
CITY OF DEER LODGE

COUNCIL AGENDA

January 24, 2022, | 6:00 PM | PC Community Center

1. Call Meeting to Order | Pledge of Allegiance

2. Public Comment: Members of the audience may comment on any non-agenda item. State Statute prohibits the City Council from discussing any introduced item. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.

3. Approval of Minutes

Regular Meeting: January 3, 2022

4. Public Hearing:

a. None

5. Department Reports:

a. CAO | b. Public Works | c. Police | d. Code Enforcement | e. Fire

6. Mayor and Council Concerns: (ONLY Concerns that are not on Business Items). This is a time when Council Members or Mayor can bring a concern before the Council that is not otherwise listed on the Agenda. NO action can be taken at this time. If action is necessary, the item is put on the next meeting agenda.

7. Continued Business Items: The Council will act on each item after accepting public comments.

8. New Business Items: The Council will act on each item after accepting public comments.

- a. Committee Assignments – Council President Bauman
- b. Board Appointments – Mayor Jess
- c. Fee Schedule – Jordan
- d. ARPA Discussion – Jordan

9. Next Meeting Announcement(s)

a. Regular Meeting – February 7, 2022, at 6PM

10. Adjournment

Deer Lodge City Council meets in the PC Community Center | 416 Cottonwood Ave | Deer Lodge, MT 59722

For Further Information, Contact | Cyndi Thompson | City Clerk | cthompson@cityofdeerlodgemt.gov | 406.846.2238

CITY COUNCIL

MINUTES

The City Council met on January 3, 2022, at 6 PM | City Hall Council Chambers

Members Present:	Dick Bauman, Robert Kersch, John Skibsrud, John Henderson, John Molendyke, Jackie Greenwood & Curt Fjelstad
Members Absent:	None
Mayor:	James Jess
CAO:	Jordan Green
Staff:	Police Chief Smith, Trent Freeman, Peter Elverum, Cyndi Thompson
Consultants	None
Guests:	See sign in sheet

1. Call Meeting to Order | Pledge of Allegiance

Mayor Jess called the meeting to order at 6 PM. All present recited the Pledge of Allegiance.

2. Public Comment.

a. None

3. Public Hearing.

a. None

4. Approval of Minutes.

a. Regular Meeting: December 20, 2021

Council President Kersch motioned to approve minutes as presented. Member Bauman seconded the motion. 5 Ayes, 0 No's, 2 Abstained & 1 vacant. Motion passed.

5. Committee Reports – Accepted as presented. (December report)

a. Council Ops – Rob Kersch (Chairperson)

December 13th - Conducted New Council Member / New Mayor Orientation. This included a review of the New Council Member Packet, City Council Bylaws & Rules and Procedures, Discussed scheduling city facility tours, City Title Overview and Resources for Newly Elected Officials

- b. Finance – Dick Bauman (Chairperson)
December 6th – No report from Finance.
- c. Economic Growth & Development – Mary Hathaway (Chairperson)
December 1st – Arrowstone Park Billboards: County Parks Board will keep smaller sign; City will use bigger sign close to town and will also be responsible for maintenance; Committee will coordinate with County Planner; Committee would like to have official city logo on the sign; Cyndi will come up with ideas to share at next meeting. Growth Policy Discussion: Grant discussed; Committee will form steering committee in 2022; send Jordan ideas besides dousing, hotels, BID. Grant Updates: Tourism—goal is to have kiosk signs completed by June 1, 2022; No Successful Deer Lodge update. Comments and Concerns: more specific discussion about Charter government. Question from public about beautification grants for sidewalks (none currently). Suggestion for John Henderson to Chair committee in 2022.
- d. Parks & Recreation - Amanda Bohrer (Chairperson)
December 14th – No Parks & Rec meeting.
- e. Public Health & Safety – Rob Kersch (Interim Chairperson)
December 9th – Regular Department reports for Police, Fire, Code Enforcement, and county Health. Update on Junk Vehicle Program, looking for alternatives. Hotel Deer Lodge update on making building safe from falling debris. Contractors will be using a lift to remove loose pieces from roof/facia. Building foundation is very sound. Will inspect rest of Building in the near future.
- f. Public Works – John Molendyke (Chairperson)
December 28th –Voted to approve moving forward with the Passenger Refueling Area Bid sending it to Finance Committee and Council. Discussed the Conestoga water/sewer main extension. Reviewed the updated PASER maps. Reviewed the WWTP truck repair and had a Public Works update.

