

MAYOR
Riley Ramsey

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

The City of Hardin is inviting you to a scheduled Zoom meeting.

Council Meeting
of Tuesday, March 17, 2026

Held by virtual meeting and the Public is invited to attend in person.

Topics:
City of Hardin
Council Meeting – 03/17/2026 6:30 p.m.

Start Time: 6:30 p.m. Mountain Time
The meeting will open at 6:15 p.m.

If you will be logging into the Council meeting by:

Computer: Please identify yourself by submitting your first and last name by using the “Chat” function.

Phone: Please identify yourself by stating your First and Last Name.

Join Zoom Meeting

<https://us02web.zoom.us/j/9897104479?omn=88222211362>

Meeting ID: 989 710 4479

One tap mobile

[+17193594580..9897104479#](tel:+171935945809897104479) US

[+12532050468..9897104479#](tel:+125320504689897104479) US

Dial by your location

- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
 - +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
 - +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
 - +1 360 209 5623 US
 - +1 386 347 5053 US
 - +1 507 473 4847 US
 - +1 564 217 2000 US
- +1 646 558 8656 US (New York)
 - +1 646 931 3860 US
 - +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
 - +1 305 224 1968 US

Meeting ID: 989 710 4479

Meetings are Audio Recorded ONLY
Montana Legislature House Bill 890

AGENDA

*The City of Hardin
406 N. Cheyenne Avenue
Hardin, MT 59034*

March 17, 2026

AUDIO RECORDING BEGINS

MEETING CALLED TO ORDER AT 6:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor: _____

Alderspersons: Steven Hopes _____ Clayton Greer _____ Chris Sharpe _____
George Toyne _____ Jeremy Krebs _____ Antonio Espinoza _____

CONSENT AGENDA:

Council Meeting 03/03/2026

Claims

PUBLIC COMMENT (agenda items only):

MAYOR:

COMMITTEE REPORTS:

- **Personnel Committee/City Policy:** Mayor
- **Sewer & Water:** Hopes
- **Streets & Alleys:** Hopes
- **Law Enforcement:** Espinoza
- **Parks & Playgrounds:** Krebs
- **Finance/Landfill:** Greer
- **Resolutions and Ordinances:** Sharpe
- **Economic Development:** Toyne

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

- City-County Planning Board Recommendation – Zoning Ordinance Changes
- Agreement for Legal Services
- Fire Department Contribution - \$15,000
- Event Notice – Continuing Disclosure TIFD
- Landfill Closure Post-Closure Estimates

STAFF REPORTS

- **Public Works:**
- **Finance:**
- **Police:**
- **Legal:**
- **Economic Development:**

RESOLUTIONS & ORDINANCES:

PUBLIC COMMENT:

ANNOUNCEMENTS:

Employee Anniversaries: Merle Johns, 9 years; Teresa King, 1 year; Ross Miller, 7 years; and Michael Stimpson, 28 years

Request for Proposals for Employee Group Benefits Coverage: Due Tuesday, March 24, 2026 by 3:00 p.m.

Sump Pump Reminder: April through September

Easter Egg Hunt: Saturday, April 4, 2026 at 11:00 a.m. Heimat Park – weather permitting

Alley Clean Up: April 6, 2026 – have items out early Monday, April 6th

Weed Mowing Bids: Due Wednesday, April 8, 2026 by 2:00 p.m.

Letters of Interest to serve on the Police Commission will be advertised in April

Local Government Review Study Commission Meetings: 3rd Wednesday of each month, TBD Council Chambers

City of Hardin Job Openings: Full-time positions: Police Officer. Part-time positions: Court Clerk I-III

CLOSED SESSION - PERSONNEL

Meeting adjourned at _____ P.M.

AUDIO RECORDING ENDS

*Additions to the Agenda can be voted on by Council to add to the Agenda for the next Council meeting.
Agenda items will need to be submitted by Wednesday noon before a Tuesday Council meeting.*

**THE COMMON COUNCIL
CITY of HARDIN, MONTANA**

COUNCIL MEETING: The Regular Council Meeting for March 3, 2026 was called to order at 6:30 p.m. with Mayor Riley Ramsey presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, George Toyne, Clayton Greer, Jeremy Krebs, Antonio Espinoza. Chris Sharpe was excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Economic Development Director Tina Toyne, Attorney Jordan Knudsen and Police Chief Paul George, Jr.

Also present physically and by virtual meeting: Commissioner Larry Vandersloot, Commissioner Lawrence Big Hair, Attorney Jeanne Torske, and several members of the public.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes as written for February 17, 2026. Motion seconded by Hopes. On a voice vote, the motion was unanimously approved.

Hopes motioned to approve the Closed Meeting minutes for January 6, 2026. Motion seconded by Espinoza. On a voice vote, the motion was unanimously approved.

Greer made a motion to approve the claims for March 3, 2026.

	CLAIM No.	Monthly Total
December, 2025	33438	\$ 76.66
January, 2026	33432, 33500	522,527.56
February, 2026	33433-33437, 33439-33446, 33470, 33478-33499, 33501-33503	709,381.25
March, 2026	33447-33469, 33471-33477	<u>65,064.98</u>
TOTAL Submitted		\$ 1,297,051.45

Hopes seconded. On a voice vote, the motion was unanimously approved.

PUBLIC COMMENT: N/A

MAYOR:

Mayor Ramsey reported he is pushing hard to get loose ends tied up for dispatch.

COMMITTEE REPORTS:

Personnel Policy/City Policy:

Mayor Ramsey reported there will be future discussion on this in the next couple of weeks.

Sewer & Water:

Hopes reported the Wastewater Treatment Plant Project is coming along great and Mike has a hard drive with photos of the project.

Streets & Alleys:

Law Enforcement:

Espinoza reported he talked with the Chief and he will be sharing a department update during his report.

Parks & Playgrounds:

Krebs reported the cornhole boards have been ordered and should be delivered in the next couple of weeks. Pavilion delivery – it was supposed to be delivered last Monday, then pushed to

Wednesday, then yesterday and now they are saying tomorrow. Krebs added he hopes to see it delivered tomorrow.

Finance/Landfill:

Resolutions & Ordinances:

Economic Development:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Hardin Visitor Info Center – Langlas & Associates Contract

Attorney Knudsen reported the document is repetitive and the most current version is not reflected throughout the document, specifically in Exhibit #1. The Exhibits reflect the previous versions of the contract. For legal, we can approve A133 and A201 with changes to litigation and negotiations on the price with the most current version of the contract to be updated throughout the rest of the documents. Motion by Hopes to approve A133 and A201 with changes to litigation and negotiations on the price with the most current and clean version of the contract to be updated throughout the rest of the documents. Motion seconded by Espinoza. On a voice vote, the motion was unanimously approved.

NEW BUSINESS:

Mayor Ramsey reported the payment to the 500 Club was made for 2025, now there is a 2026 payment for Little Bighorn Days 2026. Motion by Greer to approve the \$500 contribution to the 500 Club. Motion seconded by Hopes. Krebs asked what budget this amount comes from. Lehr stated it comes from the Council budget in the General Fund. Hopes expressed he discussed this with Lehr prior to the meeting. On a voice vote, the motion was unanimously approved.

Lehr reported on the RD 1780-27 Loan Resolution - \$2,562,000. The document is a standard form RD requests that Council vote on and approve. This has not been discussed at Council, and therefore it was brought to Council to approve. Motion by Krebs to approve RD 1780-27 Loan Resolution. Motion seconded by Hopes. On a voice vote, the motion was unanimously approved.

Mayor Ramsey reported the 911 iNet Contract - \$55,000 was discussed during the Committee Meeting this evening. It was voted on during the Committee Meeting to table the discussion. Motion by Espinoza to table the 911 iNet Contract. Motion seconded by Greer. On a voice vote, the motion was unanimously approved.

Mayor Ramsey reported Ken Woody addressed the City of Hardin for a Business License Reimbursement Request, through a letter. The request explains he was billed 2022-2025 as a Pawn Shop, but they are not an actual Pawn Shop. Therefore, they paid an extra \$50 each of those years. Lehr reported that City records reflect it was overpaid in 2023, 2024 and 2025 in the amount of \$150 total for those 3 years. Motion by Greer to approve the return of \$150. Motion seconded by Hopes. On a voice vote, the motion was unanimously approved.

Mayor Ramsey reviewed the Barry Damschen Contract – Amendment NO. 32 in the amount of \$ 7,800. It was identified as a standard document. Lehr reported there is a \$300 increase from the year prior. Motion by Greer to approve Barry Damschen Contract – Amendment No. 32. Motion seconded by Hopes. On a voice vote, the motion was unanimously approved.

Lehr reviewed the Northcon, Inc. Pay App #8 - \$659,057.25. He reported the engineer reviewed this and recommended payment. Motion by Toyne to pay Northcon, Inc. Pay App #8 in the amount of \$659,057.25. Motion seconded by Espinoza. On a voice vote, the motion was unanimously approved.

Mayor Ramsey reported no Letters of Interest for the Impact Fee Advisory Committee were received. It will be reopened for another couple of weeks with closing date or two Tuesday's from now.

Mayor Ramsey reported the Interlocal Dispatch Services Agreement was left on the agenda, if the document was finalized for the Council Meeting. Discussion regarding approval with the

changes occurred. Attorney Knudsen expressed he would prefer if all additions were prepared and available for public review prior to approval. Motion by Espinoza to table approval until the contract is prepared with final verbiage. Motion seconded by Hopes. Mayor Ramsey asked Big Horn County Commissioners if this agreement was discussed during the March 17th Council Meeting and March 12th Commissioners Meeting, if that would tie things up. Commissioners agreed. On a voice vote, the motion was unanimously approved.

City of Hardin Project Manager, Alexandria Edwards reviewed the website proposals and shared the demos that have been held over the past few months. Edwards shared the 2027 ADA compliance will be satisfied by any of the proposed companies, however, additional costs would occur. The City Staff recommendation is to move forward with Revize. Lehr requested that the cost be spread over multiple fiscal years, Revize was able to provide that. They also provide an update of the website after Year Four. Lehr explained the differences between a standard, premium, or migration package. Revize also has their own propriety software and management system, where they would be available outside of business hours. Toyne asked what the city currently pays for website. Lehr responded at \$50 per month. Edwards shared that the City has received approval to register as a .gov and our current platform does not support .gov registry. Motion by Hopes to move to Revize, using Drew's recommendation for payment plan. Krebs asked if this was budgeted for in this year. Lehr responded there is enough in his Administrative Budget that this year could come from that until the next fiscal year budget is prepared. Motion was seconded by Greer. On a voice vote, the motion was unanimously approved.

Edwards reviewed the history with Cushing Terrell for Architectural services for the Big Horn Visitor Information Center. The proposed contract would provide Construction Administration services for Phase 1 of the Center. Costs associated with this project are covered through the Pilot Community Tourism Grant through the Montana Department of Commerce. Knudsen did review the contract with no suggested edits. Toyne asked what Phase 1 provides. Edwards explained restrooms, vestibule, lobby area, mechanical/electrical rooms, and the parking lot. Additional grant funding for Phase 2 has been applied for. Motion by Toyne to approve the Cushing Terrell contract. Motion seconded by Espinoza. On a voice vote, the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Finance:

Lehr reported Request #4 through the Pilot Community Tourism Grant was received in the amount of \$82,888.91. The City has currently spent \$108,237 through the grant so far, with \$123,960 remaining. The Year Two award is \$1M then gradually phases out if the final 3 years of funding are received. The Lodge Grass draw for the months of November and December were received in the amount of approximately \$289,000. They should be seeing movement on that project here soon. The City received the School Resource Officer payment from the school for the first half of this fiscal year. The Rural Development 3rd request for funding will be submitted after this meeting, remaining grant funding is \$3,421,179. US Bank, Trustee for the TIF District will be generating our March 2026 Debt Payment. The City has not received the notice for the exact amount.

Police:

Police Chief Paul George, Jr. reported over the last 30 days there were 620 calls for service. Security Checks 219, Traffic Stops 91, Improperly Parked Vehicles 53, Welfare Checks 25 and 17 animal complaints. Chief George provided documentation regarding the December 31, 2021 to present statistics for the Police Department. Violet Crime has decreased 60% since mid-2023. Burglaries have decreased 90% since 2023. Community Engagement and Modernization – the department is continually engaged in community activities. Community Easter Egg Hunt, Trunk or Treat, Birthday Visits, proactive patrolling and more. The body cameras, dash cameras and LPR systems have been helpful to the community. No true vehicle theft in city limits since obtaining the LPRs. Since the Chief has been with the city, more than \$400,000 in funding has been brought into the department. Officer Stafford is generating a plan for graffiti abatement with the High School students. School, Safety and Cooperation – when the letter to Council was typed, there had been no reported assaults within the school in this academic year. Chief shared that Hardin is ranked #2 safest city in Montana according to a Safe Cities SafeWise report.

Council discussed a parked car near Railway and the length of time a vehicle can be tagged. Greer expressed the color of the warning tags that are placed on improperly parked vehicles are

not visible. Chief expressed that the warning notices are white to express the difference from the actual citation, which is orange.

Legal:

Economic Development:

Toyne reported she attended the Executive Board and regular Board meetings for Visit Southeast Montana to stay connected and aligned on regional tourism efforts. For the tourism grant, Toyne has been evaluating other visitor information center models to guide the development of our own. She attended the Tourism Committee meeting to keep ongoing efforts coordinated and participated in the three-week Reimagining Rural Series, which focused on practical, achievable improvements for Hardin. More than 20 communities applied for the online series. She has met with a couple of local businesses to talk through opportunities and ways we can support their next steps. Conversations continue with USDA and the Beartooth staff about programs available to assist business owners. She checked in with IMEG on the implementation of the Wayfinding Project and with DestinationiQ to begin work on the Passport program for local assets.

RESOLUTIONS & ORDINANCES:

PUBLIC COMMENT: N/A

ANNOUNCEMENTS:

Mayor Ramsey reported the Local Government Review meetings are the 3rd Wednesday of each month. Knudsen announced a non-regular meeting would be held March 11th at 5:30 p.m. City County Planning Board will have a Public Hearing on March 9 at 7 p.m. at the Chambers.

The City of Hardin has the following Job Openings: Full-time positions for Police Officers and General Laborer.

Toyne asked the Chief how many Police Officers are still needed to be at full staff. Chief explained that there are technically two, but he and the Mayor are discussing this further.

Greer motioned to adjourn the meeting at 7:19 p.m. Hopes seconded. On a voice vote, the motion was unanimously approved.

Riley Ramsey, Mayor

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

City of Hardin

Submitted for Approval

March 17, 2026

Month	CLAIM No.	Monthly Total
February, 2026	33505, 33507-33511, 33513-33527, 33529-33542, 33544-33546, 33548-33550, 33553	\$ 108,554.23
March, 2026	33506, 33528, 33543, 33547, 33551-33552, 33554	1,149,942.87
Claims Total (Expenditures)		\$ 1,258,497.10
February, 2026		250,638.46
TOTAL Submitted		\$ 1,509,135.56

**Claims or Expenditures over \$5,000
per Resolution #2189**

Vendor	Purpose	Check #	Amount
CUSHING TERRELL	Architectural services - Visitor Info Center	42499	12,162.47
JORDAN W KNUDSEN	Legal services	42482	8,500.00
MATOVICH OIL CO.	Diesel, oil, gasoline, DEF, etc	42484	9,820.77
CENTRAL SQUARE TECHNOLOGIES	CAD System subscription	99339	17,849.42
MORRISON-MAIERLE	Engineering for Lodge Grass Lagoon	99338	13,771.00
US BANK NATIONAL ASSOC	March TIF US Bank Bond Payment	99346	1,090,000.00
FIRST INTERSTATE BANK WM	LF Financial Assurance Annual Transfer	42502	47,142.61
UNITED STATES DEPARTMENT OF AGRICULTURE	2020 RD Loan Debt Payment	99345	6,024.00
<i>Exempt from Resolution 2189</i>			
NORTHWESTERN ENERGY	Electric utilities	42511	21,139.42

CITY OF HARDIN

Claims Report

For the Accounting Period: February, 2026

Vendor	Claim #	Check	Amount
CUSHING TERRELL	CL 33505	42499	12,162.47
BIG HORN COUNTY ELECTRIC	CL 33507	42478	3,344.63
DIAMOND MAPS	CL 33508	42480	660.00
UTILITIES UNDERGROUND LOC. CTR.	CL 33509	42490	19.58
JORDAN W KNUDSEN	CL 33510	42482	8,500.00
NOAH PRICE	CL 33511	42485	15.00
ASHTON JEFFERSON	CL 33513	42477	15.00
LAUREL PEATON	CL 33514	42483	107.08
TWO LEGGINS WATER USERS	CL 33515	42489	320.00
MATOVICH OIL CO.	CL 33516	42484	9,820.77
BILL'S AUTO PARTS	CL 33517	42479	2,591.33
MONTANA MUNICIPAL INTERLOCAL AUTHORITY	CL 33518	-99341	750.00
RDO EQUIPMENT	CL 33519	42486	1,020.15
HARDIN BUILDING CENTER	CL 33520	42481	589.43
VISIONARY BROADBAND	CL 33521	42491	260.22
HEALTHQUITY	CL 33522	-99337	25.00
WBI ENERGY CORROSION SERVICES	CL 33523	42492	358.07
APG YELLOWSTONE NEWS GROUP	CL 33524	42476	131.88
BIG SKY LINEN & UNIFORM INC	CL 33525	-99343	187.20
THUNDER RIDGE KENNELS	CL 33526	42488	125.00
THE ORIGINAL BRIEFS	CL 33527	42487	300.00
BARRY DAMSCHEN CONSULTING, LLC	CL 33529	42493	1,875.00
BIG SKY EXPRESS WASH	CL 33530	42495	135.00
BIG HORN HOSPITAL ASSOCIATION	CL 33531	42494	100.00
DIS TECHNOLOGIES	CL 33532	42500	1,394.08
HEALTHQUITY	CL 33533	-99336	907.86
IBS, INC.	CL 33534	42503	515.68
KOIS BROTHERS EQUIPMENT CO.	CL 33535	42504	287.17
MT. RURAL WATER SYSTEMS, INC.	CL 33536	42510	400.00
MILLENNIUM ELECTRIC	CL 33537	42508	2,759.21
SCL Medical Group - Billings LLC	CL 33538	42513	90.00
STAPLES	CL 33539	-99340	350.24
VERIZON WIRELESS	CL 33540	-99342	501.67
CHRISTS EVANGELICAL LUTHERAN	CL 33541	42497	1,062.50
KYLEI BASTIEN	CL 33542	42505	15.00
FERGUSON WATERWORKS #1701	CL 33544	42501	1,193.43
RDO EQUIPMENT	CL 33545	42512	2,334.74
BIG SKY TIRE & SERVICE CO LLC	CL 33546	42496	70.00
CENTRAL SQUARE TECHNOLOGIES	CL 33548	-99339	17,849.42
MONTANA SEPTIC	CL 33549	42509	500.00
NORTHWESTERN ENERGY	CL 33550	42511	21,139.42
MORRISON-MAIERLE	CL 33553	-99338	13,771.00

