

COUNCIL BILL NO. 15-7

ORDINANCE NO. 15-7

1 AN EMERGENCY ORDINANCE AMENDING SECTIONS 6.04.010, 6.04.020 AND
2 6.04.030 OF CHAPTER 6.04 OF THE BUTTE-SILVER BOW MUNICIPAL CODE
3 (B-SB MC) TO ALLOW DOGS IN THE PORTION OF SKYLINE PARK
4 DESIGNATED AS A DOG PARK IN TIME FOR ITS JUNE 27, 2015 OFFICIAL
5 OPENING DATE, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6 WHEREAS: the City-County of Butte Silver Bow, Montana
7 received a grant from the Natural Resource Damage
8 Program to construct an open space park.

9 WHEREAS: this open space park, named the Skyline Park was
10 recently completed and is scheduled to officially
11 open on June 27, 2015.

12 WHEREAS: a portion of Skyline Park was designed to include
13 a designated area for dogs.

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF COMMISSIONERS OF
15 THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA:

16 SECTION 1: All of the above recitals are incorporated
17 herein.

18 SECTION 2: The Council of Commissioners hereby finds that in
19 order to allow dogs in the area of Skyline Park
20 designated as a dog park by June 27, 2015, the
21 official opening date for such park, it is in the
22 best interests of the community to pass this

1 emergency ordinance to amend Sections 6.04.010,
2 6.04.020 and 6.04.030 of the BS-B MC.

3
4 SECTION 3: "6.04.010 Definitions. Within the provisions of
5 this chapter the following definitions shall
6 apply:

7 A-H. SAME.

8 I. "Dog Park" means an enclosed publically
9 owned area where dog owners may allow their dogs
10 to be off leash.

11 Renumber I - X as J - Y.

12 Z. The present tense shall include the past,
13 future and the present tense. Each gender shall
14 include all genders. The singular number shall
15 include the plural and the plural the singular."

16 SECTION 3: "6.04.020 Jurisdictional area. Except as
17 provided in Section 6.04.030 (D) of this chapter,
18 it is unlawful for any person owning or having
19 in charge any dogs or other animals to allow the
20 same to run at large within the following area of
21 Butte-Silver Bow: Beginning at the northwest
22 corner of Section 2, T. 3 N., R. 8 W., thence
23 easterly to northeast corner of Section 5, T. 3
24 N., R. 7 W.; thence southerly to the northwest

1 corner of Section 9, T. 3 N., R. 7 W.; thence
2 easterly to northeast corner of Section 10, T. 3
3 N., R. 7 W.; thence southerly to southeast corner
4 Section 22, T. 2 N., R. 7 W.; thence westerly to
5 southwest corner Section 19, T. 2 N., R. 7 W.;
6 thence northerly to northwest corner 19, T. 2 N.,
7 R. 7 W.; thence westerly to southwest corner
8 Section 14, T. 2 N., R. 8 W.; thence northerly to
9 southwest corner Section 35, T. 3 N., R. 8 W.;
10 thence westerly to southwest corner Section 34,
11 T. 3 N., R 8 W.; thence northerly to northwest
12 corner Section 27, T. 3 N., R. 8 W.; thence
13 westerly to southwest corner Section 20, T. 3 N.,
14 R. 8 W.; thence northerly to northwest corner
15 Section 17, T. 3 N., R. 8 W.; thence easterly to
16 northwest corner Section 14, T. 3 N., R. 8 W.;
17 thence northerly to the point of beginning.

18 B. Same."

19 Section 3: "6.04.030 Dogs and other animals prohibited on
20 certain public property - Exceptions.

21 A. Except as provided below in subsections B, C
22 and D of this Section 6.04.030, It is unlawful
23 for the owner of any dog or other animal to
24 permit the same, whether restrained or

1 unrestrained, to be on or in any park; to enter
2 any public pond, fountain, or stream in a public
3 park; or to enter any public playground, school
4 ground, or an public building. Any dog or other
5 animal so entering or trespassing on any such
6 property is declared to be a nuisance and shall
7 be immediately seized and impounded.

8 B. Same.

9 C. Same.

10 D. Dogs shall be allowed in a "dog park" as
11 defined in Section 6.04.010 of this chapter.

12 E. Upon conviction, the minimum fine for
13 violation of this section shall be made on a
14 graduated basis within a two-year period as
15 follows" first offense, fifty dollars; second
16 offense, one hundred dollars; third and each
17 subsequent offense, two hundred dollars."

18 SECTION 4: Effective Date. This Ordinance shall be in full
19 force and effect upon passage and approval.

20 SECTION 5: Termination Date. This Ordinance shall be in
21 full force and effect for a period of ninety (90)
22 days, unless otherwise repealed by the governing
23 body.

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PASSED this _____ day of _____, 2015.

CINDI SHAW
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this _____ day of _____, 2015.

MATT VINCENT
CHIEF EXECUTIVE

1 ATTEST:
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3 SALLY J. HOLLIS
4 CLERK AND RECORDER
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9 _____
10 BY _____
11 ITS _____
12 APPROVED AS TO FORM:
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17 _____
18 EILEEN JOYCE
19 COUNTY ATTORNEY
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21
22
23 _____
24 DAVID WALKER
CHAIRMAN, JUDICIARY COMMITTEE