	0.00	0.00	73.00	73.00	0 %
	Account Group Total:	0.00	0.00	73.00	73.00	0 %
380000 OTHER FINANCING SOURCES						
383000	Transfer in	0.00	73.00	0.00	-73.00	%
	Account Group Total:	0.00	73.00	0.00	-73.00	%
	Fund Total:	0.00	73.00	73.00	0.00	100 %

Fund / Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
2450 Red Lodge Area Community Foundation Grant/Reimaging Rural					
330000 INTERGOVERNMENTAL REVENUE					
330000 INTERGOVERNMENTAL REVENUE	0.00	0.00	200.00	200.00	0 %
Account Group Total:	0.00	0.00	200.00	200.00	0 %
Fund Total:	0.00	0.00	200.00	200.00	0 %
2820 Gas Tax					
330000 INTERGOVERNMENTAL REVENUE					
335040 Gas Tax Apportionment	2,214.35	5,681.24	23,812.00	18,130.76	24 %
Account Group Total:	2,214.35	5,681.24	23,812.00	18,130.76	24 %
Fund Total:	2,214.35	5,681.24	23,812.00	18,130.76	24 %
5210 Water					
340000 CHARGES FOR SERVICES					
343021 Metered Water Charges	-294.50	30,497.24	190,000.00	159,502.76	16 %
343022 Metered Water/hookups	0.00	0.00	2,500.00	2,500.00	0 %
343023 Bulk Water Sales	1,090.19	3,466.58	10,000.00	6,533.42	35 %
343025 MT State DEQ Fees	0.00	-312.00	508.00	820.00	-61 %
343090 Penalties/Interest	-17.67	635.67	4,200.00	3,564.33	15 %
Account Group Total:	778.02	34,287.49	207,208.00	172,920.51	17 %
360000 MISCELLANEOUS REVENUE					
360000 MISCELLANEOUS REVENUE	46.14	57.41	350.00	292.59	16 %
362000 Other misc revenue	0.00	1,000.34	0.00	-1,000.34	%
Account Group Total:	46.14	1,057.75	350.00	-707.75	302 %
380000 OTHER FINANCING SOURCES					
383000 Transfer in	0.00	-1,204.00	0.00	1,204.00	%
Account Group Total:	0.00	-1,204.00	0.00	1,204.00	%
Fund Total:	824.16	34,141.24	207,558.00	173,416.76	16 %
5310 Sewer					
340000 CHARGES FOR SERVICES					
343031 Sewer Service Charges	-67.00	33,061.00	200,000.00	166,939.00	17 %
343032 Sewer Tapping Fees	0.00	0.00	3,500.00	3,500.00	0 %
Account Group Total:	-67.00	33,061.00	203,500.00	170,439.00	16 %
360000 MISCELLANEOUS REVENUE					
360000 MISCELLANEOUS REVENUE	46.13	57.39	350.00	292.61	16 %
362000 Other misc revenue	0.00	1,000.33	0.00	-1,000.33	%
Account Group Total:	46.13	1,057.72	350.00	-707.72	302 %

Fund / Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
5310 Sewer					
380000 OTHER FINANCING SOURCES					
383000 Transfer in	0.00	-1,204.00	0.00	1,204.00	%
Account Group Total:	0.00	-1,204.00	0.00	1,204.00	%
Fund Total:	-20.87	32,914.72	203,850.00	170,935.28	16 %
5410 Garbage					
340000 CHARGES FOR SERVICES					
343041 Garbage Operating	-17.00	13,693.78	80,000.00	66,306.22	17 %
343042 Garbage Tags	54.00	138.50	600.00	461.50	23 %
Account Group Total:	37.00	13,832.28	80,600.00	66,767.72	17 %
Fund Total:	37.00	13,832.28	80,600.00	66,767.72	17 %
7120 Fire Relief Disability					
330000 INTERGOVERNMENTAL REVENUE					
335050 Police/Fire from State	0.00	0.00	2,000.00	2,000.00	0 %
Account Group Total:	0.00	0.00	2,000.00	2,000.00	0 %
Fund Total:	0.00	0.00	2,000.00	2,000.00	0 %
7200 Rural Fire - Voted Mill					
310000 TAXES					
311010 Real Tax	45.02	767.91	10,477.00	9,709.09	7 %
311020 Personal Tax	0.00	18.40	16.00	-2.40	115 %
311021 Mobile Homes	0.00	31.13	346.00	314.87	9 %
Account Group Total:	45.02	817.44	10,839.00	10,021.56	8 %
Fund Total:	45.02	817.44	10,839.00	10,021.56	8 %
Grand Total:	19,410.94	119,215.81	686,023.00	566,807.19	17 %