108,554.23

CITY OF HARDIN

Claims Report

For the Accounting Period: March, 2026

Vendor	Claim #	Check	Amount
LOCKWOOD PRECAST	CL 33506	42506	2,856.25
US BANK NATIONAL ASSOC	CL 33528	-99346	1,090,000.00
FIRST INTERSTATE BANK WM	CL 33543	42502	47,142.61
COLUMN SOFTWARE PBC	CL 33547	42498	380.97
MARKUS TAKES THE HORSE	CL 33551	42507	79.98
UNITED STATES DEPARTMENT OF AGRICULTURE	CL 33552	-99345	6,024.00
ENTERPRISE FLEET MANAGEMENT	CL 33554	-99344	3,459.06
			1,149,942.87

CITY OF HARDIN

Check Report

3/17/2026

Vendor	Claim #	Check	Amount
APG YELLOWSTONE NEWS GROUP	CL 33524	42476	131.88
ASHTON JEFFERSON	CL 33513	42477	15.00
BIG HORN COUNTY ELECTRIC	CL 33507	42478	3,344.63
BILL'S AUTO PARTS	CL 33517	42479	2,591.33
DIAMOND MAPS	CL 33508	42480	660.00
HARDIN BUILDING CENTER	CL 33520	42481	589.43
JORDAN W KNUDSEN	CL 33510	42482	8,500.00
LAUREL PEATON	CL 33514	42483	107.08
MATOVICH OIL CO.	CL 33516	42484	9,820.77
NOAH PRICE	CL 33511	42485	15.00
RDO EQUIPMENT	CL 33519	42486	1,020.15
THE ORIGINAL BRIEFS	CL 33527	42487	300.00
THUNDER RIDGE KENNELS	CL 33526	42488	125.00
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IBS, INC.	CL 33534	42503	515.68
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MONTANA SEPTIC	CL 33549	42509	500.00
MT. RURAL WATER SYSTEMS, INC.	CL 33536	42510	400.00
NORTHWESTERN ENERGY	CL 33550	42511	21,139.42
RDO EQUIPMENT	CL 33545	42512	2,334.74
SCL Medical Group - Billings LLC	CL 33538	42513	90.00
HEALTHYQUITY	CL 33533	-99336	907.86
HEALTHYQUITY	CL 33522	-99337	25.00

CITY OF HARDIN

Check Report

3/17/2026

Vendor	Claim #	Check	Amount
MORRISON-MAIERLE	CL 33553	-99338	13,771.00
CENTRAL SQUARE TECHNOLOGIES	CL 33548	-99339	17,849.42
STAPLES	CL 33539	-99340	350.24
MONTANA MUNICIPAL INTERLOCAL AUTHORITY	CL 33518	-99341	750.00
VERIZON WIRELESS	CL 33540	-99342	501.67
BIG SKY LINEN & UNIFORM INC	CL 33525	-99343	187.20
ENTERPRISE FLEET MANAGEMENT	CL 33554	-99344	3,459.06
UNITED STATES DEPARTMENT OF AGRICULTURE	CL 33552	-99345	6,024.00
US BANK NATIONAL ASSOC	CL 33528	-99346	1,090,000.00
			1,258,497.10

CITY-COUNTY PLANNING BOARD
CITY OF HARDIN / BIG HORN COUNTY

PO Box 305
HARDIN MT 59034-0305

March 10, 2026

Hardin City Council
406 N Cheyenne Ave
Hardin, MT 59034

Re: Zoning Ordinance Update

To The Council,

At the March 9, 2026, monthly meeting, and after holding the prescribed public hearing, the City-County Planning Board voted to recommend **approval** of the updates to the City of Hardin Zoning Ordinance.

The recommendations reflect statutory changes through the 2025 legislative session, as well as providing clarity to some sections.

At the public hearing there was testimony from the public regarding Section 11-1-2-5-5.E., which limits marijuana dispensaries to two within or within one mile of municipal limits, as well as the possibility of expanding the list of zoning districts allowing marijuana businesses to include commercial zones. The Planning Board considered the testimony but did not make changes to the draft update to the zoning ordinance.

The Board recommended approval of the updates to the City of Hardin Zoning Ordinance.

Regards,

Bill Hodges / F.J.M.
Vice-Chairman

Memo

To: HARDIN CITY COUNCIL

From: FORREST J. MANDEVILLE, AICP – CONTRACT PLANNER

Date: MARCH 10, 2026

Re: ZONING ORDINANCE CHANGES SUMMARY

Background:

This memo is following up on previous discussion regarding updates to the Hardin Zoning Code. A draft of changes has also been prepared reflecting the changes summarized in this memo. The City-County Planning Board recommended updating the Zoning Ordinance as reflected in this memo. The following is a summary of drafted amendments.

Amendments:

Section 11-1-1-1: General Terms Defined

- Growth Management Plan. Page 4. Added reference to a Growth Policy. These terms are generally used interchangeably.

Section 11-1-2-1: Terms Pertaining to “Use” Defined

- Accessory Dwelling Unit (ADU), pages 6-7. Added definition from state law, MCA 76-2-345.
- Dwelling. Page 8. Replaced “manufactured” with “mobile”. See below for more discussion.
- Manufactured (Modular) Home, page 9. Added definition for manufactured (modular) home to differentiate from a mobile home per state law, MCA 76-2-302. Language closely mirrors definition in statute. As drafted, this would treat modular homes the same as other single-family homes.
- Mobile Home Parks, Travel Trailer Parks, and Individual Mobile Homes, pages 9-10. Replaced “manufactured” with “mobile” to differentiate between modular homes and mobile homes throughout definition (76-2-302, MCA). Removed subsections A and F, which were incorporated into the Manufactured (Modular) Home definition. Renumbered subsequent subsections. As drafted, this will not change the way mobile homes or mobile home parks are treated under the regulations.

- Removed “Mobile Home” definition, page 10. Incorporated into “Mobile Home Parks, Travel Trailer Parks, and Individual Mobile Homes definition.
- Modular or Manufactured Housing Unit, page 10. Revised to reference Manufactured (Modular) Home definition.
- Trailer or Mobile Home, page 10. Replaced “manufactured” with “mobile”.
- Trailer or Mobile Home Park, page 10. Replaced “manufactured with “mobile”.

Section 11-1-2-2: Districts

- Subsection E, page 12. Replaced “manufactured” with “mobile”. This does not change the practice currently in the regulations.

Section 11-1-2-3: District Uses Permitted

- Subsection A, page 12. Added Accessory Dwelling Units to the list of allowed uses in the AO agricultural open space district.
- Subsection A, page 13. Replaced “manufactured” with “mobile”.
- Subsection B, page 13. Added Accessory Dwelling Units to the list of allowed uses in the SR suburban residential district.
- Subsection B, page 14. Replaced “manufactured” with “mobile”.
- Subsection C, page 14. Added Accessory Dwelling Units to the list of allowed uses in the R1 single-family district.
- Subsection D, page 14. Replaced “manufactured” with “mobile”.
- Subsection E, pages 14-16. Replaced “manufactured” with “mobile” throughout the R3 residential manufactured home district section. Removed reference to the city-county subdivision regulations for compliance with SB 174 from the 2025 legislative session. As drafted, mobile home parks would be a conditional use. All current design requirements would remain the same.

Section 11-1-5-2: Height Limits Established

- Page 31. Added a cross reference to Sections 11-1-6-2.C. and 11-1-5-3 for clarification and to address conflicts. As drafted, the table in Section 11-1-6-2.C would be the most comprehensive list of heights allowed except as noted in this section, specifically with the limitations in the C1 and I2 districts. Agricultural and Residential districts would maintain a 30-foot height limit.

Section 11-1-6-2: Yard and Family Space Requirements

- Subsection C, page 35. Revised table to increase the height limit in the C3 district from 25 feet to 30 feet and added cross reference to Section 11-1-5-2.

Section 11-1-8-1: Accessory Uses Permitted

- Subsection I, page 42. Added a clause removing accessory dwelling units from the prohibition on using accessory buildings for dwelling purposes.

TITLE 11
ZONING

CHAPTER 1
ZONING

SECTION:

11-1-0: Purpose Of Zoning

11-1-1: Division Into Districts

11-1-1-1: General Terms Defined

11-1-1-2: Districts Established

11-1-1-3: Effect Of Regulations

11-1-2: Use Of Premises Regulated

11-1-2-1: Terms Pertaining To "Use" Defined

11-1-2-2: Districts

11-1-2-3: District Uses Permitted

11-1-2-4: Planned Unit Development Provisions

11-1-2-5: Medical And Adult-Use Marijuana Dispensaries, And Other Marijuana Businesses

11-1-2-5-1: Findings

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11-1-2-5-3: Definitions

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11-1-2-5-5: Application Review And City Action

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11-1-3: Minimum Size Of Districts

11-1-4: Nonconforming Uses Regulated

11-1-5: Maximum Height Limits Established

11-1-5-1: Terms Relating To "Height" Defined

11-1-5-2: Height Limits Established

11-1-5-3: Exceptions To Height Limits

- 11-1-5-4: Repairing And Remodeling
- 11-1-6: Minimum Yards And Family Areas Defined
 - 11-1-6-1: Terms Relating To "Yards" Defined
 - 11-1-6-2: Yard And Family Space Requirements
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- 11-1-7: Off Street Parking Spaces Required
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- 11-1-9: Administration
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 - 11-1-9-3: Procedure For Variance
- 11-1-10: Prohibited Uses Within The City Of Hardin
- 11-1-11: Conditional Land Uses
 - 11-1-11-1: Purpose
 - 11-1-11-2: Requirements
 - 11-1-11-3: Application Process
 - 11-1-11-4: Zoning Compliance Permit
- 11-1-12: Violation And Penalty
- 11-1-13: Validity

11-1-0: PURPOSE OF ZONING:

A. Authority: The zoning regulations, classifications, districts, and provisions as herein set forth are in accordance with chapter 2, title 76 of the Montana Code Annotated and Hardin's growth management plan.

B. General Purpose: They 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 with 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. Purposes Enumerated: The Hardin common council further declares this zoning is adopted for the following specific purposes and policies:

1. To promote and guide development consistent with the goals and objectives of the adopted growth management plan;
2. To prevent waste and inefficiency in land use;
3. To encourage innovations in residential development and renewal that provides variety in type and design of dwellings and conservation of open space; to preserve and enhance housing values and maintain residential neighborhood aesthetics;
4. To encourage development near existing services, in or adjacent to the city, and on less productive agricultural land and in consideration of the existing floodplain in Hardin and those areas of wet soils or surface water;
5. To encourage cluster development, affordable housing, landscaping, and energy conservation;
6. Prevent nonconforming mobile home parks from increasing the number of dwelling units until the parks are brought up to compliance with this code;
7. To encourage multi-family and duplex housing as the market demands and in conjunction with single-family housing in the southwest planning area as defined in the GMP;
8. To provide adequate land and space for 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 growth management planning process;
9. To discourage strip commercial growth and residential development in undesirable locations such as on prime farmland, potential prime farmland, and farmland of statewide,

local, and unique importance (as described by the USDA's natural resources and conservation service) as well as in wildlife habitat areas, and on floodplains and wetlands;

10. To limit commercial development along the major transportation corridors to areas currently zoned C2 highway commercial and maintain the lots in I-90 park subdivision as commercial sites;

11. Limit residential lots in the agricultural open space district to a minimum of five (5) acres in size; and

12. Limit the extension of the industrial areas along the railroad north into the existing residential districts.

D. Scope:

1. This title applies to all lands in the incorporated limits of the city and that additional jurisdictional area authorized by state statute and the county commissioners.

2. 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. (Ord. 2003-03, 4-15-2003)

11-1-1: DIVISION INTO DISTRICTS:

11-1-1-1: GENERAL TERMS DEFINED:

Words used in the present tense include the future. The singular number includes the plural and the plural the singular. "Building" includes "structure". "May" and "shall" are mandatory.

BOARD OF COUNTY COMMISSIONERS: The board of county commissioners for Big Horn County.

BUILD: To erect, convert, enlarge, reconstruct or structurally alter a building or structure.

BUILDING: Any structure built for the use of persons, animals or things. "Structure" means anything built that requires a permanent location.

CITY COUNCIL: The city council of the city of Hardin.

DISTRICT: A part of the jurisdictional area wherein regulations of this chapter are uniform.

GROWTH MANAGEMENT PLAN (GMP): The officially adopted growth and change plan defining where the people of Hardin want their community to grow toward and become. The GMP consists of the community's long and short term goals and objects, local history, public facilities plans, information on local economics, population, housing, land uses, natural resources, and the maps and projections therefor. The GMP also describes how its plans are to be implemented, maintained, and coordinated with other government, and

how Hardin deals with subdivision growth. The Growth Management Plan may also be known as a Growth Policy.

JURISDICTIONAL AREA: The area of jurisdiction of the Hardin city- county planning board as shown on a map recorded with the Big Horn County clerk and recorder and the city finance officer.

LOT: A parcel of land adequate for occupancy by a use herein permitted, providing the yards, area, and off street parking herein required and fronting directly upon a street.

PLANNING BOARD: The city-county planning board of Hardin-Big Horn County.

PREMISES: Land together with any other buildings or structures occupying such land.

STREET: Property dedicated for and accepted for primary public access to lots. "Alley" means land devoted to secondary access to lots.

STRUCTURE ALTERATION: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or the exterior walls. (Ord., 9-3-1974; amd. 1984 Code; Ord. 93-4, 8-17-1993; Ord. 2003-03, 4-15-2003)

11-1-1-2: DISTRICTS ESTABLISHED:

A. The jurisdictional area is divided into five (5) types of districts:

- | | |
|--------------------------|----------------|
| A districts | Agricultural |
| R districts | Residential |
| C districts | Commercial |
| Planned unit development | (PUD) district |
| I districts | Industrial |

B. The five (5) types of districts are further divided into the following specific districts:

- A0 Agricultural open space district
- SR Suburban residential district
- R1 Single-family residential district
- R2 General residential district
- R3 Residential manufactured home district
- C1 Business district
- C2 Highway commercial district

Commented [FM1]: Kept the district name for continuity/simplicity

- C3 Neighborhood commercial limited district
- PUD Planned unit development district
- I1 General industrial district
- I2 Light industrial district

(Ord., 9-3-1974; amd. per proposal dated 6-19-1979; Ord. 99-2, 5-4-1999)

C. The boundaries of the districts are as shown on the "zoning map" which is on file in the office of the Big Horn County clerk and recorder and the finance officer/city clerk. (Ord., 9-3-1974; amd. 1984 Code; Ord. 93-4, 8-17-1993; Ord. 2003-03, 4-15-2003)

D. Whenever a street or alley is vacated, the adjacent districts shall extend to the centerline of the vacation. (Ord., 9-3-1974; amd. 1984 Code)

E. Lands annexed to the city of Hardin shall be temporarily included in the SR district until placed in the appropriate district by a duly enacted amendment to this chapter. As part of the annexation process, however, if the specific zoning desired for the property is known, that zoning can be applied for during the annexation process and become effective upon annexation. (Ord. 2003-03, 4-15-2003)

11-1-1-3: EFFECT OF REGULATIONS:

A. Use of premises and all buildings in the jurisdictional area shall be in accordance with the minimum standards hereinafter established.

B. Yards, parking spaces, or lot area required for one building cannot be used for another building, nor can the size of a lot be reduced below the requirements of this chapter.

C. Every building hereinafter erected shall be located on a separate zoned "lot" as herein defined; and, except as herein provided, there shall be no more than one principal building on one lot. (Ord., 9-3-1974; amd. 1984 Code)

11-1-2: USE OF PREMISES REGULATED:

11-1-2-1: TERMS PERTAINING TO "USE" DEFINED:

ACCESSORY DWELLING UNIT (ADU): a single self-contained living unit on the same parcel as a single-family dwelling of greater square footage that includes its own cooking, sleeping, and sanitation facilities and complies with or is otherwise exempt from any

Commented [FM2]: Compliance with 76-2-345, MCA.

applicable building code, fire code, and public health and safety regulations adopted pursuant to state law.

A. An ADU may be attached, detached, or internal to the single-family dwelling unit.

B. If the ADU is detached from or attached to the single-family dwelling, it may not be more than 75% of the gross floor area of the single-family dwelling or 1,000 square feet, whichever is less

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ANIMAL HOSPITAL: A building or premises for the medical or surgical treatment of animals or pets, including dogs and cats, and veterinary hospitals, including the boarding of hospitalized animals not subjected to medical or surgical treatment.

AUTOMOBILE SERVICE STATION: An occupancy which provides for a drive-in type business in which business or service can be provided without the customer leaving the vehicle. It also can include the following:

A. The servicing of motor vehicles and operations incidental thereto but not necessarily limited to the retail sale of petroleum products and automotive accessories; automobile waxing and polishing, tire changing and repairing (excluding recapping); battery service, charging and replacement, excluding repair and rebuilding; radiator cleaning and flushing, excluding steam cleaning and repair; and installation of accessories.

B. The following operations, if conducted within a building: lubrication of motor vehicles, brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes; wheel balancing; the testing, adjustment and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring.

AUTOMOBILE WRECKING YARD: Any establishment or place of business which is maintained or used for the storage, keeping, buying or selling of wrecked, scrapped or dismantled motor vehicles or motor parts; or a facility buying, selling or dealing in four (4) or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or a facility that buys or sells component parts ¹, in whole or in part, and deals in secondhand motor vehicle parts; or a location where there are four (4) or more discarded, ruined, wrecked or dismantled motor vehicles, including component parts, that are not lawfully and validly licensed and remain inoperative or incapable of being driven.

BUILDING CODE: The currently adopted set of regulations in effect concerning building in the city and as utilized in the zoning jurisdiction of the city of Hardin and in that area around Hardin in which the city enforces the building code.