6. Board Reports

- a. Airport Board – John Skibsrud
No meeting. No report.
- b. Powell County Parks Board – John Molendyke
Discussed Arrowstone Park, MOA, Billboards. Meeting for the Old Yellowstone Trail Molendyke was absent.
- c. Chamber of Commerce – John Henderson
Met on December 14th, Discussed chambers after hours meetings, recap of the 12 days of Christmas parade and stroll. Snowman event was successful. SW Montana Tourism received an update. Discussed grants and Jordan gave a City update. Grant Kohrs Ranch had a strong attendance. Changing chamber after hours meetings to quarterly meetings to help bring up the attendance. New board members.
- d. Headwaters RC&D – Vacant
No report.
- e. Historic Preservation – Vacant
No report.

- f. Landfill – Vacant
No report.
- g. LEPC – Rob Kersch
Had our first meeting, discussed getting to know the members and future agendas. Next meeting is January 8th.
- h. Library – Vacant
No report.
- i. Planning Board – Dick Bauman
No meeting. No report.
- j. Youth Board – Vacant
No report.

7. Continued Business (old/continued Business or Items Tabled)

- a. None

8. Business Items - The Council will act on each item after accepting public comments.

- a. Treasurer’s Report | December Claims - Judi Whitney. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.

Member Bauman motioned to approve December claims as presented. Member Henderson seconded the motion. 7 Ayes, 0 No’s, & 1 vacant. Motion passed.

- b. Interim Zoning Ordinance 2022-1 – Jordan

Member Bauman titled Ordinance 2022-1

AN INTERIM ZONING ORDINANCE BY THE DEER LODGE CITY COUNCIL TO PLACE MARIJUANA BUSINESSES AS CONDITIONAL USES IN THE B-1, CENTRAL BUSINESS DISTRICT AND B-2, HIGHWAY BUSINESS DISTRICT, AS WELL AS PROVIDE LOCAL REQUIREMENTS FOR LICENSING OF SAID BUSINESSES PURSUANT TO 16-12-207, MCA.

- The City of Deer Lodge Zoning Ordinance is amended to place marijuana businesses as identified in 16-12-301(1(d) as conditional uses in the B-1, Central Business District and B-2, Highway Business District.
- A Zoning Permit is required for the issuance of a conditional use permit in order to obtain approval by local building, health, and fire officials.
- Marijuana businesses must be located at least 1,000 feet from parks, day-cares, schools, postsecondary schools, and buildings used exclusively as a church, synagogue, or other place of worship. This distance will be measured in a straight line from property line to property line.
- A copy of this interim zoning ordinance shall be delivered to the Department of Revenue for the purposes of providing the department the local approval criteria for dispensary licenses.
- Ordinance #144 of the City of Deer Lodge is repealed in its entirety.

John Greenwood member of the public stated, we are looking at this through the eyes of protracted prohibition which has caused a lot of problems. There was not a huge weed problem in the 50’ or 60’s except in certain circles, and then we created a problem, and we are looking to continue a problem.

Member Henderson motioned to approve Ordinance 2022-1. Member Bauman seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

**Motion to move items c, d & e to the bottom of the agenda so we can complete item j, Council President Election so we may address the Bank Signature Authority Resolution. Member Henderson seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- c. Bank Authority Signature Peoples Bank, Resolution 2022-R-1 – Jordan

Member Skibsrud titled Resolution 2022-R-1.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA, ESTABLISHING SIGNATURE AUTHORITY AT PEOPLES BANK OF DEER LODGE, 430 MAIN STREET, P.O. BOX 599, DEER LODGE, MONTANA 59722.