TOWN OF FROMBERG
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 26

Fund	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
1000 General	16,311.28	31,755.89	157,091.00	125,335.11	20 %
2388 Large Taxpayer Reserve Fund	0.00	73.00	73.00	0.00	100 %
2450 Red Lodge Area Community Foundation	0.00	0.00	200.00	200.00	0 %
2820 Gas Tax	2,214.35	5,681.24	23,812.00	18,130.76	24 %
5210 Water	824.16	34,141.24	207,558.00	173,416.76	16 %
5310 Sewer	-20.87	32,914.72	203,850.00	170,935.28	16 %
5410 Garbage	37.00	13,832.28	80,600.00	66,767.72	17 %
7120 Fire Relief Disability	0.00	0.00	2,000.00	2,000.00	0 %
7200 Rural Fire - Voted Mill	45.02	817.44	10,839.00	10,021.56	8 %
Grand Total:	19,410.94	119,215.81	686,023.00	566,807.19	17 %

TOWN OF FROMBERG
Payroll Summary For Payrolls from 09/01/26 to 09/30/26

Total for Payroll Checks

	Employee	Employer	Amount
COMA HOURS (Comp Time Accumulated)	10.88		
COMP HOURS (Comp Time Used)	2.50		57.50
HOL HOURS (Holiday Pay)	28.00		824.00
REG HOURS (Regular Time)	444.50		12,885.50
SICK HOURS (Sick Time)	16.00		368.00
GROSS PAY	14,135.00	0.00	
NET PAY	11,231.33	0.00	
FIT	1,238.34	0.00	
MEDICARE	204.96	204.96	
MMIA - AD&D	0.00	7.50	
MMIA - DENTAL	0.00	224.00	
MMIA - HI	0.00	6,696.00	
MMIA - LIFE INS	0.00	33.00	
MMIA - VISION	0.00	49.80	
SIT	584.00	0.00	
SOCIAL SECURITY	876.37	876.37	
UNEMPL. INSUR.	0.00	90.48	
WORKERS' COMP	0.00	592.18	
FIT/SIT BASE	14,135.00	0.00	
MEDICARE BASE	14,135.00	0.00	
SOC SEC BASE	14,135.00	0.00	
UN BASE	13,920.00	0.00	
WC BASE	14,135.00	0.00	
Total		8,774.29	

Total Payroll Expense (Gross Pay + Employer Contributions): 22,909.29

Check Summary

Payroll Checks Prev. Out.	$14,905.76
Payroll Checks Issued	$18,241.63
Payroll Checks Redeemed	$25,053.38
Payroll Checks Outstanding	$8,094.01
Electronic Checks	$4,306.10

Deductions Accrued		Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	1,752.74		1,752.74		212501
Medicare	409.92		409.92		212502
Unempl. Insur.	90.48	235.04	321.10	4.42	212509
Workers' Comp	592.18	1,223.30		1,815.48	212508
FIT	1,238.34		1,238.34		212503
SIT	584.00		584.00		212504
MMIA - HI	6,696.00		6,696.00		212507
MMIA - DENTAL	224.00		224.00		212511
MMIA - LIFE INS	33.00		33.00		212512
MMIA - VISION	49.80		49.80		212513

MMIA - AD&D	7.50		7.50		212512
Total Ded.	11,677.96	1,458.34	11,316.40	1,819.90	

**** Carried Forward column only correct if report run for current period.

COUNCIL REPORT OCT. 2026

Installed meters

Dug in put meter pit in at 700 West River

New meter pit 435 east river

Fixed water leaks 220 ½

Drover const. ran over curbstop at ball field

Security lights at well and tank

Jersey blocks at well heads

Will be shutting down main st. for water tie in

Vehicles on 1st Ave

Vehicles on main st needs moved back

Trees will be trimmed at end of month

Working for grant to put in generator for water

Clerk Report

September 2026

September Receipts:	$ 42,457.47
August Billing:	$ 39,950.05
September Past Due:	$ 18,420.52

- Budget submitted to the State
- Awarded $7,500 Reimaging Rural Grant for Old Town Jail
- Filed Tax Liens $7,393.31
- Cyrina Allen-Emails Montana DES plan a quick meeting for bridge on Carbon
- Contacted RC&D Joliet about mitigation funding for old water building
- Confirmation from Nikki MRW-Awarded $12,500 for Engineering invoices from John McDunn
- Vac Truck paperwork
- Bank Reconciliation
- Billing & Receipts
- Claims
- Payroll & reporting
- Quarterly reporting