CLINIC: An establishment occupied by one or more members of the healing profession.

COMMERCIAL RECREATIONAL AREA: An area operated for profit and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee or service charge.

CONDITIONAL USE: A use permitted in one or more districts as defined by this chapter but which, because of character peculiar to it, or because of size, technological processes to equipment, or because of the exact location with references to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same district, and to assure that such use shall not be inimical to the public interests.

DWELLING: A building used entirely for residential purposes. A "single-family dwelling" is a building that contains only one living unit; a "two-family dwelling" is a building that contains only two (2) living units, and a "multiple dwelling" is a building that contains more than two (2) living units. All dwelling units, with the exception of ~~manufactured mobile~~ homes, must meet the building code as adopted by the city.

FAMILY: One or more persons related by blood, marriage, or adoption occupying a living unit as an individual housekeeping organization. A family may include four (4), but not more than four (4) persons not related by blood, marriage, or adoption.

FARM: An area which is used for the growing of the usual farm products such as vegetables, fruit, fodder, trees, and grain, and the storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, sheep, and swine.

GARAGE APARTMENT: A living unit for not more than one family erected above a garage, adjacent to a garage, or on the rear of a lot.

HOME OCCUPATION: An occupation or profession customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the dwelling purposes, and does not change the character thereof; provided, the use does not involve more than twenty five percent (25%) of the area of one story or twenty five percent (25%) of the basement area, or twenty five percent (25%) of just the garage area; and as otherwise defined under section 11-1-8-1 of this chapter.

HOTEL: A building or portion thereof designed or used for transient rental to guests where lodging with or without meals is provided for compensation. A central dining room, banquet meeting halls, kitchen, plus accessory shops and services catering to the general public can be provided.

INSTITUTION: A nonprofit establishment for public use.

LIVESTOCK AND POULTRY: See section 6-2-24 of this code.

LIVING UNIT: The room or rooms occupied by a family. The living unit must include a kitchen.

LODGING HOUSE: A dwelling unit within which not more than five (5) guestrooms are devoted to accommodate not more than ten (10) persons other than members of the family, but wherein the only meals provided for guests shall be a breakfast served in the morning hours. A lodging house containing guestrooms numbering six (6) or more shall be considered a hotel.

MANUFACTURED (MODULAR) HOME: a single-family dwelling, built offsite in a factory, that 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 does not include a mobile home or travel trailer.

Commented [FM3]: Differentiate between Manufactured Homes and Mobile Homes per 76-2-302, MCA

MANUFACTURED MOBILE HOME PARKS, TRAVEL TRAILER PARKS, AND INDIVIDUAL MANUFACTURED MOBILE HOMES: The following definitions shall be utilized in determining the appropriate classification of manufactured mobile homes, ~~modular homes~~, and travel trailers:

~~—A. Manufactured Home: A dwelling unit that: 1) is not constructed in accordance with the standards set forth in the building code, applicable to site built homes; and 2) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the homesite on its own chassis; and 3) exceeds forty feet (40') in length and eight feet (8') in width.~~

BA. ~~Manufactured Mobile~~ Home, Class A: A manufactured mobile home constructed within the last two (2) years, that meets or exceeds the construction standards promulgated by the U.S. department of housing and urban development that were in effect at the time of construction and that satisfies each of the following additional criteria:

1. The home has a length not exceeding two (2) times its width;
2. The pitch of the unit's roof has a minimum vertical rise of one foot (1') for each five feet (5') of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
3. The standard siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
4. A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the home; and
5. The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

CB. ~~Manufactured Mobile~~ Home, Class B: A manufactured mobile home constructed no more than ten (10) years ago, that meets or exceeds the construction standards promulgated by the U.S. department of housing and urban development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a class A manufactured mobile home.

DC. ~~Manufactured Mobile~~ Home, Class C: Any manufactured mobile home that does not meet the definitional criteria of a class A or class B manufactured mobile home.

ED. ~~Manufactured Mobile~~ Home Park: A residential use in which more than one manufactured mobile home is located on a single lot.

~~—F. Modular Home: A dwelling unit constructed in accordance with the standards set forth in the building code, applicable to site built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two (2) sections transported to the site in a manner similar to a manufactured home (except that the modular home meets the building code standards applicable to site built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site.~~

~~MOBILE HOME: See definition of Manufactured Home Parks, Travel Trailer Parks, And Individual Manufactured Homes.~~

MODULAR OR MANUFACTURED HOUSING UNIT: See definition of Manufactured (Modular) Home Parks, Travel Trailer Parks, And Individual Manufactured Homes.

MOTEL: A group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located at each unit, all for the temporary use by automobile tourists or transients, and such word shall include tourist courts, motor courts, automobile courts, and motor lodges.

MULTI-FAMILY DWELLING: A building or a portion of a building, designed for occupancy by two (2) or more families living separately from each other and containing two (2) or more dwelling units.

NONCONFORMING USE: A use which lawfully occupied a building or land at the time this chapter originally became effective and which does not conform with the use regulations of the district in which it is located.

OFFICE BUILDING: A building designed for or used as the offices of professional, commercial, industrial, religious, public or semipublic persons or organizations.

PLANNED UNIT DEVELOPMENT: A tract of land developed as an integrated unit which may contain a mixture of land uses such as residential and commercial or be composed of just one type of land use. The development is unique to the site and is based on a plan which allows for flexibility of design, site layout, and density not otherwise possible under the prevailing zoning district.

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

PUBLIC GARAGE: A building other than a private garage used for the care, repair or storage of motor vehicles, or where such vehicles are kept for remuneration, hire or sale. It may include a service station which makes major overhauls or major repairs and rebuilds automotive equipment.

REST HOME, CONVALESCENT HOME, SENIOR CITIZENS HOME, HOME FOR THE AGED: All mean and refer to a home operated similarly to a boarding house but not restricted to any number of guests or guestrooms and the operator of which is licensed by the state, city, or

county, gives a special care and supervision to his patients and in which nursing, dietary, and other personal services are furnished to convalescents, invalids, and aged persons and in which homes are performed no surgery, maternity, or other primary treatments such as are customarily provided in sanatoriums or hospitals, and in which no persons are kept or served who normally would be admissible to a mental hospital.

SCRAP PROCESSING YARD: Any establishment or place of business which is maintained or used for storing, keeping, buying, or selling salvageable waste materials. Such materials may be compressed, shredded, or otherwise processed for reuse on or off the premises.

TRAILER OR MOBILE HOME: See definition of Manufactured Mobile Home Parks, Travel Trailer Parks, And Individual Manufactured Mobile Homes.

TRAILER OR MOBILE HOME PARK: See definition of Manufactured Mobile Home Parks, Travel Trailer Parks, And Individual Manufactured Mobile Homes.

TRAVEL TRAILER: A portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation use. It shall have a maximum dimension of eight feet by thirty two feet (8' x 32').

VARIANCE: An adjustment in the application of the specific regulations of this chapter 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 and district and which adjustment remedies disparity in privileges; variances, however, cannot normally be used to allow a land use in a district not usually allowed in such district. (Ord., 9-2-1974; amd. Ord., 9-3-1974; Ord., 2-3-1976; per proposal dated 6-19-1979; 1984 Code; Ord. 87-6, 5-5-1987; Ord. 93-1, 2-2-1993; Ord. 96-8, 5-21-1996; Ord. 99-2, 5-4-1999; Ord. 2003-04, 6-17-2003; Ord. 2023-05, 6-6-2023)

Notes

1. As defined in MCA § 75-10-501(2).

11-1-2-2: DISTRICTS:

A. AO agricultural open space is a district designed to protect and preserve land for agricultural and related uses. Any type of agricultural operation whatsoever may be carried on in this district, except confined livestock feeding operations feeding more than fifty (50) animals where the animal population is greater than one animal unit for each six hundred (600) square feet of pen area. Land needed for orderly urban expansion will be rezoned providing an orderly transition from rural to urban status. It is intended to control the scattered intrusion of uses not compatible with an agricultural environment.

B. SR suburban residential is a district designed to protect presently existing urban development from the broadest range of agricultural operations. This district provides a

buffer between residential neighborhoods and intensive agricultural operations such as cattle feedlots.

C. R1 single-family residential district provides for neighborhoods of single-family dwelling units occupying a single structure on individual lots. The population herein is characterized by a degree of high mobility and the use of an automobile for almost every trip.

D. R2 general residential district provides an area, the principal use of which is the location of all types of residential dwelling units from single-family to multiple-family to modular homes. This district needs close proximity to shopping areas, playgrounds, schools, etc.

E. R3 residential manufactured home provides a district for single-family manufactured mobile homes.

F. C1 business district is the main shopping area of the city and provides space for retail stores, services, and offices of a broad, compatible category as indicated.

G. C2 highway commercial provides a district for commercial and service enterprises intended primarily to serve the needs of the traveler and tourist. Areas designated as highway commercial should be located in the vicinity of and accessible to freeway interchanges. Types of establishments and the area so designated are both restricted under this district.

H. C3 neighborhood commercial limited is a district primarily limited to a personal service, convenience retail district limited in size of development and in types of establishments. It should be located on traffic arteries and compatible with adjoining residential development.

I. I1 general industrial district is the area provided for heavy industrial uses such as manufacturing, processing, fabricating and agriculture. Areas so designated should have access to one or more major transportation systems and adequate provision for off street parking and loading operations.

J. I2 light industrial district is a broad classification allowing for those types of commercial uses not compatible with the other districts such as those with large volumes of heavy truck traffic daily or those requiring large areas for equipment display. This district also depends on a good transportation network. (Ord. 2005-01, 2-1-2005)

11-1-2-3: DISTRICT USES PERMITTED:

Premises shall be used for the following purposes:

A. In the AO agricultural open space district only for (see also subsection 11-1-0C of this chapter):

Accessory Dwelling Units (ADUs).

Airports and landing fields having prior approval of the federal aviation agency.

Animal clinics and hospitals, including service to large animals, outside runs, and keeping areas permitted.

Cemeteries, including mausoleums; provided, that mausoleums shall be distant at least two hundred feet (200') from every street line and adjoining lot lines, and provided further, that any new cemetery shall contain an area of ten (10) acres or more.

Churches and other places of worship, Sunday school buildings, and parish houses.

Class A and class B ~~manufactured mobile~~ homes.

Daycare centers, hospitals, and institutions of an educational, religious, charitable, fraternal or philanthropic nature; provided, however, that such buildings shall be reviewed as a conditional use.

Farms; provided, however, that no farm shall be operated either publicly or privately for either the disposal of garbage, rubbish or offal or the feeding of same unless it has been appropriately processed as a food product, or as specified by other laws pertaining to the same; provided further, that only one dwelling unit per five (5) acres is allowed.

Mining and extraction of minerals or raw materials and the manufacturing, processing, treating, and storing of materials or minerals which are extracted from any portion of the district.

Parks, playgrounds, golf courses, and other similar recreational uses.

Private clubs, except those the chief activity of which is a service customarily carried on as a business and skeet and gun clubs which must first be approved by either the board of county commissioners or the city council.

Public schools or private schools with a curriculum the same as ordinarily given in public schools.

Publicly owned or operated properties.

Railroad tracks and yards and similar railroad facilities.

Stands for the display or sale of agricultural products raised on the premises, not to exceed four hundred (400) square feet in ground coverage.

Other uses similar in nature to those listed herein and shall be reviewed as a conditional use.

B. In the SR suburban residential district only for:

[Accessory Dwelling Units \(ADUs\).](#)

Noncommercial livestock agricultural operations.

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Single-family dwellings and class A and B ~~manufactured-mobile~~ homes with a maximum dwelling unit density of one per net acre.

The homes shall be placed on a continuous wall or footing composed of concrete block.

C. In the R1 single-family district only for (see also subsection 11-1-0C of this chapter):

Accessory Dwelling Units (ADUs).

Churches and other places of worship, Sunday school buildings and parish houses.

Golf courses, but not miniature courses or driving tees.

Home occupations as defined in section 11-1-8-1 of this chapter.

Hospitals and educational, religious, and philanthropic institutions; provided, however, that buildings be set back from all yard lines a distance of at least one foot (1') for each foot of building height.

Multi-family residential as a conditional use.

Private schools with a curriculum similar to public schools, plus nursery, prekindergarten, kindergarten, and other private or special schools.

Public parks, public libraries, public schools, and public community buildings.

Single-family dwellings.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

D. In the R2 general residential district only for (see also subsection 11-1-0C of this chapter):

Class A ~~manufactured-mobile~~ homes.

Clubs, lodges, fraternities, and sororities where the chief activity is not business.

Hospitals.

Lodging houses.

Office buildings.

Religious, educational, and philanthropic institutions, but not for animal care.

Uses allowed in the R1 single-family district.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

E. In the R3 residential manufactured home district only for (see also subsection 11-1-0C of this chapter):

Manufactured-Mobile home parks; provided, that a master plan of the manufactured mobile park layout be submitted for approval by the local government and the state and

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local health departments. The master plan shall conform to the ~~plat~~ requirements of the ~~city county subdivision regulations~~ zoning ordinance and be reviewed as a conditional use. The master plan plat will be reviewed considering the following:

1. The maximum allowable density for all ~~manufactured-mobile~~ home parks shall be nine (9) ~~manufactured-mobile~~ homes per net acre.
2. For singlewide ~~manufactured-mobile~~ homes, minimum site dimensions shall be forty feet (40') wide and one hundred feet (100') deep.
3. For doublewide ~~manufactured-mobile~~ homes, minimum site dimensions shall be fifty feet (50') wide and one hundred feet (100') deep.
4. The ground area occupied by a ~~manufactured-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 the actual area of the ~~manufactured-mobile~~ home and the accessory buildings for the two (2) required off street parking spaces. This provision limits to one storm shed, not over ten feet by twelve feet (10' x 12') or one hundred twenty (120) square feet in area per site and said utility building shall be placed on a proper foundation.
5. No ~~manufactured-mobile~~ home, storm shed or other legal attachments to said ~~manufactured-mobile~~ home shall be located less than seven feet six inches (7'6") from the side site line. Detached tool sheds shall be located not less than five feet (5') from the side or rear site lines. The ends of the ~~manufactured-mobile~~ homes shall be at least ten feet (10') apart when opposing rear walls are staggered, otherwise fifteen feet (15') apart. No portion of a ~~manufactured-mobile~~ home, or attachment thereto, or tool shed, or any other structure shall be located less than fifteen feet (15') away from any site or property line adjacent to a public right of way.
6. The street right of way shall conform to the widths shown on the ~~preliminary plat~~ approved site plan of the ~~manufactured-mobile~~ home park at the time it was approved.
7. All entrances, exits, lanes, and driveways between rows of ~~manufactured-mobile~~ homes shall be lighted to provide an intensity of five (5) foot-candles. ~~Manufactured-Mobile~~ home parks shall be provided with, at minimum, walkways at least two feet (2') wide between the ~~manufactured-mobile~~ home sites and each service building. Roadways and sidewalks within the parks shall be hard surfaced, either concrete or bituminized.
8. All provisions of water supply, laundry, sewage and fire protection to be provided in any ~~manufactured-mobile~~ home park shall have been approved by the appropriate city department.
9. Off street parking areas shall be provided in all ~~manufactured-mobile~~ home parks at a ratio of at least two (2) car spaces per ~~manufactured-mobile~~ home site. At least two (2) car spaces shall be provided on each ~~manufactured-mobile~~ home site. The area per one car space shall be at least ten feet (10') wide and twenty feet (20') deep, plus ingress and egress.

Commented [FM4]: SB 174, 2025 Legislative Session, removed mobile home parks from subdivision review (still subject to zoning, DEQ, and DPHHS review). Changes to this section make mobile home parks a conditional use.

10. Recreation areas. There shall be provided, unless previously provided by a park dedication as required by the city subdivision regulations 1 , within each manufactured mobile home park, an adequate site or sites for recreation for the exclusive uses of the park occupants. Such recreation site or sites shall have a minimum area in the aggregate of four thousand (4,000) square feet plus one hundred (100) square feet for each manufactured mobile home site in said park. The recreation sites shall be of appropriate design, provided with adequate equipment, and may be used to meet the one- ninth (1/9) minimum area requirement of the subdivision-zoning regulations.

11. All manufactured-mobile home parks must provide a completely and permanently landscaped setback area of at least fifteen feet (15') in width around those portions of the park perimeter which border a public right of way. Such areas may contain trees, shrubbery, grass, benches, fences, landscaped water resources, and the like. Setback areas not bordering a public right of way may be used to fulfill the recreation area requirements of the preceding subsection.

12. All manufactured-mobile home parks shall have near their main entrances, a marquee or sign on which there shall be an up to date list of the addresses and a diagram of the park layout.

13. All manufactured-mobile home parks shall provide one additional space for every five (5) sites as a main parking area to be used by visitors or in the storage of recreational vehicles.

14. Existing manufactured-mobile home parks shall not be enlarged or extensively altered unless such alteration complies with the provisions of this subsection E.

15. All manufactured-mobile homes shall be equipped with coordinating skirts, manufactured for such purpose, to enclose completely the underside of the manufactured mobile home.

16. All manufactured-mobile housing units moved into this zone must be no older than twenty (20) years. Existing units that predate 2016 are nonconforming uses as of this amendment and cannot be replaced unless by a unit no older than twenty (20) years.

A manufactured-mobile home replacement permit from the city building inspector must be obtained before a replacement manufactured-mobile home is put on any space or lot in the R3 zone.

Trailers older than twenty (20) years proposed to be located outside of a licensed trailer court that have obtained a manufactured-mobile home replacement permit from the city building inspector must apply for a conditional use permit.

Trailers older than twenty (20) years proposed to be located in a licensed trailer court that have obtained a manufactured-mobile home replacement permit from the city building inspector do not need to also apply for a conditional use permit but still need approval by the city council.

Manufactured-mobile homes and uses allowed in the R1 and R2 districts.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

F. In the C1 business district only for:

Advertising sign pertaining only to a use conducted within the building, which sign shall not exceed forty (40) square feet in area unless attached flat against the building.

Animal hospitals and clinics where there are no open kennels.

Bakeries.

Banks, finance, and loan companies.

Barber and beauty services.

Bars, taverns, and cocktail lounges by conditional use.

Bookbinderies, book and stationery stores, newsstands.

Clinics, medical, dental, optical, chiropractic, etc.

Commercial parking lots.

Confectionery manufacturing.

