

COUNCIL BILL NO. 15-8

ORDINANCE NO. 15-8

1 AN ORDINANCE AMENDING CHAPTER 6.04 OF THE BUTTE-SILVER BOW  
2 MUNICIPAL CODE (B-SB MC), SPECIFICALLY AMENDING SECTIONS  
3 6.04.010, 6.04.020 AND 6.04.030 TO ALLOW DOGS IN PARKS  
4 DESIGNATED AS DOG PARKS AND PROVIDING FOR AN EFFECTIVE DATE  
5 HEREIN.

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

8 SECTION 1: Amendment: Ordinance No. 133 Section 3 (A-K) and  
9 Section 6.04.010 of the Butte-Silver Bow  
10 Municipal Code (B-SB MC) shall be and are hereby  
11 amended to read as follows:

12 "6.04.010 Definitions. Within the provisions of  
13 this chapter the following definitions shall  
14 apply:

15 A-H. SAME.

16 I. "Dog Park" means an enclosed publically  
17 owned area as approved by the Council of  
18 Commissioners where dog owners may allow their  
19 dogs to be off leash.

20 Renumber I - X as J - Y.

21 Z. The present tense shall include the past,  
22 future and the present tense. Each gender shall

1 include all genders. The singular number shall  
2 include the plural and the plural the singular."

3 SECTION 2: Amendment: Ordinance No. 133 Section 1 and  
4 Section 6.04.020 of the Butte-Silver Bow  
5 Municipal Code (B-SB MC) shall be and are hereby  
6 amended to read as follows:

7 "6.04.020 Jurisdictional area. Except as  
8 provided in Section 6.04.030 (D) of this chapter,  
9 it is unlawful for any person owning or having in  
10 charge any dogs or other animals to allow the  
11 same to run at large within the following area of  
12 Butte-Silver Bow: Beginning at the northwest  
13 corner of Section 2, T. 3 N., R. 8 W., thence  
14 easterly to northeast corner of Section 5, T. 3  
15 N., R. 7 W.; thence southerly to the northwest  
16 corner of Section 9, T. 3 N., R. 7 W.; thence  
17 easterly to northeast corner of Section 10, T. 3  
18 N., R. 7 W.; thence southerly to southeast corner  
19 Section 22, T. 2 N., R. 7 W.; thence westerly to  
20 southwest corner Section 19, T. 2 N., R. 7 W.;  
21 thence northerly to northwest corner 19, T. 2 N.,  
22 R. 7 W.; thence westerly to southwest corner  
23 Section 14, T. 2 N., R. 8 W.; thence northerly to  
24 southwest corner Section 35, T. 3 N., R. 8 W.;

1                   thence westerly to southwest corner Section 34,  
2                   T. 3 N., R 8 W.; thence northerly to northwest  
3                   corner Section 27, T. 3 N., R. 8 W.; thence  
4                   westerly to southwest corner Section 20, T. 3 N.,  
5                   R. 8 W.; thence northerly to northwest corner  
6                   Section 17, T. 3 N., R. 8 W.; thence easterly to  
7                   northwest corner Section 14, T. 3 N., R. 8 W.;  
8                   thence northerly to the point of beginning.

9                   B.     Same."

10   Section 3:     Amendment:     Ordinance No. 133 Section 3 and  
11                   Section 6.04.030 of the Butte-Silver Bow  
12                   Municipal Code (B-SB MC) shall be and are hereby  
13                   amended to read as follows:

14                   "6.04.030 Dogs and other animals prohibited on  
15                   certain public property - Exceptions.

16                   A. Except as provided below in subsections B, C  
17                   and D of this Section 6.04.030, it is unlawful  
18                   for the owner of any dog or other animal to  
19                   permit the same, whether restrained or  
20                   unrestrained, to be on or in any park; to enter  
21                   any public pond, fountain, or stream in a public  
22                   park; or to enter any public playground, school  
23                   ground, or an public building. Any dog or other  
24                   animal so entering or trespassing on any such

1 property is declared to be a nuisance and shall  
2 be immediately seized and impounded.

3 B. Same.

4 C. Same.

5 D. Dogs shall be allowed in a "dog park" as  
6 defined in Section 6.04.010 of this chapter. Dogs  
7 shall be allowed, restrained by a leash in any  
8 park containing a designated "dog park" area,  
9 only for the purpose of traversing the park to  
10 reach the designated "dog park" area.

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

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

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20 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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\_\_\_\_\_  
CINDI SHAW  
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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MATT VINCENT  
CHIEF EXECUTIVE

ATTEST:

SALLY J. HOLLIS  
CLERK AND RECORDER

\_\_\_\_\_  
BY \_\_\_\_\_  
ITS \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
EILEEN JOYCE  
COUNTY ATTORNEY

\_\_\_\_\_  
DAVID WALKER  
CHAIRMAN, JUDICIARY COMMITTEE