

PETITION TO PLACE BOZEMAN WATER ADEQUACY INITIATIVE ON THE ELECTION BALLOT

If 15% of the registered voters in the City of Bozeman (City) sign this petition and the total number of voters signing this petition is 5,356, the vote to modify use of payment to the City of cash-in-lieu of water rights under Bozeman Municipal Code (BMC), Chapter 38, Article 4, Sec. 38.410.130.D will appear on the November 2025 ballot. If a majority of voters vote for this initiative at that election, it will become law. Then use of payment of cash-in-lieu of water rights under BMC Chapter 38, Article 4, Sec. 38.410.130.D will be restricted to require all residential development of three dwelling units or more to contain 33% or more of affordable dwelling units restricted by deed for 99 years or as long as the law allows at 120% or less of area median income (AMI) for sale or at 60% or less of AMI for rent.

We, the undersigned City of Bozeman voters, propose the City of Bozeman place the following language on the November 2025 ballot:

Statement of Purpose:

The Bozeman Water Adequacy Initiative amends 38.410.130.D of the Bozeman Municipal Code to allow development to pay cash-in-lieu of water rights only if the development provides 33% or more of the dwelling units as restricted by deed for 99 years or as long as the law allows and sold at 120% or less of area median income (AMI) or rented at 60% or less of AMI. This applies to all residential development of three units or more. The initiative also repeals the ability of residential development to satisfy its water adequacy requirements by implementing offsite water efficiency or conservation measures.

☐ For the Bozeman Water Adequacy Initiative

☐ Against the Bozeman Water Adequacy Initiative

Voters are urged to read the complete text of the Statement of Purpose and BMC Chapter 38, Article 4, Sec. 38.410.130.D. A signature on this petition is only to put the question to modify payment to the City of cash-in-lieu of water rights under BMC Chapter 38, Article 4, Sec. 38.410.130.D on the ballot and does not necessarily mean signer agrees with modifying payment to the City of cash-in-lieu of water rights under BMC Chapter 38, Article 4, Sec. 38.410.130.D.

WARNING

A person who purposefully signs a name other than the person's own name to this petition, who signs more than once for the same issue at one election, or who signs when not a legally registered Montana voter is subject to a \$500 fine, 6 months in jail, or both.

Each person is required to sign the person's name and list the person's address or telephone number in substantially the same manner as on the person's voter registration card or the signature will not be counted. In place of residence address, the signer may provide the signer's post office address or the signer's home telephone number.

Signature	Date Signed	Residence Address or Post-Office Address or Home Telephone Number	Printed Last Name, First Name, and Middle Initial	Office use only
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

COMPLETE TEXT OF BOZEMAN WATER ADEQUACY INITIATIVE

The below text amends subsection (D) of 38.410.130, Bozeman Municipal Code. Other subsections of 38.410.130, BMC, address additional provisions related to the City of Bozeman's Water Adequacy requirements which are not proposed to be amended.

Section 1. Section 38.410.130.D, BMC, is amended to read:

Sec. 38.410.130. - Water adequacy

D. The city will determine the estimated increase in annual municipal water demand attributable to the development. The applicant must offset the estimated increase in annual municipal water demand attributable to the development through one or more of the following means:

1. Transfer of water rights into city ownership that are appurtenant to the land being developed, or other water rights that may be available for transfer, that the city determines to be useful.
2. Implementation of onsite ~~and/or offsite~~ water efficiency and conservation measures that reduce the estimated annual municipal water demand attributable to the development by one or more of the following methods:
 - a. Installation of high efficiency indoor water using fixtures, appliances, and products that are more water efficient than city-adopted plumbing codes or state or federal minimum standards.
 - b. Installation of unirrigated, or minimally irrigated, drought resistant or drought tolerant landscaping that exceeds the minimum requirements of division 38.550 of this chapter.
 - c. Installation of high efficiency or water conserving irrigation componentry that exceeds the minimum requirements of division 38.550 of this chapter.
 - d. Installation of non-potable water supply systems for landscaping irrigation purposes.
 - ~~e. Other water efficiency and conservation methods brought forward as part of the development by the applicant that the review authority may at its discretion approve.~~
3. A ~~P~~ayment to the city of cash-in-lieu of water rights for that portion of the estimated annual municipal water demand attributable to the development that is not offset under subsections D.1 and D.2.

- a. Development of three or more residential dwelling units shall only be allowed to issue a payment to the city of cash-in-lieu of water rights if the development contains 33% or more of affordable dwelling units restricted by deed for 99 years or as long as the law allows at 120% or less of area median income (AMI) for sale or at 60% or less of AMI for rent. The affordable dwelling units must be of the same quality and size as those sold or rented at market rate. The affordable dwelling units must be evenly distributed among and within all buildings and floors in any such development as applicable. The city shall allocate the affordable dwelling units for sale and for rent by random lottery.
4. If any word, phrase, clause, sentence, or paragraph of this subsection be adjudged or held unconstitutional, illegal, or invalid, the same shall not affect the validity of this subsection as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.