Dressmaking, millinery, tailoring, shoe repair, laundry, dry cleaning and similar trades, provided total operating capacity of all commercial washing machines shall not exceed four hundred (400) pounds and no coal burning or smoke producing equipment is used.

Furnace, heating, air conditioning, typewriter, sheet metal, plumbing, tire and similar shops.

Hotels, motels.

Libraries, art galleries, museums.

Multi-family dwellings, including single apartments, and other uses allowed in residential districts as a conditional use in this district.

New and used car sales.

Nonprofit clubs and assembly halls.

Office buildings, professional, governmental, and private.

Photographic and art studios and supply.

Physical culture establishments.

Printing, publishing, and reproduction establishments.

Radio and television stations.

Recreational activities, wholly within an enclosed building.

Sale of goods and products at retail including grocery stores, automobile service stations, restaurants, dairy bars, department stores, florists, home furnishings, home appliances, toy and hobby stores, office equipment, sporting goods, jewelry shops, music stores, secondhand stores, lock and gunsmiths, drugstores, lapidary, coin and stamp shops, and furriers.

Schools, public, private, parochial, and commercial.

Shops for repair and servicing of bicycles, electrical, radio and television appliances, keys and similar articles.

Sign painting shops catering to walk-in trade.

Theaters, except open air, drive-in theaters.

Transportation terminal buildings.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

G. In the C2 highway commercial district only for (see also subsection 11-1-0C of this chapter):

Animal hospitals.

Automobile service station, public garage, and truck terminals.

Car washing and waxing, sales, and display areas.

Cocktail lounges, bars, and taverns by special review.

Commercial recreation areas.

Drive-in restaurants, restaurants, dairy bars.

Farm and construction equipment displays.

Motels.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

H. In the C3 neighborhood commercial limited district only for (see also subsection 11-1-0C of this chapter):

Automobile service stations, sales and display areas.

Barber and beauty shops.

Car washing and waxing.

Cocktail lounges, bars, and taverns by special review.

Drive-in restaurants, restaurants, dairy bars.

Food stores under three thousand (3,000) square feet.

Launderette service and self-service.

Motels.

Multi-family dwellings and other uses allowed in residential districts reviewed as conditional use.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

I. In the I1 general industrial district there may be any use permitted in the I2 district and provided that:

Agricultural uses, as defined in Montana Code Annotated 76-2-902. However, livestock within the municipal limits of Hardin is limited to two (2) livestock units per acre, with additional units allowed per additional half-acre increments in conformance with this subsection. "Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, llamas, etc. Animal hospitals and clinics treating livestock are exempt from this limitation and are allowed in the I1 general industrial district.

"Livestock units", for the purposes of this title, shall be defined as follows:

Livestock Class	Livestock Units
Cow, mature	1.00
Cow with calf	1.00
Bull, mature	1.25
Bull, yearling	0.67
Calf, weaned	0.60
Calf, under 6 months	0.25
Steer, 1 year old	0.70
Steer, 2 year old	0.90
Steer, 3 year old	1.00
Heifer, 1 year old	0.67
Heifer, 2 year old	0.85
Heifer, 3 year old	1.00
Horse, mature	1.00
Horse with colt	1.50
Colt, weaned	0.75
Ewe, mature	0.20
Ewe with lamb	0.20
Lamb, weaned	0.10
Lamb, under 6 months	0.20

Ram, mature	0.50
Goat, mature	0.20
Goat with kid	0.20
Kid, weaned	0.05
Kid, under 6 months	0.10
Hog, mature	0.50
Hog, weaned	0.20
Fowl: hens, roosters, ducks, or similar	0.10
Fowl: turkeys, geese, or similar	0.25

Livestock units for animals not listed herein shall be determined by the planning board.

Junk, automobile wrecking, and scrap processing yards must be surrounded by a solid fence at least six feet (6') high located within the building lines and the junk or salvage not piled higher than the fence.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

J. In the I2 light industrial district, subject to the provisions enumerated hereinafter, there may be (see also subsection 11-1-0C of this chapter):

Accessory buildings and uses including accessory signs and advertising structures.

Assembly of boats, ornamental iron products, firearms, electrical appliances, tools, dies, machinery and hardware products, sheet metal products, and vitreous enameled metal products from previously prepared parts.

Bottling works and breweries.

Brick, tile, concrete, or paving materials storage.

Cold storage plants and warehousing.

Commercial and residential uses by conditional use permit.

Commercial food products, storage and packaging.

Feed and seed storage, cleaning and processing.

Laboratories, research, experimental or testing.

Leather goods, treatment and storage.

Lumberyards.

Machine shop and tool manufacture.

Manufacture of boxes, crates, furniture, baskets, veneer, and other wood products of a similar nature.

Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing, and fabrics, and printing and finishing of textiles and fibers into fabric goods.

Manufacture or storage of food products, including beverage blending or bottling, bakery products, candy manufacture, dairy products and ice cream, fruit and vegetable processing and canning, packing and processing of meat and poultry products, distilling of beverages, but not slaughtering of poultry or animals, and not including the manufacturing and processing of lard, pickles, sausage, vinegar, or sauerkraut.

Oil and gas extraction and products equipment and storage.

Prefabricated building materials assembly and manufacture.

Public utility stations and storage yards.

Railroad siding and right of way.

Temporary buildings or structures.

Wholesale merchandising or storage warehouses.

Other uses similar in nature to those listed herein and reviewed as a conditional use.

(Ord. 2005-03, 5-17-2005; amd. Ord. 2016-01, 2-2-2016; Ord. 2023-05, 6-6-2023; Ord. 2024-06, 2-20-2024)

Notes

1. See chapter 2 of this title.

11-1-2-4: PLANNED UNIT DEVELOPMENT PROVISIONS:

A. Intent: The intent of a planned unit development district (PUD) is to provide flexible land use and design regulations through the use of performance criteria so that developments that incorporate land uses which contain individual building sites and/or common property may be planned and developed as a unit.

It is recognized that while the standard zoning function (use and bulk) and the subdivision function (platting and design) are appropriate for the regulation of land use in areas substantially developed, these controls represent a type of regulatory rigidity and uniformity which may be inimical to the techniques of land development contained in the planned unit development district concept. Conventional area and density specifications are intended to be replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development.

B. Objectives: In order to carry out the aforementioned intent, a PUD shall achieve the following objectives:

1. Contain adequate usable open space and recreational areas.
2. Preserve trees, outstanding topography, and geologic features, while preventing soil erosion and uncontrolled surface water drainage.
3. Use land efficiently, resulting in smaller networks of utilities and streets and thereby lower housing costs.
4. Have a development pattern in harmony with the goals and objectives of the municipality.
5. Establish a variegated environment, occupancy tenure (e.g., individual ownership, cooperatives, condominiums, leaseholds), types of housing (e.g., detached houses, townhouses, garden apartments), lot sizes, and community facilities available to municipal residents.
6. Possess harmonious design and site planning of a quality that will produce a more desirable environment.

C. Establishing Criteria For PUD Districts:

1. Plan: The term "plan" shall include all information required to develop a PUD including, but not limited to, a narrative, sketches of the plat or subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities, common open space and public facilities.
2. Location: The planned unit development district may be applied in any district if the objectives and provisions of this section are satisfied as determined by the city-county planning board, and if the PUD is consistent with the spirit and intent of the Hardin comprehensive plan.
3. Development Area: The minimum development area shall be at least five (5) acres. The residential portion to be developed should be of the proper size and shape to permit the clustering or grouping of a number of dwelling units in order to enable a variety in occupancy tenure and dwelling types.
4. Ownership: The tract of land for a project may be owned, leased or controlled either by a single person, corporation or by a group of individuals or corporations. An application must be filed by the owner or jointly by owners of all property included in the project. In the case of multiple ownership, the approved plan and its amendments shall be binding on all owners or their successors in title and interest.
5. Permitted Uses:
 - a. Residential Uses: Residences may be of any variety of types.

b. Accessory Commercial, Service and Other Nonresidential Uses: Commercial, service and other nonresidential uses may be permitted (or required) by action of the Planning Board where such uses are scaled primarily to serve the residents of the PUD or the area immediately surrounding the PUD if such uses are consistent with the Hardin Comprehensive Plan.

6. Intensity of Land Use: Because land is used more efficiently in a PUD, improved environmental quality can often be produced with a greater number of dwelling units per gross building acre than usually permitted in traditionally zoned districts. The Planning Board shall determine in each case the appropriate land use intensity or dwelling unit density for individual projects. The following chart shall be used as a guide when evaluating proposed PUD density ranges:

Type of Residential Development	Minimum Density Per Acre	Maximum Density Per Acre	Percentage of Open Space, Including all Areas Not Covered by Structures
Single-family detached	3 units	5 units	80%
Townhouse	6 units	12 units	70%
Mid-rise apartment structures (3 to 6 stories in height)	16 units	28 units	70%
High-rise above 6 stories	32 units	60 units	50%

Where a PUD is an inter-mix of all types of units, the open space should be fifty percent (50%) minimum.

7. Recreation, Open Space and Landscaping: The recreational facilities, open space network and landscaping should be designed to enhance community character.

a. Recreation facilities and open space plans should be accompanied by a narrative explanation of how common recreation facilities and open spaces are to be owned, maintained and used.

b. The landscaping plan should be sufficiently developed to indicate existing and proposed topography and the location of existing and proposed trees, shrubs and other planned materials.

c. Adequate landscaping should be provided to reduce the visual impact of off-street parking areas and provide a logical transition between the Planned Unit Development District and surrounding uses.

d. Special consideration should be given to pedestrian movement from the standpoint of safety, convenience and amenity. Sidewalks, curbs and gutters should be considered in

the design of the overall circulation system. Walkthroughs to adjoining areas should also be considered.

e. The energy efficiency of the project should also be considered, with regard to site and building orientation to local climatic conditions, and to fuel consumption, both domestic and transportation.

D. Procedure:

1. Application for PUD: The procedure for obtaining a change of zoning district to PUD shall be consistent with Section 11-1-9-2 of this Chapter. In addition, ten (10) copies of the following shall be submitted:

- a. The PUD plan showing the densities proposed for each planned land use.
- b. An environmental impact assessment as defined in the Hardin subdivision regulations. ¹
- c. A preliminary plat as defined in the Hardin subdivision regulations.
- d. A traffic accessibility study if determined necessary by the Planning Board.

2. Planning Board Findings: The Planning Board shall, in its review of the application, make the following findings concerning the proposed development:

- a. The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under any other district.
- b. Land surrounding the proposed development can be planned in coordination with the proposed development and shall be compatible in use.
- c. The proposed change to a planned unit development district is in conformance with the general intent of the comprehensive master plan.
- d. Existing and proposed streets are suitable and adequate to carry anticipated traffic within the proposed district and in the vicinity of the proposed district.
- e. Existing and proposed utility services including, but not limited to, water sanitary sewer and storm sewer are adequate for the proposed development.
- f. Each phase of the proposed development as it is proposed to be completed must contain the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment.
- g. The proposed development will create no significant adverse environmental impact upon an area or affected natural elements making up the physical and natural environment of the area.

3. Planning Board Action And Report: The planning board may approve, approve with conditions, or disapprove the development as proposed. The planning board shall submit a report to the appropriate governing body incorporating its findings and recommendations

concerning the application for zone change. The approval of the planning board cannot be construed as an official approval of any preliminary plat.

E. Zone Change And Subdivision Phases:

1. The appropriate governing body shall proceed with consideration of the application for zone change upon receipt of the planning board report concerning the proposal.

2. Upon approval of the zone change, the applicant shall have a maximum time period of twelve (12) months within which to submit applications for preliminary subdivision approval of all or part of the proposed development. If no application is submitted within the twelve (12) month period, the appropriate governing body may, on its own motion, consider rezoning the subject property to its former status.

3. Upon approval of a preliminary subdivision for the proposed development by the planning board, the applicant shall have a maximum time period of one year within which to file final subdivision plans with the county clerk and recorder. Noncompliance with this time restriction shall cause the appropriate governing body to consider reverting the zoning classification of the subject property to its former status. (Proposal dated 6-19-1979)

Notes

1. See Chapter 2 of this Title.

11-1-2-5: MEDICAL AND ADULT-USE MARIJUANA DISPENSARIES, AND OTHER MARIJUANA BUSINESSES:

11-1-2-5-1: FINDINGS:

The common council of the city of Hardin, Montana, adopts this section 11-1-2-5 based upon the following findings:

A. The voters of the state of Montana approved initiative number 148, the Montana medical marijuana act in 2004;

B. Chapter 46, title 50, Montana Code Annotated enables persons who are in need of marijuana for specified medical purposes to obtain and use it under limited, specified circumstances;

C. As provided by chapter 2, title 76, and chapter 12, title 16 of the Montana Code Annotated, to protect the public health, safety, and welfare, it is the desire of the common council to modify the Hardin zoning ordinance to be consistent with chapter 46, title 50, Montana Code Annotated; and

D. The state department of public health and human services has responsibility for certifying providers and qualifying patients for the use of marijuana.

E. The voters of the state of Montana approved initiative number 190, the Montana Marijuana Regulation and Taxation Act in 2020, which legalized the recreational use of marijuana for adults twenty-one (21) years of age, or older. (Ord. 2010-15, 7-6-2010; Ord. 2021-02, 9-21-2021)

11-1-2-5-2: PURPOSE AND INTENT:

It is the purpose and intent of this section 11-1-2-5 to regulate the dispensing of medical and adult-use marijuana, and other Marijuana Businesses, in order to promote the health, safety, morals, and general welfare of the residents and businesses within the city of Hardin. It is neither the intent nor effect of this section 11-1-2-5 to prevent the use of marijuana (cannabis) or condone or legitimize its use. (Ord. 2010-15, 7-6-2010; Ord. 2021-02, 9-21-2021)

11-1-2-5-3: DEFINITIONS:

- CULTIVATOR:** A person licensed to plant, cultivate, grow, harvest, and dry marijuana and to package and relabel marijuana produced at the location for sale at a licensed dispensary.
- DISPENSARY:** A licensed medical marijuana dispensary, or a licensed adult-use marijuana dispensary.
- LICENSED:** Means to have licensing from the Montana Department of Revenue (DOR) or the Montana Department of Public Health and Human Services (DPHHS) for the intended marijuana activities including cultivation, transportation, manufacturing, testing, and dispensing.
- MANUFACTURER :** A person licensed to convert or compound marijuana into marijuana products, marijuana concentrates, or marijuana extracts and package, repack, label, or relabel marijuana products.
- MARIJUANA:** All plant material from the genus cannabis containing tetrahydrocannabinol (THC) or seeds of the genus capable of germination. The term does not include hemp, or hemp products.
- MARIJUANA BUSINESS:** A cultivator, manufacturer, adult-use dispensary, medical marijuana dispensary, combined-use marijuana licensee, testing laboratory, marijuana transporter, or any other business or function that is licensed by the DOR or the DPHHS.
- PROVIDER:** A person licensed by the DPHHS to assist a registered cardholder as allowed under this part. The term does not include a cardholder's treating physician or referral physician.
- PHYSICIAN:** A person who is licensed under title 37, chapter 3, Montana Code

	Annotated.
QUALIFYING PATIENT:	A person who has been diagnosed by a physician as having a debilitating medical condition.
REGISTERED CARDHOLDER:	A Montana resident with a debilitating medical condition who has received and maintains a valid registry identification card.
REGISTRY IDENTIFICATION CARD:	A document issued by the state department of public health and human services that identifies a person as a qualifying patient or caregiver.
TESTING LABORATORY:	A qualified person, licensed by the DOR or DPHHS that provides testing of representative samples of marijuana and marijuana products and provides information regarding the chemical composition and potency of a sample, as well as the presence of molds, pesticides, or other contaminants in a sample. (Ord. 2010-15, 7-6-2010; Ord. 2021-02, 9-21-2021)

11-1-2-5-4: APPLICATION:

A. An application form for persons seeking to open and operate a Marijuana Business, in or within one mile of the municipal limits of the city of Hardin must obtain the application form from the city clerk's office. The completed application form along with the required review fee must be submitted to the city-county planning board on or before the first day of the month at which it will appear on the planning board agenda.

B. The planning board shall advertise and conduct a public hearing concerning the application and shall notify in writing all property owners of record within three hundred feet (300') of the location of the proposed medical marijuana dispensary.

C. The application shall include the following information. Incomplete applications shall be grounds for denial of the application or of delay of review.

1. A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the Marijuana Business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches ($\pm 6''$);

2. An accurate straight line drawing prepared within thirty (30) days prior to application depicting the building and the portion thereof to be occupied by the Marijuana Business, and: a) the property line of any other Marijuana Business; and b) the property lines of any public or private school or public park; include a list of names and addresses of all property owners of record owning property within three hundred feet (300') of the proposed location; and a copy of the geocode map of all property owners of record owning

property within three hundred feet (300') of the proposed location provided by the DOR or another similar government source;

3. Location of where the marijuana (cannabis) is grown, which must be separate from the place it is dispensed. Growing areas are only allowed in agricultural zoning districts;

4. Such other information as may be required by the planning board or city officials consistent with the purposes of this chapter and applicable law;

5. Authorization for the city, its agents, or employees to seek verification of the information contained within the application;

6. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information within the application is true;

7. Acceptance of the application does not in any way indicate final approval or granting thereof by the city. (Ord. 2010-15, 7-6-2010; Ord. 2011-04, 5-3-2011; Ord. 2021-02, 9-21-2021)

11-1-2-5-5: APPLICATION REVIEW AND CITY ACTION:

A. The city-county planning board shall make a written recommendation to the common council along with its findings. Final disposition of the application rests with the common council.

B. Grounds for denial of application:

1. The applicant failed to provide the information required herein;
 2. The applicant provided false, inaccurate, or otherwise misleading information;
 3. The marijuana business does not comply with zoning ordinances, or local standards;
- or
4. The required application or renewal fees have not been paid.

C. Zoning districts allowing marijuana business:

A Agricultural

I Industrial

D. In those land use districts where a marijuana business regulated by this section 11-1-2-5 would otherwise be a permitted use, it shall be unlawful to establish any such business if the location is:

Within one thousand (1,000) straight line feet of any type of school or public playground or within three hundred feet (300') of any residentially zoned area.

The distance from a school, public playground, or residentially zoned area shall be measured from the nearest point on the property line of the property for the proposed dispensary to the nearest point on the property line of the school, public playground, or residentially zoned area.

E. The number of dispensaries permitted shall not exceed two (2) within or within one mile of the Municipal limits.

F. A marijuana business is not and may not be approved as an accessory use to any other use permitted by this title nor as a home occupation.

