

**PETITION PROCEDURE TO CREATE A RURAL SPECIAL
IMPROVEMENT DISTRICT (RSID) UNDER
MONTANA CODE ANNOTATED SECTION 7-12-2101**

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

1. Obtain a petition packet from the Missoula County Public Works Department located at 6089 Training Drive or download information from website www.missoulacounty.us/road. Each packet contains all the necessary documents to be filled out. Read the petition procedure carefully. If you have any questions or need clarification about the petition procedure, please contact the Public Works Department at 406-258-4753. Incomplete or inaccurate petitions will cause delays in the petition process.
2. Complete the cover sheet of the Petition to Establish a Rural Special Improvement District. Include the date submitted and the name, address, phone number and signature of the petitioner. (Section A)
3. Complete petition to establish Rural Special Improvement district and obtain signatures of at least **60%** of the property owners who consent to the creation of the proposed Rural Special Improvement District (Section B). Owners must sign their name as it appears in the Clerk & Recorder's office.

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

**Note* Percentage is based on method of assessment chosen in Step 7 below. For example, if method of assessment is by square footage then the petition must contain the signatures of the owners of 60% of the total square footage within the proposed district.*

4. Provide two (2) maps detailing the Rural Special Improvement District. Darken and/or highlight the map to clearly identify the proposed District boundary (Section C).

The proposed District boundary could be shown on the following:

- a) Subdivision Plat
- b) Certificate of Survey
- c) Missoula County's Online Property Information System

These maps are available at the Surveyor's Office (first floor of the county Administration Building, 199 W. Pine St.) or at the Public Works Department (6089 Training Drive) or online at <https://gis.missoulacounty.us/research/> .

5. Provide legal descriptions of the property within the proposed District (Section D).

Example:

- Lots 1-8, Block 1, Car Line Addition
- Lots 1-4, Block 2, School Addition

Other items that will identify your property are:

- Copy of a tax bill
- Tax ID # or Geocode #

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

- a) snow plowing/ice control
- b) road grading
- c) paving
- d) other

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

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

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

8. Future land splits. The district will need to determine how they wish to address future land splits. For instance, if an original tract of record within the district splits, either through

subdivision, exemption, court order, etc. then the district needs to determine how those new tracts should be assessed. (i.e., there are five tracts within the original district, someone does a family transfer, and there are now six tracts within the district. If the Equal Amount method is chosen from above, then does the equal assessment now get distributed between the six tracts of record or does the tract that was split get their assessment halved?) If Equal Amount is chosen, and it is preferred that no matter the number of tracts of record, each year the amount is divided against each tract within the district boundary regardless of creation method, each tract at the time of assessment must be equally assessed, then that needs to be stated within this form and within the resolution of creation.

9. Annexation. In the event that a city or municipality is proposing to annex the district (MCA 7-2-4732(5)), all of the district must be annexed at once and the responsibility of the district will then transfer to the city or municipality that is annexing the land. This needs to be stated within this form and within the resolution of creation.
10. Provide recommendations for property owners to serve on an Ad Hoc Committee for the proposed Rural Special Improvement District (Section G). *An Ad Hoc Committee is made up of property owners within the district that make recommendations on matters related to the Rural Special Improvement District expenditures to all the property owners within the district and to the Board of County Commissioners.*
11. Complete the “Consent of Property Owners in proposed rural special improvement district form” Section H.
12. Submit the petition and all necessary attachments to the Missoula County Public Works Department. Petitions must be submitted by Jan. 1 to be included on the November tax rolls. Petitions received after Jan. 1 will be accepted but the billing cycle will be the following tax year.
Example:
 Petition submitted Jan. 1, 2020, will be included on the November 2020 tax bill.
 Petition submitted March 1, 2020, will be included on the November 2021 tax bill.
13. The Board of County Commissioners will review the petition for the creation of a Rural Special Improvement District. If the Board finds that the proposed District benefits the properties listed in the petition, the Board will pass a Resolution of Intent to Create a Rural Special Improvement District. The County Clerk and Recorder will publish notice of the passage of the Resolution of Intent to Create the Rural Special Improvement District and mail a copy of the notice to each property owner within the proposed District.

At any time within 30 days after the date of the first publication of the notice of passage of the Resolution of Intent to Create a Rural Special Improvement District, any owner of property liable to be assessed for improvements or maintenance activities may make written protest against the proposed District. Written protests must be delivered to the County Clerk and Recorder.

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

14. If no protests are delivered to the County Clerk and Recorder within 30 days after the date of the first publication or when a protest filed is found by the Board to be insufficient or overruled, the Board of County Commissioners will appoint members to the Ad Hoc Committee and pass a Resolution Creating the Rural Special Improvement District.

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVER SHEET – SECTION A

TO: MISSOULA COUNTY BOARD OF COMMISSIONERS

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

Petitioner/Initiator (and/or) Contact Person:

NAME: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

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

Petitioner's Signature

Date

LIST ANY ADDITIONAL ATTACHMENTS OTHER THAN REQUIRED SECTIONS B - H:

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

MAPS OF PROPOSED DISTRICT BOUNDARY – SECTION C

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ESTIMATED ANNUAL MAINTENANCE COST – SECTION E

ACTIVITY	ESTIMATED COST
	\$
	\$
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: _____

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METHOD OF ASSESSMENT/FUTURE SPLITS – SECTION F

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

Future Splits:

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RECOMMENDATIONS FOR AD HOC COMMITTEE – SECTION G

NAME	EMAIL	PHONE
_____ Printed Name (Chair)	_____	_____
_____ Signature		
_____ Printed Name	_____	_____
_____ Signature		
_____ Printed Name	_____	_____
_____ Signature		
_____ Printed Name	_____	_____
_____ Signature		
_____ Printed Name	_____	_____
_____ Signature		