Member Skibsrud motion to approve Resolution 2022-R-1. Council President Bauman seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- d. Bank Authority Signature Pioneer Federal Savings and Loan, Resolution 2022-R-2 – Jordan

Member Henderson titled Resolution 2022-R-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA, ESTABLISHING SIGNATURE AUTHORITY AT PIONEER FEDERAL SAVINGS AND LOAN ASSOCIATION, 401 MILWAUKEE AVENUE, DEER LODGE, MONTANA 59722.

Member Kersch motioned to approve Resolution 2-22-R-2. Member Skibsrud seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- e. Bank Authority Signature First Security Bank, Resolution 2022-R-3 – Jordan

Member Molendyke titled Resolution 2022-R-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA, ESTABLISHING SIGNATURE AUTHORITY AT FIRST SECURITY BANK OF DEER LODGE, 311 MILWAUKEE AVENUE, P.O. BOX 629, DEER LODGE, MONTANA 59722.

Member Skibsrud motion to approve Resolution 2022-R-3. Member Henderson seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- f. Passenger Refueling Area Bid Approval – Trent

Trent provided a letter of recommendation from Hydrometric, Inc for the Passenger Refueling Area Soil Removal for Milwaukee Roundhouse. We had six bidders, only three were qualifying bids, as the others did not acknowledge addendums, did not fill out bid price forms. The lowest responsible bidder was H&H Contracting Inc., in the amount of \$62,137.00 which is under bid. The letter states, this work is entirely funded via a Reclamation and Development Grant, Agreement No RIT-20-8891, administered by the Montana Department of Natural Resources and Conservation (DNRC) and funded by the 66th Montana Legislature in House Bill 652.

Member Bauman stated this was reviewed in Finance and approves the bid as presented. Council President Kersch seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- g. PASER Street Maps Informational – Trent
Trent provided street maintenance maps showing updated street repairs and upcoming projected street repairs. No motion, Information only.

Member Bauman stated he would like to put on the agenda for council Paul Thompson of Gillman Construction to come and explain the chip seal process and the added values to the city. Jordan replied, we can sit down with Public Works Supervisor Trent Freeman to discuss how to put him on the agenda and discuss preliminary what his ideas are. Mr. Freeman stated, if anyone has any questions on this project, he does have 20 years of experience in this field.

- h. Police Department Vehicles – Chief Smith
Approved thru Finance Committee under PD budgeted item. No discussion or vote.

- i. Security Camera Installation Approval – Jordan
An estimate was provided from K12 Montana, Inc for \$13,176.34 outlining the cost of cameras for City Hall, WWTP and City Shop. This was discussed in finance with the approval from Finance to include cameras at the Fire Department. This additional cost is \$4,000 for additional cameras. The funds supporting the cost will be ARPA funds. Finance approved the estimate and the additional cost for the FD cameras.

Council President Kersch motioned to approve the security camera installations as presented. Member Greenwood seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

- j. Council President Election – Rob
**Motion to move items c, d & e to the bottom of the agenda so we can complete item j. Council President Election so we may address the Bank Signature Authority Resolution. Member Henderson seconded the motion. 7 Ayes, 0 No's, & 1 vacant. Motion passed.

Mayor Jess read the letters from Rob Kersch and Dick Bauman running for the elected Council President position. (letters on file at City Hall)

Mayor Jess proceeded with the roll call vote:

Rob Kerch 2 Ayes, 5 Noes, 1 vacant

Dick Bauman 5 Ayes, 2 Noes, 1 vacant.

Mayor Jess stated the vote reflects new Council President will be Dick Bauman.

- k. Committee/Board Assignments - Rob
Waiting on request sheets from a couple of members. No quorum for Economic Growth & Dev so no meeting this month till the committees/boards are assigned. An alternate member was mentioned for future meetings (as needed).