G. Cultivation is only allowed in land use districts zoned Agricultural, except for personal cultivation for personal use, as allowed by Montana Law. (Ord. 2010-15, 7-6-2010; Ord. 2017-10, 1-2-2018)

11-1-2-5-6: OTHER REGULATIONS:

A. The application must acknowledge and grant authority for local law enforcement to inspect the premises of the marijuana business at any time to ensure compliance with any public health, safety, and welfare requirements established by the DOR, DPHHS, or the regulations of the local government.

B. A dispensary, whether licensed solely as a medical or adult-use dispensary, or as a combined use marijuana licensee, may not operate between the hours of six o'clock (6:00) P.M., and eight o'clock (8:00) A.M. (Ord. 2021-02, 9-21-2021)

11-1-3: MINIMUM SIZE OF DISTRICTS:

A zoning district shall comprise at least eighty four thousand (84,000) square feet, 1.928 acres; this area may be divided by a public right-of-way. (1984 Code)

11-1-4: NONCONFORMING USES REGULATED:

A. Nonconforming uses are those lawful uses of premises that do not conform with the requirements of this chapter on the effective date of this chapter or any amendment thereto.

B. It is the intent of this chapter that all nonconforming uses shall be eventually eliminated.

C. Nonconforming uses may be continued and if there are no structural alterations, such a use may be changed to a use of the same or of a higher classification. If it is changed to a use in a higher classification or to a conforming use, it cannot be changed back to the original nonconforming use. For the purposes of this section, the "same classification"

means uses permitted in the same district; a "higher classification" means uses permitted in a district which has a higher position use category.

D. If a nonconforming use is stopped for two (2) years or more, a new use must conform to the use regulations of the district in which it is located.

E. A nonconforming use cannot be enlarged, extended, reconstructed or structurally altered unless changed to a permitted use.

F. If a nonconforming use is damaged or destroyed by a fire, explosion, act of God, or the public enemy, then any restoration must be for a permitted use.

G. Where premises in an R District were used only for open storage or only for signs and billboards, such uses must be discontinued within two (2) years after the effective date of this chapter.

H. Adoption of these zoning regulations in no way legalizes any nonconforming uses existing at the time of such adoption. (Ord., 9-3-1974)

11-1-5: MAXIMUM HEIGHT LIMITS ESTABLISHED:

11-1-5-1: TERMS RELATING TO "HEIGHT" DEFINED:

BASEMENT, CELLAR: A "basement" has less than one-half (1/2) of its height below grade; a "cellar" has more than one-half (1/2) of its height below grade. If a basement is subdivided and used for dwelling purposes, it is to be counted as a story; a cellar is not.

GRADE: The average level of the finished surface of the ground for buildings more than five feet (5') from a street line. For buildings closer than five feet (5') to a street, the grade is the sidewalk elevation at the center of the building. If there is more than one street, an average sidewalk elevation is to be used. If there is no sidewalk, the city engineer or the county surveyor or someone officially acting as such shall establish the sidewalk grade.

HEIGHT OF A BUILDING: The vertical distance from the grade to, a) the highest point of a flat roof, b) the deck line of a mansard roof, or c) the average height between eaves and ridge for gable, hip, and gambrel roofs.

STORY: The part of a building from one floor to the next floor above or to a ceiling above if there is no floor above. A "half story" is space under a sloping roof, all of which space must be at least three feet (3') high but not more than sixty percent (60%) of which floor area may be finished off for use.

(Ord., 9-3-1974)

11-1-5-2: HEIGHT LIMITS ESTABLISHED:

~~Height limits shall be as allowed in Section 11-1-6-2.C. except as required in this section and in Section 11-1-5-3. Two (2) stories or thirty feet (30') in all districts except the C1 and I-districts shall be allowed. Buildings in agricultural and residential districts shall not exceed 30 feet in height.~~ Buildings in the C1 district shall not exceed in height the width (curb face to curb face) of the street on which they front. Building height in ~~industrial districts~~ the I2 district shall not exceed ~~forty five~~ forty-five feet (45') without approval of the zoning commission. (Ord., 9-3-1974)

11-1-5-3: EXCEPTIONS TO HEIGHT LIMITS:

A. The height limits may be exceeded in the following instances:

1. If a public building, church, hospital, institution, or school is set back an additional foot over the yard requirements, it may be increased in height two feet (2') over the height limit up to a limit of sixty feet (60').

2. Chimneys, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, spires, radio and television towers, grain elevators, or necessary mechanical appurtenances are exempt from height regulations.

3. Buildings in the C1 district may be increased in height one foot (1') from each foot that the building is set back from all required yard lines.

B. Building heights shall be lowered in the following instances:

1. No building or structure or any portion thereof shall be erected within the approach-take off zone of any runway or landing strip in excess of a height above the elevation at the end of the runway equal to one-fortieth ($1/40$) of the horizontal distance from the end of the runway, measured along the centerline of said runway extended. The approach zone is considered to be a trapezoidal area extending from the end of, and in the same direction as, said runway for a distance of two (2) miles. Such area is five hundred feet (500') wide at the end of the runway and two thousand five hundred feet (2,500') wide two (2) miles from the end of the runway. Further, no building or structure or any portion thereof shall be erected in the transition zones on either side of an approach-take off zone of any such landing strip in excess of a height above the elevation at the end of said runway computed as follows: one-fortieth ($1/40$) of a horizontal distance from the end of said runway measured along the centerline of said runway extended, plus one-seventh ($1/7$) of the horizontal distance to the near edge of the approach zone, measured perpendicular to the centerline of said runway extended. Where an airport is bounded by a public road, the effective length of runways directed over any such public road shall be computed (using a slope of 40 feet horizontal to one foot vertical) to produce a height of fourteen feet (14') at the right of way line of such road nearest to the airport. (Ord., 9-3-1974)

11-1-5-4: REPAIRING AND REMODELING:

Those parts of existing buildings that violate height regulations may be repaired and remodeled but may not be reconstructed. (Ord., 9-3-1974)

11-1-6: MINIMUM YARDS AND FAMILY AREAS DEFINED:

11-1-6-1: TERMS RELATING TO "YARDS" DEFINED:

CENTERLINE: The "centerline" of a street is a line halfway between the street lines.

CORNER LOTS: On "corner lots" (lots abutting on 2 or more streets at their intersection) the front yard shall face the shortest street dimension of the lot, except that if the lot is square or almost square, then the front yard may face either street.

FRONT YARD: The area from one side lot line to the other side lot line and between the main building and the street. A "front yard line" is a line parallel to the street and as far back from the street as required in this chapter. The terms "front yard line" and "building line" are synonymous.

FRONTAGE: The distance along a street line from intersecting street to another or from one intersecting street to the end of a dead end street. "Lot frontage" is the width of a lot measured along a street.

LOT WIDTH: The width of a lot at the front yard line. "Buildable width" is the width of a lot left to be built upon after the side yards are provided.

MAIN BUILDING: The building occupied by the primary use.

REAR YARD: The area from one side lot line to the other side lot line and from the main building drip line to the rear lot line. The rear yard is always on the opposite end of the lot from the front yard.

SEPARATE TRACT: A parcel of land or a group of contiguous parcels of land under one ownership on the effective date of this chapter.

SIDE YARD: The area from the front yard line to the rear yard line and from the main building drip line to the side lot line.

YARD: An open space on the same lot as a building; except as provided herein, it is unoccupied and unobstructed by a structure. "Yard width" or "depth" is the shortest horizontal distance from a lot line to the main building. (Ord., 9-3-1974; amd. Ord. 87-9, 5-5-1987)

11-1-6-2: YARD AND FAMILY SPACE REQUIREMENTS:

The following yard and family space requirements shall be provided in buildings in each district, and see also subsection 11-1-8-2] of this chapter: (Ord. 2003-03, 4-15-2003)

A. In SR And R1 Districts:

1. Front Yard: There shall be a front yard having a depth of not less than twenty five feet (25'); provided however, that where lots comprising forty percent (40%) or more of the frontage developed with buildings between parallel streets have an average front yard with a variation in depth of not more than six feet (6'), no building hereafter erected or altered shall project beyond the average front yard line so established; provided further, that this regulation shall not require a front yard of more than forty feet (40') in depth.

Where there are no buildings in a block, the depth of the front yard shall be determined by making it conform to the depth on the same side of the street in the adjoining block.

Where buildings front on a side street (or a street not parallel to an alley), the front yard shall have a depth of not less than ten feet (10').

2. Rear Yard: There shall be a rear yard having a depth of not less than twenty feet (20') where the rear lot line coincides with an alley line; otherwise, the depth shall be not less than one-half (1/2) of the height of the building.

3. Side Yards And Side And Rear Yard For Accessory Buildings: There shall be a side yard on each side of the building, each yard having a width of not less than five feet (5'); the width, however, shall be not less than one-third (1/3) of the height of the building. Where a building fronts the street parallel to an alley on a corner lot, it shall have the side yard on the street side not less than ten feet (10') in width.

On the corner lots, the side yard regulations shall be the same as for interior lots, except as noted above, but where the corner lot is developed so that the buildings face an intersecting street, there shall be a side yard on the street side of the corner lot of not less than the front yard required on the lots in the rear of such corner lot. No accessory building on said corner lot shall project beyond the front yard line of the lots in the rear.

Where an accessory building without an entrance opening toward the alley is not attached to any building, it shall be not less than two and one-half feet (2 1/2') from the side line of the lot and not less than two and one-half feet (2 1/2') from the rear lot line, provided the front of said accessory building is located sixty feet (60') from the front property line.

Where an accessory building, such as a garage, with an entrance opening toward the alley, is unattached to any building, it shall be not less than two and one-half feet (2 1/2') from the side lot line and not less than twelve feet (12') from the rear lot line. (Ord., 9-3-1974; amd. 1984 Code)

4. Lot Area Per Family: Every building hereafter erected, structurally altered or maintained shall provide a lot area of not less than seven thousand (7,000) square feet per family. (Ord., 9-3-1974; amd. Ord., 2-3-1976)

B. In The R2 And R3 Districts:

1. Front Yard: There shall be a front yard in the R2 districts having a depth of not less than twenty feet (20') and in the R3 districts, the front yard shall have a depth of not less than fifteen feet (15'); provided, however, that where lots comprising forty percent (40%)

or more of the frontage developed with buildings between cross streets have an average front yard with a variation in depth of not more than six feet (6'), no building hereafter erected or altered shall project beyond the average front yard line so established; provided further, that this regulation shall not require a front yard of more than forty feet (40') in depth.

Where buildings front on a side street (or a street not parallel to an alley), the front yard shall have a depth of not less than ten feet (10').

2. Rear Yard: There shall be a rear yard having a depth of not less than twenty feet (20') in the R2 districts and fifteen feet (15') in the R3 districts from the rear lot line where the rear lot line coincides with an alley line; otherwise, the depth shall not be less than one-half (1/2) of the height of the building.

3. Side Yard And Rear And Side Yards Of Accessory Buildings: There shall be a side yard on each side of the building, each yard having a width of not less than five feet (5'); the width, however, shall be not less than one-third (1/3) of the height of the building. However, no building fronting the street parallel to an alley on a corner lot shall have a side yard on the street side less than ten feet (10') in width.

On corner lots the side yard regulations shall be the same as interior lots, except as noted above, but where the corner lot is developed so that the buildings face an intersecting street, there shall be a side yard on the street side of the corner lot of not less than the front yard required on the lots in the rear of such corner lots and no accessory building on said corner lot shall project beyond the front yard line of the lots in the rear.

Where an accessory building without an entrance opening toward the alley is not attached to any building, it shall be not less than two and one-half feet (2 1/2') from the side line of the lot and not less than two and one-half feet (2 1/2') from the rear lot line, provided the front of said accessory building is located sixty feet (60') from the front property line.

Where an accessory building such as a garage, with an entrance opening toward the alley, is unattached to any building, it shall be not less than two and one-half feet (2 1/2') from the side lot line and not less than twelve feet (12') from the rear lot line. (Ord., 9-3-1974; amd. 1984 Code)

4. Lot Area Per Family: The following minimum lot area per dwelling unit shall be provided:

1 unit	6,000 square feet
2 units	7,000 square feet
3 units	8,500 square feet
4 units	10,000 square feet
5 units	11,500 square feet
6 units	13,000 square feet
7 units	14,500 square feet

8 units 16,000 square feet
 Over 8 units 500 square feet each additional unit

(Ord., 9-3-1974; amd. Ord., 2-3-1976)

C. In The C1, C2, C3, I1 And I2 Districts: Yard setbacks, height restrictions, and lot coverages for the C and I districts other than residential are as follows:

District	Front Setback	Side Setback	Side Adjacent To Street Setback	Rear Setback	Maximum Lot Coverage	Maximum Building Height ¹
C1	0 feet	0 feet	0 feet	0 feet	n/a	n/a ¹
C2	20 feet	0 feet	10 feet	0 feet	75 percent	45 feet ¹
C3	20 feet	0 feet	10 feet	0 feet	50 percent	25-30 feet ¹
I1	20 feet	0 feet	10 feet	0 feet	75 percent	75 feet ¹
I2	20 feet	0 feet	10 feet	0 feet	76 percent	n/a ¹

Formatted: Superscript

1. n/a: Not applicable: [see Section 11-1-5-2.](#)

1. Front Yard: There shall be a front yard in the C2, C3, I1 and I2 districts having a depth of not less than twenty feet (20') provided, however, that where lots comprising forty percent (40%) or more of the frontage developed with buildings between cross streets have an average front yard with a variation in depth of not more than six feet (6'), no building hereafter erected or altered shall project beyond the average front yard line so established; provided further, that notwithstanding the foregoing, this provision shall not require a front yard of more than forty feet (40') in depth.

2. Side Yard And Rear And Side Yards Of Accessory Buildings: There shall be a side yard in the C2, C3, I1 and I2 districts on any side of an accessory building that is adjacent to a street, avenue or alley that is not less than ten feet (10') in width.

3. Residential Units: Yard requirements for residential units in C2, C3, I1 or I2 districts shall conform to the same standards as for residential units in an R2 district. (Ord. 2003-03, 4-15-2003)

11-1-6-3: ADDITIONAL GENERAL RULES FOR YARDS:

- A. Where a frontage is divided among districts with different front yard requirements, the deepest front yard shall apply to the entire frontage.
- B. Where a lot is in a C or I district and is next to an R district, the side or rear yard required in that R district must be provided along the boundary line.
- C. Those parts of existing buildings that violate yard regulations may be repaired and remodeled but not reconstructed. (Ord., 9-3-1974)

11-1-6-4: EXCEPTIONS TO YARD REGULATIONS:

The following exceptions may be made in yard regulations:

A. Projections Into Yards: Steps, terraces and uncovered porches may extend into any minimum front or rear yard not more than six feet (6'), provided the floor thereof is no higher than that of the first floor entrance to the building; and such features may extend into any minimum side yard not more than four feet (4') distant from any lot line. Fire escapes and outside open stairways may project not more than two feet (2') into any minimum required yard. Chimneys may extend into any minimum yard not more than two feet (2'). (1984 Code)

B. Side Yards:

- 1. No side yards are required for dwellings that are erected above commercial structures.
- 2. If side yards are provided where not required, they must be at least five feet (5') wide. (Ord., 9-3-1974)

11-1-7: OFF STREET PARKING SPACES REQUIRED:

11-1-7-1: TERMS RELATING TO PARKING DEFINED:

FLOOR AREA: The square feet of floor space within the outside line of walls and includes the total of all space floors of a building. It does not include porches, garages, or space in a basement or cellar when said basement or cellar space is used for storage or incidental uses. (Ord., 9-3-1974)

PARKING SPACE: An area on a lot sufficient in size to store one automobile (not less than 9 feet wide and 20 feet long) connected to a public street or alley by a driveway not less than ten feet (10') wide and so arranged as to permit ingress and egress of the automobile at all times without moving any other automobile parked adjacent to the parking space.

11-1-7-2: OFF-STREET PARKING SPACES PROVIDED:

Use Space Required

Use

Space Required

Banks, business and professional offices

1 per 300 sq. ft. of gross floor area (GFA)

Boarding houses, lodging homes and similar uses

1 per dwelling unit or lodging unit

Bowling alleys

6 per alley

Churches, auditoriums and similar places of assembly

1 per 4 seats or 1 per 100 linear inches of pew or 1 per 65 sq. ft. of GFA used for assembly purposes

Convalescent homes, nursing homes, rest homes

1.5 spaces for each 1,000 sq. ft. of total area

Food or beverage places with sale and consumption on premises, if less than 4,000 sq. ft. of GFA

1 per 200 sq. ft. of GFA with 10 spaces minimum requirement or 0.3 spaces per seat

Fraternities and sororities

1 per 2 sleeping rooms or 1 per 3 beds, whichever is greater

Hospitals and institutions

1 1/2 spaces for each 1,000 sq. ft. of total area or 1.2 spaces per bed

Hotels

1 per sleeping room plus 0.5 spaces per employee per shift

Libraries and museums

1 per 500 sq. ft. of GFA

Manufacturing uses, research, testing and processing, assembling, all industries

1 per 2 employees on maximum shift but not less than 1 per 800 sq. ft. of GFA

Medical and dental clinics

1 per 200 sq. ft. of GFA

Mortuaries

1 per 4 seats in the principal auditorium

Motels and motor courts

1 per sleeping room plus 0.5 spaces per employee per shift

Motor vehicle, machinery, plumbing, heating, ventilating, building material supplies, sales and services

1 per 1,000 sq. ft. of GFA plus 1 per employee

Residential:

Single-family or duplex

2 per dwelling unit

Multi-family

1.5 per dwelling unit

Retail, Other:

If less than 5,000 sq. ft. of floor area

1 per 200 sq. ft. of GFA

If over 5,000 sq. ft. of floor area

25 plus 1 per 300 sq. ft. in excess of 5,000 sq. ft.

