

Education and Local Government Committee  
Questions for Panelists on Interim Zoning Panel  
Dec. 2009

**THIS IS A DRAFT; FINAL QUESTIONS WILL BE SENT TO ALL PANELISTS WHEN  
APPROVED BY ELG CHAIR AND VICE-CHAIR**

1. Please introduce yourself, identify your organization (if you are representing one), and explain why you are interested in interim zoning.
2. What do you see as the purpose of interim zoning?
3. Please provide a couple examples of emergency situations that you believe should prompt a board of county commissioners to propose an interim zoning district or interim zoning regulations in order to "promote the public health, safety, morals, and general welfare".
4. Other than including a protest provision (if you believe one is appropriate--see #4), does 76-2-206, MCA, need to be amended? Why?
5. Do you believe protest should be provided for when an interim zoning district or regulation is proposed? Should it mirror the protest provisions in 76-2-205 or should there be a different process when a board of county commissioners proposes interim zoning? What should that process be?
6. If you oppose providing for protest for interim zoning, do you have suggestions for compromise language or suggestions for some form of limited protest or protest with a short time limit?
7. Should the criteria for what constitutes an emergency be clarified?
8. Please explain your understanding of other mechanisms that a local government may employ in what may be considered an emergency situation to "promote the public health, safety, morals, and general welfare".
9. What is your understanding of "due process" and what constitutes a violation of due process rights?
10. Should a penalty be imposed on local governments that do not follow proper procedures when proposing or implementing interim zoning?
11. Do you believe case law has adequately clarified proper interim zoning processes and procedures?
12. If you could have an interim zoning bill drafted today that would accomplish your goals and provide (or enhance) clarity, what would it include?