9. Schedule of Committee Meetings – Tentative until confirmed by Committee Chairs.

- Council #2 – January 18th at 6PM
- Board of Adjustment – No Meeting
- City Council Operations – January 10th at 5PM
- Economic Growth & Dev – January 5th at 1PM
- Finance – January 3rd at 3PM
- Parks and Recreation – January 12th at 4PM
- Planning Board – January 18th at 10AM (if needed)
- Public Health & Safety – January 13th at 5PM
- Public Works – January 25th at 5PM

10. Mayor & Council Concerns: (ONLY Concerns that are not on Business Items). This is a time when Council Members or Mayor can bring a concern before the Council that is not otherwise listed on the Agenda. NO action can be taken at this time. If action is necessary, the item is put on the next meeting agenda.

- a. Jordan Council vacancy, ward 1, letter of interest for a 2-year position. 30 days to fill the vacancy.
- b. Jordan MSU Local Government Training on Monday, January 10th at 5pm at the PC Community Center. This is in leu of the Council Ops meeting.
- c. Member of the public Mike Clasby missed the public comment time and expressed interest in expanding the campground towards Cottonwood Creek for additional Camping/RV sites.
- d. Member Molendyke thanked Rob Kersch for his years of service as Council President. All applauded.

11. Next Meeting Announcements

- a. Regular Meeting: Tuesday, January 18, at 6 PM. – Monday January 17th, Martin Luther King Day City Hall Closed.

12. Adjournment

Mayor Jess adjourned the meeting at 7:11PM.

Prepared By: Cyndi Thompson, City Clerk

James Jess, Mayor

Date

CITY OF DEER LODGE

CAO REPORT

January 2022

PROJECT SUMMARIES

Municipal Budget

- Rural Fire District contract has been renegotiated. I am rewriting contract and will present to RFD and Finance Committee for approval and signing.
- Have requested department head draft budgets for next fiscal year. Will begin meeting with department heads as soon as they are ready.

City Planning

- Successful Deer Lodge: received rough working draft of Successful Deer Lodge Community Profile from Randy Carpenter. Will meet with him in early January to discuss some more community-related topics.
- Working on contract and logistics with Nitro Green landscaping for pruning and replacement of Main St trees.
- County Parks Board Trails Subcommittee is refocusing on using City/County Parks and Trails for events. Anyone who is interested in joining the Park/Trail subcommittee should contact the Powell County Planning Department.
- Have sent out in-kind and material donations list for the skatepark. Getting donations will help improve the size and quality of the skatepark. Have had first meeting with developers, who are in design process for the park at this time.
- Finalizing surveys on two property abandonments approved by City Council in 2021. Will have survey exhibits and deeds for final Council approval within a month.

Grants

- Received notice that we were awarded \$30,000 for a new Growth Policy through the Community Development Block Grant (CDBG) Planning Grant Program. Have had preliminary meeting with grant administrator, and have sent over necessary documents. Waiting for contract to sign.
- Will apply once open for the Department of Commerce Recovery Destination Event Grant to help fund events in Deer Lodge next season.
- DES Homeland Security grant will be opening in January. Grant cycle ends in March 2022. Coordinating with Police Department to find a good project to justify applying for this funding.
- FEMA Pre-Disaster Mitigation Grant buy/sell is signed but is being amended to having a closing date of February 15, 2022 due to owner needs. Asbestos inspection was January 12th. Waiting on results.
- Stahly is working on sign design ideas for the Tourism Grant kiosk project. Stahly designer is inquiring about digital signage costs. Have received initial design drafts and

am setting up meeting with Stahly designer to discuss. Helped create and review survey to determine impact of project per grant requirements.