Retirement homes, housing projects for senior citizens

1-6 dwelling units,

0.5 space/dwelling unit

7-18,

0.33 space/dwelling unit

Over 18,

0.25 spaces/dwelling unit

Minimum of 5 spaces

Schools:

Elementary and junior high, public, private or parochial

5 spaces plus 1 per classroom with minimum auditorium requirements

High school and college, public or private

1 per each employee and 1 per 5 students with minimum auditorium requirements

Service stations and drive-in restaurants

1 per 80 sq. ft. GFA with 10 spaces minimum requirement

Stadiums, sports arenas and similar open assemblies

1 per 4 fixed seats plus 1 per 100 sq. ft. of assembly space without fixed seats

Theaters

1 per 4 seats

Warehouses and freight terminals

10 spaces for the first 20,000 sq. ft. of area and 1 space for each additional 10,000 sq. ft. or 0.6 spaces per employee

Wholesale business (Proposal dated 6-19-79)

5 spaces for the first 1,000 sq. ft. of area and 1 additional space for each 1,000 sq. ft. or 0.6 spaces per employee

11-1-7-3: PARKING RULES:

A. In the C and I Districts, parking space may be provided on a separate lot if within three hundred feet (300') of a building and two (2) or more owners may join together in the provision of this parking space. (Ord. dated 9-3-74)

B. In the R districts, and in C and I districts within fifty feet (50') of an R district, no parking space may be located in a front yard other than the two (2) spaces allowed in residential single-family areas. (Ord., 9-3-1974; amd. Ord., 2-3-1976)

C. Parking spaces may be provided in side and rear yards in the R districts and in any yard in C and I districts, except that in the C and I districts no parking space may be provided in a front yard unless the building is set back at least thirty feet (30') from the street.

D. Existing buildings not complying with off street parking requirements may be remodeled, repaired, and structurally altered, but any enlargement must provide the required parking spaces for the said enlargement. (Ord., 9-3-1974)

11-1-8: ACCESSORY USES AND BUILDINGS REGULATED:

11-1-8-1: TERMS RELATING TO ACCESSORY BUILDINGS AND USES DEFINED:

ACCESSORY BUILDING: A part of the main building, or a separate building, devoted to an accessory use.

ACCESSORY USE: A use subordinate to and incidental to the primary use of the main building or to the primary use of the premises.

HOME OCCUPATION: A. Home occupation is permitted in a dwelling customarily incidental to the principal use as a dwelling, subject to the following limitations:

1. No person other than a member of the immediate family occupying a dwelling is employed in the home occupation; immediate family is limited to, but need not include, all of those members related by marriage as husband and wife and their children and the parents of the husband and wife.

2. No alteration of the principal building changes the character thereof as a dwelling.

3. No illuminated sign is used, and no other sign other than one giving the name and occupation, and not more than one square foot in area, is displayed.

4. No more than twenty five percent (25%) of the area of one story or twenty five percent (25%) of the basement of the building, or twenty five percent (25%) of just the garage area is devoted to the home occupation.

5. No equipment shall be used in such a home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

6. The home occupation shall be deemed to be both site specific and owner specific; thus, the use of a portion of a structure as a home occupation will not permit a subsequent

owner an automatic home occupation designation. The new owner will be required to meet all of the criteria contained within this section if a home occupation use is desired.

B. The following activities are prohibited from home occupation under this section:

1. Motor and motorized vehicle or boat repair of any kind to include body and engine work, upholstery and glass repair, and audio system work.
2. Prefabrication of building construction components such as, but not limited to, cabinets and heating and cooling systems.
3. Generally all those uses specifically and already allowed and provided for in this code for Hardin's commercial and industrial zoning districts.

C. The following are hereby declared to be customary home occupations as intended by this section:

Artist, sculptor.

Author.

Dressmaker, seamstress.

Emergency interview only of clients by lawyers, architects, engineers, and similar professions.

Emergency treatment only of patients by physician or dentist.

Minister.

Model homes in new developments for the purpose of maintaining an office during the period of development; upon one hundred percent (100%) completion of the project, the model home shall be used solely for dwelling uses.

Music teacher.

D. Any person who intends to use a portion of his dwelling unit for a home occupation not delineated in subsection B of this definition, shall be required to submit a written request to be allowed a home occupation. The form for this request is available from the City offices.

The written request shall be submitted to the City Clerk, or other authorized representative, prior to the granting of the business license. The Mayor, or Mayor's designee, shall review and consider the request for home occupation and either approve or deny the business license to operate the home occupation. The Mayor may request additional review and approval by the City Council at the Mayor's discretion.

If a home occupation becomes cause for complaint from its neighbors, the business license for the home occupation can be reviewed for possible revocation by the City Council, or the City Council may not approve annual renewal of the license.

Violation of the home occupation provisions of this section, as well as all other sections of the zoning ordinance, is a misdemeanor and punishable as prescribed in section 11-1-12 of this chapter.

SIGN: Any outdoor advertising that is a structure or that is attached to or painted on a building or that is leaned against a structure or displayed on a premises. A "banjo sign" is a sign having a total area on any one face thereof of not more than fifty five (55) square feet, the advertising content of which is ten feet (10') or more above the ground. (Ord., 9-3-1974; amd. Ord. 87-6, 5-5-1987; Ord. 2010-02, 3-2-2010; Ord. 2018-08, 5-1-2018)

11-1-8-2: ACCESSORY USES PERMITTED:

A. Private garages, which shall not exceed one thousand two hundred (1,200) square feet in total area.

B. Private greenhouses, vegetable, fruit or flower gardens from which no products are sold or offered for sale.

C. Children's playhouses and playground equipment.

D. Tennis courts, swimming pools, garden houses, pergolas, ornamental gates, barbecue ovens, fireplaces and similar uses customarily accessory to residential uses.

E. Keeping of small animals commonly housed in a dwelling, but not on a commercial basis or on a scale reasonably objectionable to adjacent property owners; provided, however, that this shall not affect farms of more than one acre where animals are housed in structures located more than twenty five feet (25') from property lines.

F. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of four hundred (400) square feet, and not closer than five feet (5') to any lot line.

G. Small toolshed for storage of equipment used in maintenance of principal lot use.

H. Temporary buildings for construction purposes during the course of construction.

I. Accessory buildings, other than accessory dwelling units (ADUs), may not be used for dwelling purposes.

J. Accessory buildings may not occupy more than thirty percent (30%) of a rear yard.

K. Upon approval of City Council, accessory buildings may be used for preparation and sales of coffee, beverages, food items, or other similar business purposes, so long as the accessory building does not exceed two hundred (200) square feet and the accessory building does not affect the minimum required parking for the main building and business. All other ordinances apply to such accessory buildings including, but not limited to, ordinances regarding business licenses, water connections, and wastewater connections. Applications must be submitted to the City Council in order to receive approval.

(Ord. 93-2, 4-20-1993; Ord. 2020-01, 3-3-2020; Ord. 2024-03, 2-20-2024)

11-1-8-3: SIGN REGULATIONS:

A. Churches, public and semi-public buildings, hospitals and institutions in an R District may have one bulletin board not more than fifteen (15) square feet in area.

B. Temporary signs not more than ten (10) square feet in area pertaining to lease or sale of premises and nameplates when nonilluminated and not greater in area than one square foot are allowed in an R District; provided, that a nameplate of four (4) square feet is allowed in an R2 District. (Ord. dated 9-3-1974)

C. In the C Districts, the total square foot area for a sign on a premises may not exceed an amount equal to two (2) square feet of sign for each lineal foot of street frontage of said premises. In the C Districts, all signs must be: 1) attached to a building and not extended more than five feet (5') over the property line; or 2) located on, over and upon privately owned property and not extended over the property line or any right of way adjacent to or part of said property; or 3) approved, in writing, as encroachment by the City Council. (Ord. 90-1, 1-16-1990, eff. 2-14-1990)

11-1-8-4: FENCES AND HEDGES LOCATIONS:

Fences shall be located in accordance with the following:

A. Heights: Fences, walls and hedges may be erected or maintained in any residential zoning district along any required yard provided that no fence, wall or hedge over forty eight inches (48") in height shall be erected or maintained in any front yard setback. Fences and walls located along side or rear yards shall not exceed a height of six feet (6').

"Height", for the purposes of this Section, shall be defined as the vertical distance from the top rail, board or wire to the ground directly below.

B. Visibility At Alley And Private Drive Approaches: On the street side or all lots where an alley or driveway enters the street right of way, a triangular clear vision zone shall be maintained. Such zone shall measure ten feet (10') into the lot as measured from the edge of the sidewalk nearest the property line, and twenty feet (20') parallel to the street measured from the edge of any alley or driveway, away from the alley or driveway, along the edge of the sidewalk nearest the property line. No fence, wall, hedge or shrub over thirty six inches (36") in height shall be erected or maintained within the above defined clear vision zone. If no sidewalk exists, the point of reference for all measurements shall be determined by the City Operations Superintendent.

Regardless of other provisions of this Section, no fence, wall or hedge shall be erected or maintained in any yard which materially impedes vision of vehicles entering an abutting street.

C. Visibility At Intersections:

1. On corner lots at the intersection of all streets, except those intersections which are controlled by stop signs or traffic signals, no fence, hedge, wall, shrub, structure, or vision impediment thirty six inches (36") in height above an established top-of-curb grade shall be located within a triangular area formed by the intersecting street center lines and a straight line joining such intersecting lines at points one hundred ten feet (110') distant from the point of intersection measured along the center lines of the streets.

2. On corner lots at intersections where one or more approaches are controlled by either a stop sign or a traffic signal, no fence, hedge, wall, shrub, structure, or vision impediment thirty six inches (36") in height above an established top-of-curb grade shall be located within a triangular area formed by the intersecting lines at points twenty five feet (25') distant from the point of intersection as measured along the lot property lines.

3. Approved advertising signs, public use controls and systems, and trees with a maximum trunk diameter of one foot (1') measured four feet (4') above the ground line and trimmed up to eight feet (8') may be permitted in this above defined triangular area.

D. Prohibited Fences: No electric fences shall be permitted in any zoning district. No barbed wire fencing shall be permitted in any residential zoning district. Barbed wire fencing materials may be used as a portion of a fence in a commercial or industrial zoning district when such material is located not less than eight feet (8') above grade.

E. Prohibited Location: No fence, wall or hedge shall be erected or maintained in a public right of way.

F. Prohibited Materials: All fences shall be constructed from approved fencing materials and shall not be constructed from railroad ties, tires, rubble or salvage.

G. Permit Required: Before any fences and walls over thirty inches (30") in height above an established grade are erected in any zoning district along any required yard, the property owner shall first obtain a permit from the city building official. (Ord. 97-5, 11-4-1997; amd. Ord. 2023-09, 9-19-2023)

11-1-8-5: LANDSCAPING REQUIREMENTS:

In C2, highway commercial; C3, neighborhood commercial; and I2, light industrial zoning districts, landscaping shall be provided according to the following schedule: (Ord. 2004-03, 7-20-2004; amd. Ord. 2011-07, 5-3-2011)

A. New Site Development:

Up to 22,000 square feet	10 percent minimum
22,000 square feet to 5 acres	8 percent minimum

5 acres to 10 acres 6 percent minimum
Over 10 acres 4 percent minimum

B. Existing Site Development:

1. Building additions in excess of fifty percent (50%): Percentage of landscaping required is one-half (1/2) of new site development.

2. Building additions less than twenty five percent (25%): No landscaping required.

C. Environmental Amenities: Landscaping area shall be based on the square footage of the lot or lots and may consist of outdoor plazas, deciduous and evergreen plantings native to the Hardin area, aesthetic buffering, benches, kiosks, public shelters, fountains, flower tubs, and other environmental amenities approved by the building official.

D. Plan Approval; Zoning Compliance: Landscaping plans must be approved as part of the building permitting process. In the area up to one mile outside of the city of Hardin, landscaping is part of the zoning requirements, and failure to comply is a violation of the zoning ordinance. (Ord. 2004-03, 7-20-2004)

11-1-9: ADMINISTRATION:

11-1-9-1: CITY-COUNTY PLANNING BOARD/ZONING COMMISSION:

It is the intent of this chapter that the city-county planning board shall act as the zoning commission and in an advisory capacity to the common council in the administration of this zoning ordinance within the city and the one mile extraterritorial zoning jurisdictional area around the city, not including the reservation. (Ord. 2003-03, 4-15-2003)

11-1-9-2: PROCEDURE FOR ZONING DISTRICT CHANGES AND ZONING AMENDMENTS:

The common council may from time to time on its own motion or on petition, amend, supplement, change, modify, or repeal the boundaries of districts, these regulations, or the restrictions herein established. Any property owner in the jurisdictional area may apply for a zone change if the provisions of this chapter are met.

The zoning commission shall have thirty (30) working days to hold a public hearing and submit a written recommendation to the common council.

Prior to making a recommendation regarding a proposed zone change or amendment to the zoning regulations, the zoning commission shall hold a public hearing giving notice in a local newspaper of general circulation of such at least fifteen (15) days prior to the public hearing.

A. Twelve (12) copies of the zone change application form with the following information shall be submitted to the city clerk on the first day of the month prior to the month in which the zoning commission will hear the application. If the application is not complete its review will be postponed one month until all required information is presented.

1. The names and addresses of the owners and their agents, if any.
2. A legal or metes and bounds description of the tract(s) to be rezoned.
3. A scale map showing the dimensions, acreage, and location of the tract(s) and adjacent parcels within one hundred fifty feet (150'). (Ord. 2003-03, 4-15-2003)
4. An accurate straight line drawing prepared within thirty (30) days prior to application depicting the property, a list of names and addresses of all property owners of record owning property within one hundred fifty feet (150') of the proposed location; and a copy of the geocode map of all property owners of record owning property within one hundred fifty feet (150') of the proposed location provided by the Montana department of revenue property assessment Big Horn office. (Ord. 2012-04, 4-17-2012)
5. Present and desired zoning of the subject tract(s).
6. Review fee.
7. Statement by applicant indicating understanding that review fee is not refundable and does not constitute a payment for zone change, that the applicant or the authorized agent of the applicant must appear before the zoning commission and the common council and that all information supplied by the applicant is true and correct to the best of the applicant's knowledge.

B. The city clerk shall keep one copy of the application with supplements, note the time received, send one copy to the city planner, and forward the remainder to the zoning commission secretary.

No petition for zone change shall be processed and the application review time frame does not start until all of the information listed above, the required number of copies, and the review fee have been received by the city.

C. An application for the same zone change affecting the same property shall not be submitted more than once every twelve (12) months.

D. State code 1 requires that local governments take into consideration during deliberations on proposed zone changes the "purposes of zoning": 1) such regulations shall be made in accordance with the growth management plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, schools, parks, and other public requirements; 2) such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view

to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality.

E. After conducting the duly advertised public hearing, the zoning commission shall make a recommendation to the common council, and the zoning commission may delay making this recommendation no more than thirty (30) working days.

F. After making a decision on zoning district or ordinance change, the city shall send a copy of its decision to the applicant and to the zoning commission. (Ord. 2003-03, 4-15-2003)

Notes

1 1. MCA 76-2-304.

11-1-9-3: PROCEDURE FOR VARIANCE:

Requests for variances from the requirements of this chapter must be filed with the city clerk thirty (30) working days prior to the regularly scheduled meeting of the zoning commission at which the request will be heard.

A. Any request for variance shall contain the following:

1. Proof that the particular property in question is being denied a right under this chapter that is being enjoyed by other properties in the same area and zone.
2. Proof that a variance grant will not be extending a special privilege to the subject property or cause what would in fact result in a change of land use not allowed in this chapter.
3. Specific address, metes and bounds description, or legal description of the subject property.
4. A list of the property owners of record, certified as accurate by the county clerk and recorder, located within one hundred fifty feet (150') of the applicant property.
5. Application fee.

B. The zoning commission shall notify by mail those property owners of record within one hundred fifty feet (150') of the applicant property of the request for variance. The zoning commission shall publish a notice of public hearing regarding the requested variance in the local newspaper of general circulation at least fifteen (15) days prior to the public hearing.

C. The zoning commission may delay its decision for recommendation on the application to the common council no more than thirty (30) days. After receiving the zoning

commission's recommendation, the common council shall decide on the application and so notify the applicant and zoning commission in writing.

D. An application for the same variance affecting the same property shall not be submitted more often than once every twelve (12) months. (Ord. 2003-03, 4-15-2003)

11-1-10: PROHIBITED USES WITHIN THE CITY OF HARDIN:

All slaughter facilities are prohibited within the city limits of the city of Hardin that slaughter more than twenty five (25) animals within any seven (7) day period. The term "slaughter facilities" shall mean any business, entity, facility or operation at which animals, of any type, are killed, euthanized or otherwise destroyed except a licensed veterinarian clinic or animal hospital. (Ord. 2010-01, 3-16-2010)

11-1-11: CONDITIONAL LAND USES:

11-1-11-1: PURPOSE:

The purpose of conditional land uses is to provide for specific uses, other than those already allowed in each zoning district, which may be appropriate in the district under certain safeguards or conditions. The conditional land use permitting process is intended to provide a detailed and comprehensive review of proposed developments that potentially could have significant adverse impacts on the community. (Ord. 2003-03, 4-15-2003)

11-1-11-2: REQUIREMENTS:

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless a conditional land use permit therefor has been provided. The zoning commission may require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for conditional use, those conditions under which such land use may be allowed, to include, but not be necessarily limited to, the following:

A. Adequate street capacity serving proposed use and site ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city superintendent of public works;

B. Adequate off street parking and loading with attention to vehicular and pedestrian safety, and traffic flow;

C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on natural systems;

D. Adequate landscaping, screening, and buffering; and

E. Compatibility with adjacent and neighborhood land uses and Hardin's GMP. (Ord. 2003-03, 4-15-2003)

11-1-11-3: APPLICATION PROCESS:

Twelve (12) copies of the conditional use application form and required review fee shall be submitted to the city clerk on the first day of the month preceding the month in which it will be reviewed at the regularly scheduled zoning commission/planning board meeting. The city clerk shall note the time of receipt, keep one copy, send one copy to the city planner, and forward the remainder to the secretary of the zoning commission.

A. The zoning commission shall publish notice of public hearing in the local newspaper at least fifteen (15) days prior to the zoning commission meeting at which the application will be considered; adjacent property owners of record within one hundred fifty feet (150') of the application property shall also be notified by mail by the zoning commission. The applicant or the authorized agent must attend the meetings of the zoning commission and the common council at which the application will be discussed.

B. The conditional use application shall include twelve (12) copies of:

1. The conditional use application form:

a. Legal description of property.

b. Address or general location of property.

c. Existing zoning.

d. Conditional use requested.

e. Reason for request.

f. Possible noise, vibration, air pollution, electrical interference, and similar environmental impacts generated or potentially generated by proposed use.

g. List of adjacent landowners of record within one hundred fifty feet (150') certified by the county clerk.

2. Scaled drawings of:

a. Subject property, including size, and existing buildings and improvements.

b. Proposed use, buildings, and improvements.

c. Adjacent land use and improvements.

- d. Existing natural features of the site such as vegetation or wetlands.
 - e. Off street parking.
 - f. Landscaping, signs, lighting, and fencing.
3. Other information as may be needed by the zoning commission.
 4. Name, address, and telephone number of owner of record.
 5. Name, address, and telephone number of agent of owner of record.
 6. Review fee.

C. The zoning commission must find that the conditional use applied for is compatible with the GMP and the surrounding neighborhood under the conditions of the proposal for use. After the public hearing for the conditional use, the zoning commission shall delay its recommendation to common council no longer than thirty (30) working days. After making its decision the common council shall notify the applicant and the zoning commission in writing of its decision. (Ord. 2003-03, 4-15-2003)

11-1-11-4: ZONING COMPLIANCE PERMIT:

Big Horn County commissioners allow Hardin to control land uses out one mile from its municipal boundaries through the extraterritorial zoning powers of state statute. New land uses, such as new homes, mobile homes, businesses, and the introduction of large animals, proposed in this one mile zoning area must obtain a zoning compliance permit from the city. This allows the city and landowners to ensure that new uses are in compliance with the established growth management plan adopted by the people of the community before substantial investment has been made in a new land use activity that may not be allowed.

Failure to obtain the compliance permit places the new use in violation of Hardin's zoning ordinance and may subject the landowner to the penalties for such violation as contained in section 11-1-12 of this chapter.

Application for a zoning compliance permit is made to the city clerk on the form therefor in her office. Such application can be made at any time. If the application is complete, the city has one week in which to approve, conditionally approve, or deny the application. The application is reviewed by the superintendent of public works and the city planner for compliance, after which each (or another city designated representative) signs the application. If the land use for which the application is submitted is not deemed in compliance, the landowner may submit an application to the zoning commission (with final decision by the common council) through the zone change, zone variance, or conditional use process as provided herein.

There is no zoning compliance permit application fee, as this is process designed to save landowners money and time and the city future problems.

An application for a zoning compliance permit shall, at a minimum, include the following:

- A. Application form for zoning compliance permit.
- B. Legal description and general location.
- C. Site plan showing planned land use and existing land uses if any plus the following information:
 - 1. Setbacks from public rights of way;
 - 2. Dimensions of land use;
 - 3. Number of dwelling or animal units;
 - 4. Provisions for water, sewer, and storm drainage;
 - 5. Adjacent land uses; and
 - 6. Additional information, if any, as required by the city to understand what is proposed.
- D. Address of owner of record and purchaser, if applicable.
- E. Commercial, industrial, and multi-family land uses proposed shall provide specific site plans showing details of the proposed development to include lot coverage, floor area ratios, landscaping, numbers of units, access and egress, solid waste disposal locations, signage, lighting, and size and access points for public utilities.
- F. Information required here may be prepared without professional drawings or studies. (Ord. 2003-03, 4-15-2003)

11-1-12: VIOLATION AND PENALTY:

The owner or agent of a building or premises in or upon which a violation of any provisions of this chapter has been committed or shall exist, or the lessee or tenant of an entire building or entire premises in or upon which a violation has been committed or shall exist, or the agent, architect, building contractor, or any other person who commits, takes part, or assists in any violation or who maintains any building or premises in or upon which such violation shall exist shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months or by both fine and imprisonment. Each and every day that such violation continues shall constitute a separate offense. (Ord. 2003-03, 4-15-2003)

11-1-13: VALIDITY:

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter, it being the intent of the common council to enact each section,

subsection, sentence, clause, or phrase of this chapter separately and independently of each other section, subsection, sentence, clause, or phrase. (Ord. 2003-03, 4-15-2003)

DRAFT

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into this _____ day of _____, 2026, by and between Knudsen & Knudsen, PLLC, a Montana Professional Limited Liability Company, of PO Box 450 Hardin, Montana, hereinafter “Knudsen” and the City of Hardin, a Montana municipal corporation, and political subdivision of the State of Montana, of 406 North Cheyenne, Hardin, Montana, hereinafter referred to as “City.”

WHEREAS, the City, pursuant to Montana Code Annotated § 7-4-4102(4) (2025), is desirous of obtaining the legal services of an attorney for all City operations including prosecution of city criminal offenses and general civil counsel for the City;

WHEREAS, Knudsen is a law firm located in Hardin, Montana composed of members Jordan W. Knudsen and Hannah S. Knudsen, both of whom are licensed to practice law in the State of Montana, and is willing to provide legal services to the City according to the terms of this Agreement;

WHEREAS, City and Knudsen have previously entered into a contract for legal services which ends on April 23, 2026.

WHEREAS, the parties agree that a written agreement for legal services is necessary to describe the relationship between Knudsen, and the City, and to serve as the basis of effective communication between them as they fulfill their governance and administrative functions in the operation of the City; and

WHEREAS, this Agreement for Legal Services was approved by the City Council during a regular council meeting held the _____ day of _____, 2026.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. Appointment: The Mayor of the City hereby appoints Knudsen & Knudsen, PLLC to provide legal services to the City and to serve as the Hardin City Attorney for a period of two (2) years, per Montana Code Annotated § 7-4-4602(1) (2025), beginning on the 24th day of April, 2026. Services shall be provided primarily by Jordan W. Knudsen, a licensed Montana attorney, and by Hannah S. Knudsen, a licensed Montana attorney. Jordan W. Knudsen shall be appointed the Hardin City Attorney, and Hannah S. Knudsen shall be the Deputy Hardin City Attorney. The appointment shall have the full force and effect of such an appointment outline in Montana Law, and the Hardin City Code.

The parties agree that this appointment is not an at-will appointment, and that this appointment is for a full two-year term, as in Mont. Code Ann. § 7-4-4603 (2025).

2. Basic Services: Knudsen agrees to provide civil and criminal legal services to the City for the term of this contract, performing all duties defined in Montana Code Annotated § 7-4-4604 (2025) and those required by the City including the following:
 - a. Serving as general legal counsel to the City.
 - b. Attending the regularly-scheduled City Council meetings, and as necessary any special council meetings, committee meetings, and meetings with City staff. It is understood that there may be times when an attorney will not be able to attend such meetings for reasons as being out of town, preparing for trials, or representing other clients.
 - c. Appearing before the Hardin City Court and other courts to prosecute criminal actions, brought in the name of both the City and the State of Montana.
 - d. Prosecuting or defending civil actions in which the City is a party and/or which are in the exclusive jurisdiction of the City Court and/or Justice Court.
 - e. Providing initial prosecution or defense of civil actions in which the City is a party, in District Court, or before administrative agencies.
 - f. Preparing contracts, ordinances and resolutions, and written opinions to the City Council or persons authorized by the Council on questions pertaining to the rights, liabilities, and powers of the City.
 - g. Reviewing construction and personal service contracts and issuing opinions as to their form and content, as well as other contracts.
 - h. Other services not set forth above, including, but not limited to, prosecution of civil drug forfeiture actions and appeals of criminal cases in District Court and in the Supreme Court.
3. Term: This Agreement shall be effective as of April 24th, 2026, and shall terminate on April 23, 2028, unless terminated sooner by the terms contained herein. This agreement shall become a month-to-month agreement after April 23, 2028, unless both parties enter into another written agreement. If the agreement becomes a month-to-month agreement after April 23, 2028, then either party may terminate the agreement for any or no reason by giving the other party thirty (30) days written notice of the intent to terminate this agreement which termination shall become effective at the end of the thirty (30) days.
4. Independent Contractor: Knudsen's relationship to the City shall be that of an independent contractor. Knudsen agrees to maintain an office in the Hardin

area and to provide all equipment, telephone services and supplies usual and customary for a private law practice and shall be solely responsible for the same (except with respect to certain costs, office, and secretarial assistance as set forth below) in the provision of services under this Agreement.

Knudsen shall perform the services described herein as an independent law firm using such independent professional judgment as is appropriate to the performance of the duties of City Attorney, and shall work at such times and in such manner as deemed appropriate to fully and professionally accomplish the duties of City Attorney. Knudsen further agrees that it will be the employer of Jordan W. Knudsen and Hannah W. Knudsen, and will be responsible for any worker's compensation insurance, unemployment insurance, withholdings and remittance of all income taxes to state and federal agencies, and will provide evidence of the same upon request to the City. Knudsen agrees to indemnify the City and hold it harmless from any claims arising from or resulting from Knudsen's obligation to obtain worker's compensation insurance, pay unemployment insurance premiums, and withhold and remit and/or pay any taxes owed by Knudsen, Jordan W. Knudsen, or Hannah S. Knudsen, including any personal income taxes.

Knudsen, Jordan W. Knudsen, and Hannah S. Knudsen, are free to maintain a private law practice and represent other clients, but will avoid to the extent reasonably possible, from entering into representation that would create a conflict of interest such that Knudsen would be unable to represent the City under this Agreement. In the event of a conflict, Knudsen will cooperate with and aid the City in finding adequate alternative representation.

5. Office Space: The City will continue to make available the present City Attorney office located in the Ping building, at 415 North Center Avenue, City of Hardin, for Knudsen's use, but with the understanding that Knudsen will only use the office for the more efficient performance of his obligations under this contract, and will not conduct private law practice in this office. Parties acknowledge that this space may move to another location, as needed by the City. The City will provide space, phone service, internet access, and appropriate containers for the storage of closed City case records at the same facility. The City will continue to provide computer and database support currently used as part of the prosecution of cases in Hardin City Court.
6. Clerical Assistance: Knudsen may use the services of the City's legal clerk employee appointed to the City Attorney's Office, for assistance with City work only. No assistance to Knudsen's private law practice will be provided by said City employee. This service will be provided only for the period that such employee is employed by the City, unless otherwise agreed by the parties.
7. Compensation: As payment for the services to be performed during the term of this Agreement, the City will pay to Knudsen, a monthly fee of \$8,500 per

month from April 24, 2026, until June 23, 2026. From July 23, 2026 to April 23, 2028, the monthly fee shall be \$9,000 per month. Knudsen agrees to submit a monthly invoice to the City for the services. Knudsen is not obligated to provide a detailed billing of hours of legal service on each invoice.

8. Other Costs: The compensation above is for legal services and does not include other costs, such as, but not limited to, filing fees, services fees, witness fees, expert fees, deposition costs, and travel expenses related to civil cases in which the City is a party. The City agrees to reimburse Knudsen for said expenses upon presentation of evidence of the same.
9. Conflicts: If an issue or case arises which presents a conflict of interest as determined by Knudsen, the City will retain the services of another attorney to represent it in that matter. It is understood that Knudsen may, from time to time, represent other persons or entities such as cities, towns, districts, and counties. The hiring of another attorney or attorneys by the City because of conflict will not reduce the annual or monthly compensation set forth in Paragraph 7 above.
10. Insurance: Knudsen will maintain professional malpractice insurance coverage with reasonable limits and will maintain liability insurance on any vehicle used by Knudsen in performing work for the City, with reasonable limits. City agrees that any claims arising against Knudsen or the City during the performance of any legal services for the City may be covered by the City's insurance policies, including MMIA, if claims would arise against a City Attorney if the City employed such employee.
11. Training: The City is not required to reimburse the cost of any training for continuing legal education. Knudsen may use the continuing legal education provided by City's membership in such entities such as MMIA, at no cost to Knudsen.
12. Termination:
 - a. This Agreement shall terminate if the individual Jordan W. Knudsen of Knudsen becomes unable to perform the services of City Attorney because of death, disability, extended illness, or loss of license to practice law for a period longer than 3 months. The City will give Knudsen written notice of its intention to terminate for failure to perform, and Knudsen will have ten (10) days to cure. If no cure occurs, the City may terminate this Agreement. Other members of Knudsen shall not be responsible for the performance of this Agreement if the individual Jordan W. Knudsen is unable to perform the services of City Attorney for the reasons above.

- b. Notwithstanding the term in Section 1, above, this agreement shall terminate on November 3, 2026, if Jordan W. Knudsen is elected to the office of Big Horn County Attorney. Upon such election to office, the termination shall be effective December 31, 2026, and the last monthly fee payable to Knudsen shall be prorated. The parties may agree that upon termination caused by the successful election of Jordan W. Knudsen to the office of Big Horn County Attorney, the law firm of Knudsen & Knudsen, PLLC, Jordan W. Knudsen, and Hannah S. Knudsen are all relieved from the obligations of this Agreement on December 31, 2026.
- c. The Council of the City may terminate this Agreement for failure of performance by following the procedure provided in Montana Code Annotated § 7-4-4113 (2025) and § 7-4-4603.
- d. This Agreement shall also terminate upon expiration of its two (2) year term with notice of non-renewal as provided in Paragraph 3, unless the month-to-month provision of Paragraph 3 is utilized.
- e. Knudsen may terminate this Agreement for failure of performance by the City by giving the City written notice of its intention to terminate and the City will have ten (10) days to cure. If no cure occurs, Knudsen may terminate this Agreement.
- f. Knudsen may terminate this Agreement at any time for any other reason, but must provide the City with 30 days' notice prior to the termination.
- g. The parties may terminate this Agreement before expiration of the term, in writing, and signed by both parties, if parties mutually agree to such termination.

13. Miscellaneous Provisions:

- a. If during the term of this Agreement, it is found that a specific clause of this Agreement is illegal under federal or state law, the remainder of this Agreement, not affected by such ruling, shall remain in force.
- b. This Agreement shall be governed by and construed in accordance with the laws of the State of Montana. The parties agree that venue of any legal action filed relating to this Agreement shall be in the Montana 22nd Judicial District Court, Big Horn County, Montana.
- c. The parties agree that in the event of a dispute between the parties, the prevailing party is entitled to reasonable attorneys' fees and costs from the other party.

- d. The parties also agree and acknowledge that the Agreement is a public document, pursuant to Montana law.
- e. This Agreement embodies the complete agreement of the parties hereto, superseding all oral and written previous and contemporary agreements between the parties. No alteration or modification of this Agreement shall be valid unless evidenced by a writing signed by the parties to this Agreement.
- f. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns, including any change of membership of the City Council of the City.
- g. All notices, consents, requests, instructions, approvals, or other communications provided for herein shall be in writing and delivered by personal delivery, overnight mail, or regular U.S. mail, return receipt requested, to the last known address of the party being provided such notice.
- h. The City agrees that Knudsen is not required to post a bond.

IN WITNESS WHEREOF, the parties have executed this Agreement and affixed their signatures on the date and year first written above.

CITY OF HARDIN, MONTANA

GNUDSEN & GNUDSEN, PLLC

Mayor

Jordan W. Knudsen, Member/Manager
of Knudsen & Knudsen, PLLC

ATTEST:

City Clerk

HARDIN VOLUNTEER FIRE DEPARTMENT

March 10, 2026

Mayor Riley Ramsey and Hardin City Council
406 N Cheyenne Ave
Hardin, MT 59034

RE: Grant Request

Dear Mayor Ramsey and City Council,

The non-profit organization, Hardin Volunteer Firefighters, helps the community in various ways on top of its firefighting duties. We provide outreach and training for the community. The most popular outreach activities are Fire Safety Week at the school district, certain community events like Little Big Horn Days, 4H Fair, Farmers Markets, duck derby, among many other events. We also purchase supplies and other needed materials for the firemen, fire hall, and firetrucks.

We would like to request your continued support of our outreach and work by granting us \$15,000 that was budgeted during fiscal year 2026.

Please don't hesitate to contact me for additional information.

Sincerely,



Andrew Lehr
Secretary/Treasurer
Hardin Volunteer Firefighters



NOTICE OF CONTINUING EVENTS OF DEFAULT AND DEFAULT DISTRIBUTION

City of Hardin, Montana
Tax Increment Industrial Infrastructure Development Revenue Bonds
(Rocky Mountain Power, Inc. Project) Series 2006
(CUSIP No.* 412236AA9)

Please forward this notice to beneficial holders.

U.S. Bank Trust Company, National Association as successor in interest to U.S. Bank National Association is the Trustee (the "Trustee") under that certain Indenture of Trust, dated as of September 1, 2006 (the "Indenture"), by and between the City of Hardin, Montana as Issuer (the "City"), and the Trustee, which governs the above-referenced bonds (the "Bonds").

There are multiple events of default that have occurred and are continuing due to the Trustee not having enough funds to pay interest and principal as they become due beginning September 1, 2015. The Trustee is evaluating its available options, actions and remedies under the Indenture as a result of the occurrence of an Event of Default under the Indenture. **Under the Indenture, holders of at least a majority of the aggregate principal amount of outstanding Bonds have the right to direct certain of the Trustee's actions under and subject to the conditions contained in the Indenture, which include (among other things), providing the Trustee with an indemnity against liability satisfactory to the Trustee. At this time, the Trustee is applying funds received towards interest in arrears.**

On March 10, 2026, the Trustee will make a Default Distribution in the aggregate amount of \$1,090,000.00 which is the equivalent of interest on outstanding par of \$20,920,000 paid at a rate of .05210325048 which is equal to \$52.10325048 per \$1,000 face held to the holders of record 3/09/26. This represents the balance of the interest that was due on 9/01/21, as well as a portion of the interest due on 3/1/22. The balance of interest due on 3/1/22 in the amount of \$109,218.20 as well as the interest due on 9/1/22, 3/1/23, 9/1/23, 3/1/24, 9/1/24, 3/1/25, 9/1/25 and 3/1/26 in the amount of \$653,750.00 for each respective date will be due and unpaid at the time of this distribution. Following this distribution there will remain approximately \$65,000.00 in the Debt Service Reserve Fund (the "Reserve Fund").

No assurances can be given with respect to the amount or timing of any future distributions to holders of Bonds. Prior to any distribution to Bondholders, funds held under the Indenture are to be used first for payment of the fees and costs incurred or to be incurred by the Trustee in performing its duties, as well as for any indemnities owing or to become owing to the Trustee. This includes fees and costs incurred by counsel and other agents or professionals the Trustee employs to pursue remedies or other actions to protect the security or other interests of holders, as well as compensation and expense reimbursement for the Trustee's extraordinary administration services, including charges for time spent at the Trustee's currently prevailing hourly rates.

The Trustee intends to send further notices to holders as material developments occur. Holders with questions about this notice should direct them to: Sandra Spivey, Vice President, U.S. Bank National Association, Nevada Financial Center, 2300 West Sahara, Suite 200, Las Vegas, Nevada 89102 (telephone: (702) 286-8630 or email: sandra.spivey@usbank.com). Holders with questions may also contact Bondholder Services at (800) 934-6802, option 7.

Other information concerning the Bonds can be found on the Municipal Securities Rulemaking Board (“MSRB”) website at www.emma.msrb.org.

Please note that the Trustee may conclude that a specific response to particular inquiries from individual holders is not consistent with equal and full dissemination of information to all holders. Holders should not rely on the Trustee as their sole source of information. The Trustee makes no recommendations and gives no Tax advice.

**U.S. Bank Trust Company, National Association,
as Trustee**

March 5, 2026

*CUSIP numbers are included solely for the convenience of Bondholders. The Trustee shall have no responsibility with respect to the selection or use of any CUSIP number, nor is any representation made as to the correctness of any CUSIP number, either as printed on any Bond or in this Notice.

Event Notice

Issuer: City of Hardin, Montana

Bonds: Tax Increment Industrial Infrastructure Development Revenue Bonds (Rocky Mountain Power, Inc. Project), Series 2006

CUSIP Number: 412236 AA9

Dated: March 9, 2026

Events: Interest Payment Delinquency

The City of Hardin, Montana (the “City”) provides this notice pursuant to Sections 3(c)(i) and (iii) of its Continuing Disclosure Undertaking, dated as of September 28, 2006, with respect to its \$12,600,952.80 Tax Increment Industrial Infrastructure Development Revenue Bonds (Rocky Mountain Power, Inc. Project), Series 2006 (the “Bonds”). On December 10, 2014, the City filed a Voluntary Notice on EMMA with regard to the Bonds (the “Voluntary Notice”) and subsequently filed other voluntary notices and event notices. Capitalized terms used in this notice and not defined herein are given the meanings in the Voluntary Notice. The Voluntary Notice and the prior event and other voluntary notices should be read in their entirety.

The City has remitted to the bond trustee under the Indenture (the “Trustee”) tax increment revenues with respect to the Facility, as further described under the Voluntary Notice. However, such tax increment revenues are not and have not been sufficient to pay principal of or interest on the Bonds when due.

The City understands that there are not sufficient funds in the funds and accounts held by the Trustee under the Indenture to make the March 1, 2026 interest payment due on the Bonds, or certain other payments that have come due on the Bonds prior to March 1, 2026. For further information, please see the event notice filed by the Trustee on March 5, 2026.

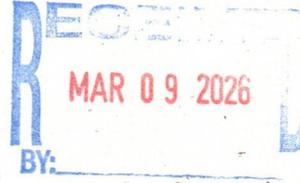


BARRY DAMSCHEN CONSULTING, LLC

Engineering • Solid Waste Management

March 1, 2026

CITY OF HARDIN
406 N. Cheyenne Avenue
Hardin MT 59034



RE: Landfill Closure & Post-Closure Estimates

Dear City Officials:

The purpose of this letter is to provide updated information concerning the estimated closure and post-closure costs if you were to close the landfill in the upcoming year. It is assumed that these costs are being developed in order that your trust consultant can estimate what your trust payment would be for this year to meet your financial assurance requirements with the Montana Department of Environmental Quality (DEQ).

In 1993 the City retained my firm to prepare a Master Plan for filling the site. In 2002, the City purchased property immediately south of the landfill and their consultant designed the expansion area. The expansion area was ultimately approved by the DEQ giving the City a total of 45.3 acres to landfill (25.0 acres and 20.3 acres in the expansion).

In 2004, the City began negotiations with Rocky Mountain Power, Inc. (RMP) to accept and dispose of coal ash from their new power plant being built near Hardin. A license amendment was submitted to the DEQ in December 2005 to accept the ash. The amendment was approved, and the ash was first brought in on March 29, 2006. The ash was disposed of on the northern most portion of the existing Class II area. Approximately 100,000 tons of ash per year was brought to the site for the first 3 years.

During the three-year period in which the ash was brought to the landfill, the City obtained the ownership of 160 acres immediately west of the landfill. During this period a new 39.8-acre expansion area was licensed and constructed on the 160-acre parcel to dispose of the ash. In April 2009 the ash began to be disposed of in the ash disposal expansion area.

After discussions with the DEQ it was determined that even though the solid waste and ash disposal areas are regulated under the landfill license, the closure and post-closure costs should be kept separate since the costs to close and maintain these areas are different. Therefore, the life of each area, the closure costs, and post-closure costs are separated and summarized below.

1. LIFE OF SITE

a. Class II Area

The vehicles that enter the landfill are logged in by the landfill personnel. The City installed a new scale in February 2003. Therefore, all wastes except small vehicles (cars and pickups) are weighed. The smaller vehicles are still logged in with a few periodically being weighed to establish an average payload for them.

This past year, the landfill received 13,500 tons of waste compared to 16,200 tons in 2024, 12,200 tons in 2023, 11,200 tons in 2022, 11,600 in 2021, 12,500 in 2020, 13,300 in 2019, 11,200 in 2018, 11,700 in 2017, 12,300 in 2016, 13,700 in 2015, 12,200 in 2014, and approximately 15,000 tons/year the two previous years. For the purpose of calculating the remaining life of the site, we shall assume that the landfill will take in 13,000 tons/year of solid waste. In 2018 the City Council retained my firm to update the Master Plan which included updating the topographic map of the existing Class II area and coal ash disposal trench. In 2019 an updated Master Plan was developed. This updated Plan projects the existing waste area will last 5 more years, and the expansion area will last 28 more years giving the total life of the site being 33 years from January 2026.

b. Coal Ash Area

As previously indicated, the site received approval from the DEQ for a 39.8 expansion area to dispose of coal ash. According to the license application, the area has the capacity to dispose of the ash for 25.7 years based on handling 100,000 tons/year of ash. This past year approximately 32,000 tons of ash was hauled to the site which compares to approximately 70,000 tons in 2024, 60,000 tons in 2023, 77,000 tons in 2022, 70,000 tons in 2021, 6,000 tons in 2020, 20,000 tons in 2019 and 2018 and 15,000 tons in 2017, 42,000 tons in 2016, 68,000 tons in 2015 and 85,000 tons the previous year. Additionally, in 2024 approximately 4,100 tons of waste was hauled to the landfill from a mining processing plant located in Columbus, Montana.

In 2018, an updated topographic survey was conducted on the coal ash disposal area. Based on this updated survey, it was estimated that the existing trench had 325,000 tons of remaining capacity from November 2018 which would result in the existing trench only having a remaining capacity of less than five years based on the trench receiving 70,000 tons/year of ash. In 2019 the City Council retained my firm to conduct a redesign of the ash site to raise the final height by approximately 50 feet. This vertical expansion design was completed and submitted to the DEQ in 2020 and ultimately was approved in 2022. Based on this, the ash disposal site now has a total life of approximately 37 years from 2025 based on receiving 70,000 tons/year of ash.

2. CLOSURE COSTS

a. Class II Area

As this area site reaches its capacity, the City will need to close the 45.3 acres of Class II landfill area (25 acres of original area plus 20.3 acres of expansion area). The Closure and Post-Closure Plan documents the timing of the closure work at the

facility and provides additional details. All waste areas will be covered with a four-foot-thick cover consisting of on-site soils. The four-foot cover will consist of an 18-inch barrier layer and a 30-inch protective soil layer consisting of 24 inches of protective soil and 6 inches of topsoil.

In March 2010 my firm prepared an update of the work and associated costs to close the 45-acre area. Our assessment of the site indicates that the closure work and costs identified in the March 2010 letter report are still valid (a copy of Table 1 from the March 2010 report is attached which delineates the closure costs). According to the DEQ staff, it is only necessary to apply the most recent Federal Annual Implicit Price Deflators to update the closure cost estimate. Therefore, based on the March 2010 closure cost estimate and the 2011 through 2026 Price Deflators, the updated Year 2026 closure cost estimate is:

$$\$1,378,248 \times 1.0328 = \$1,423,455$$

b. Coal Ash Area

The 39.8-acre coal ash disposal area was designed to be filled in two phases: Phase I includes 17.6 acres and Phase II includes 22.2 acres. For estimating purposes, it shall be assumed that a final cover system placed over the ash will consist of four feet of uncompacted soil overlain by one-foot of topsoil.

In March 2010 our firm prepared an update of the work and associated costs to conduct the post care work. A copy of Table 3 from our March 2010 letter report which delineates the post-closure work and costs is attached. Our assessment of the site indicates that the post-closure work and costs identified in the March 2010 letter report are still valid. As noted above, according to the DEQ staff, it is only necessary to apply the most recent Federal Annual Implicit Price Deflators to update the post-closure cost estimate. Therefore, based on the March 2010 cost estimate and the 2011 through 2026 Price Deflators, the updated Year 2026 post-closure cost estimate is:

$$\$1,235,293 \times 1.0328 = \$1,275,810$$

3. POST-CLOSURE COSTS

a. Class II Area

In regards to the post-closure costs, the regulations require each landfill owner to monitor for methane, monitor for groundwater, have an independent Professional Engineer conduct an annual inspection, update the closure and post closure costs annually and maintain the cap for settlement, cracking or any other situation that may jeopardize the integrity of the cap. The Class II area has no groundwater and three methane monitoring wells that require testing four times/year. (No groundwater wells were installed or require testing since they received an approved No-Migration Petition).

In March 2010 my firm prepared an update of the work and associated costs to conduct the post-closure care work. A copy of Table 3 from our March 2010 letter report which delineates the post-closure work and costs is attached. Our assessment of the site indicates that the post-closure work and costs identified in the March 2010 letter report are still valid. According to the DEQ staff, it is only necessary to apply the most recent Federal Annual Implicit Price Deflators to update the post-closure cost estimate. Therefore, based on the March 2010 cost estimate and the 2011 through 2026 Price Deflators, the updated Year 2026 post closure cost estimate is:

$$\$287,894 \times 1.0328 = \$297,337$$

b. Coal Ash Area

Since the coal ash has no additional monitoring wells, the post-closure costs only include the work to conduct an inspection and update the cost estimate each year and to maintain the cap, roads and fencing. If it is assumed that the engineering travel would be combined with the work for the Class II area, the post-Closure costs would be minimal.

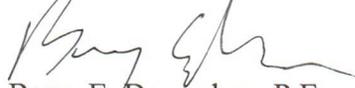
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$$\$114,739 \times 1.0328 = \$118,502$$

I hope this information assists the District in assessing your financial assurance requirements. If you have any questions, please do not hesitate to call me.

Very truly yours,

BARRY DAMSCHEN CONSULTING, LLC



Barry E. Damschen, P.E.
Project Manager

Enclosures

cc: Fred Collins, DEQ

TABLE 1
CITY OF HARDIN LANDFILL
CLOSURE COSTS FOR CLASS II AREA
(March 2010)

<u>ITEM</u>	<u>UNITS</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
a. Mobilization	-	Lump Sum	\$10,000
b. Final Contouring (dozer work)	8 Hrs	\$150	\$1,200
c. Apply 6" of intermediate soil cover over active waste area (5 acres)	4000 CY	\$1.50	\$6,000
d. Haul, place and compact 18" soil barrier layer over 45.3 acre area from on-site borrow area	110,000 CY	\$3.25	\$357,500
e. Apply 30" of final loose soil cover and topsoil over 45.3 acre area	183,000 CY	\$2.00	\$366,000
f. Vegetate site and borrow areas	50 Acres	\$200	\$10,000
g. Contingency	-	10%	\$75,000
Subtotal			\$825,700
h. Engineering, Inspection & QA/QC	-	20%	\$165,140
i. Boundary survey & deed notification	-	Completed	\$0
TOTAL CLOSURE COST			\$990,840

Note: All costs and quantities represent in-place volumes.

TABLE 2
CITY OF HARDIN LANDFILL
CLOSURE COSTS FOR ASH DISPOSAL AREA
(March 2010)

<u>ITEM</u>	<u>UNITS</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
a. Mobilization	-	Lump Sum	\$10,000
b. Final Contouring (dozer work)	8 Hrs	\$150	\$1,200
c. Apply 5.0 ft of final loose soil cover and topsoil over 39.8 acre area	326,000 CY	\$2.00	\$652,000
d. Vegetate site and borrow areas	50 Acres	\$200	\$10,000
e. Contingency	-	10%	\$67,000
Subtotal			\$740,200
f. Engineering, Inspection & QA/QC	-	20%	\$148,000
g. Boundary survey & deed notification	-	Completed	\$0
TOTAL CLOSURE COST			\$888,200

Note: All costs and quantities represent in-place volumes.

TABLE 3

**CITY OF HARDIN LANDFILL
POST CLOSURE COST ESTIMATE
(March 2010)**

CLASS II AREA

<u>ITEM</u>	<u>ANNUAL COST</u>
a) Monitor 3 methane wells four times/year	\$3,000
b) Conduct annual inspection & update cost estimates	\$1,100
c) Maintain cap, fencing, roads, etc.	\$2,200
d) Administration & contingency (10%)	<u>\$600</u>
TOTAL ANNUAL COST	\$6,900
TOTAL 30 YEAR COST	\$207,000

COAL ASH AREA

<u>ITEM</u>	<u>ANNUAL COST</u>
a) Conduct annual inspection & update cost estimates	\$500
b) Maintain cap, fencing, roads, etc.	\$2,000
c) Administration & contingency (10%)	<u>\$250</u>
TOTAL ANNUAL COST	\$2,750
TOTAL 30 YEAR COST	\$82,500

MAYOR
Riley Ramsey

PUBLIC WORKS DIRECTOR
Michael Hurff Jr.



POLICE CHIEF
Paul M. George Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

Request for Proposals

The City of Hardin, Montana is requesting proposals for Employee Group Benefits Coverage inclusive of medical, prescription, dental, vision and life insurance for the plan year beginning July 1, 2026 through June 30, 2027 (Initial Plan Year) and may be extended for additional years without calling for subsequent proposal at the discretion of the City of Hardin.

The proposals must be sealed, include five paper copies and one thumb drive with an electronic copy of the RFP of the proposal, include Attachment A, and be marked on the outside of the envelope "Employee Group Benefits Coverage Proposal", and must be submitted by March 24, 2026, by 3:00 p.m. to Andrew Lehr, Finance Officer/ City Clerk, 406 North Cheyenne Avenue, Hardin, MT 59034. It is the sole responsibility of the proposing firm to ensure that submissions are received prior to the closing time as late submittals will not be accepted and will be returned unopened.

Failure to submit all information as detailed on the Proposer's Document Checklist and/or submission of an unbalanced proposal are sufficient reason to declare a proposal as nonresponsive and subject to disqualification.

Copies of the detailed request for proposals (RFP), including a description of the services to be provided by respondents can be obtained by contacting Andrew Lehr, Finance Officer/City Clerk, 406 North Cheyenne Avenue, Hardin, Montana 59034, phone 406-665-9260 or by email cityfinance@hardinmt.com, reference in the subject line: Employee Group Benefits Coverage. The RFP can also be found on the City of Hardin website, hardinmt.com, under the public notices page.

Dated this 10th Day of March 2026

Andrew Lehr, Finance Officer/City Clerk

Publish: Billings Gazette – March 10 and March 17

Big Horn County News – March 11 and March 18

MAYOR
Riley Ramsey

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

REMINDER TO THE PUBLIC

APRIL - SEPTEMBER

ALL Sump Pumps **MUST** Discharge water outside and **NOT** into the Sanitary Sewer to redirect the drainage of surface runoff or ground water from the public sanitary sewer. Your compliance will help reduce sewage flows at City lift stations and at the Waste Water Treatment Plant.

The SUMP PUMP ORDINANCE requires that an approved system must be in place or a **monthly fee** will be added to the owners' sewer bill for six consecutive months, beginning in April of each year or until an approved discharge system is in place.

Certificates of Sump Pump Inspection are available at www.hardinmt.com/Notices.html or City Hall. For more information call 665-9260 Ext. 104

City of Hardin | 406 N. Cheyenne | Hardin, MT 59034 | 406-665-9260 Ext. 104 | hardinmt.com

MAYOR
Riley Ramsey

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr



Alley Clean-up

APRIL 6, 2026

Please have items out EARLY

Monday, APRIL 6, 2026

**City will be picking up items that are placed in the alley away
from trash cans, not obstructing entry way through alley.**

~Branches need to be less than 8 feet~

(NO tires. NO appliances that contain Freon.)

Thank you for allowing us the opportunity to serve the citizens of Hardin. Please follow us on the website, www.hardinmt.com, for extended details of the ordinances. Please contact us by phone, email, or simply stop by and let us know how we can improve our services.

City Hall at 665-9260
Ext. 104

City of Hardin | 406 N. Cheyenne | Hardin, MT 59034 | 406-665-9260 Ext. 104 | hardinmt.com

MAYOR
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FINANCE OFFICER/CITY CLERK
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City of Hardin Public Notice

The City of Hardin will be soliciting bids for contractors or individuals to mow lots/parcels within the city limits of Hardin. The contract will run from May 1, 2026 to October 31, 2026. Bids must include prices for large parcels, small parcels, branches, and miscellaneous clean up. Picture taking, the compilation of information, and job coordination with the city code enforcer is required. Individuals or contractors applying need to have their own tools and equipment as well as liability insurance. A list of equipment must be provided. Sealed bids need to be clearly marked on the outside of the envelope – **2026 Weed Mowing Bids** and should be received no later than 2:00 p.m. on Wednesday, April 8, 2026 at City Hall at 406 N. Cheyenne Avenue, Hardin, MT 59034, at which time the bids will be publicly opened at City Council Chambers located at 401 N. Cheyenne Avenue, Hardin, MT. For more details call 665-9260 Ext 104.

City of Hardin | 406 N. Cheyenne | Hardin, MT 59034 | 406-665-9260 Ext. 104 | hardinmt.com

BID FORM IS ATTACHED



WEED MOWING BID FORM

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The City of Hardin reserves the right to reject any or all bids, to waive informalities, to accept the bid that is in the best interest of the City of Hardin.

Contractor/Individual: _____

Address: _____

Phone: _____ Phone (Mobile): _____

Email Address: _____

Contact Person & Phone: _____

All bids are due by 2:00 p.m., Wednesday, May 8, 2026

Item Prices (**The per hour rate is per service, not per employee.**)

Large Lots/Parcels (larger than one acre): \$_____ / hour

Small Parcels : \$_____ / hour

Branches: \$_____ / hour

Miscellaneous clean-up: \$_____ / hour

Required: **A list of Tools and Equipment**

Proof of Liability Insurance

Signature: _____

Date: _____