- Planning on applying for BRIC grant once the cycle opens later this year.
- DEQ Brownfields Department has applied for a brownfield grant on behalf of the City and County superfund sites.
- Working with Powell County School District on using American Rescue Plan (ARPA) funding for improvements to mental health capacity in the High School.
- Submitted two ARPA competitive grant applications for well and I & I projects. Expecting a high score on the I & I project.
- Have begun looking at competitive grant opportunities through federal infrastructure bill.
- Currently rewriting Montana Historical Preservation Grant (MHPG) application for City Hall facade repairs and Preliminary Architectural Report (PAR). Application submitted several years ago did not rank well and have attended trainings on how to make this application more competitive.

City Hall & Employees

- iWorQ code enforcement and building permitting software up and running and is being used by City Staff. All historic building permit data is now in system.
- Suzan is on light duty for the time being due to spraining an ankle while chasing a dog.
- Finding replacement of Code Enforcement Truck so the position can have a more reliable vehicle.
- City facility cameras will be installed January 31st.
- Interviewed four candidates for Treasurer position. Have contacted references and hiring committee hopes to make final decision by end of month.
- Scheduling Youth Room electrical repairs and getting screens replaced as soon as possible.

Floodplain Administration

- Received first draft of new floodplain boundaries from DNRC. So far, very minor changes to floodplain boundaries in Deer Lodge. City should expect final updated maps in 2025.

Economic Development

- Applied for a Rural Reimagined grant with County Planning Director and Extension to aid in local business and tourism education. Expecting feedback in next several weeks.
- I am a member of two Headwater's workforce committees which have been meeting monthly. We are working on economic development information handouts for both businesses and employees in SW Montana, which will soon be available.
- Will be attending stakeholder meetings for 2022 pageant planning.

INTEREST ITEMS FOR CITY COUNCIL

- Hazardous materials fully removed from Hotel Deer Lodge per Public Health and Safety Committee request to non-profit.

- We have not at this time received any letters of interest for vacant Council member appointment.
- All Titles except Title 1 submitted to American Legal for legal review. Awaiting feedback before we pass Title 1, which will be last step for codification.

COVID-19 RESPONSE

Currently the Administrative Office is moving forward on anticipated projects while working safely, practicing enhanced hygiene, and using personal protective equipment as directed.

CITY OF DEER LODGE

Public Works Report

December 2021/January 2022

PROJECT SUMMARIES

Street Maintenance

- Sanding
- Snow Removal
- Replace street signs (bent poles, blown off signs, etc.)

Sewer Utility

- Annual Maintenance of Sewer Mains
- Annual Maintenance UV Lamp Replacement at the WWTP
- Monthly calibration of all WWTP probes
- Replace belts on Bioreactor Blowers
- Generator Water Pump Repair at the WWTP

Parks and Rec

- Nothing to report

Water

- Nothing to Report

Solid Waste

- Running two trucks during the holidays

Mosquito Abatement

- Attended the annual conference in Great Falls

INTEREST ITEMS FOR CITY COUNCIL

- Passenger Refueling Area Soil Removal Project Contractor selected and approved
- Started discussions with Developer regarding Conestoga Main Utility Extensions
- Attended the special Council Meeting for Council Etiquette and Procedures

COVID-19 RESPONSE

Currently the Public Works Crew is moving forward on anticipated projects while working safely, practicing enhanced hygiene, and using personal protective equipment as directed.



CHIEF OF POLICE
George Smith

CITY OF DEER LODGE

Police Department

300 Main St. Deer Lodge, MT. 59722

Phone: (406) 846-9585

Fax: (406) 846-2500

December 2022, Police Department Report

Total Calls for Service: 137

Total Citations: 34

Traffic Stop: 47

911 Open Line: 1

Alarm - Gas/CO2: 1

Alarm - Non-Residential: 2

Alarm - Residential: 1

Animal - Complaint: 12

Assault: 1

Care for Sick/Injured: 2

Citation Service: 1

Courtesy Ride: 4

Disturbance: 2

Domestic - Nonviolent: 1

Extra Patrol Requested: 1

Harassment: 3

Hit and Run: 1

Missing Person(s) - Juvenile: 1

Motorist Assist: 1

Open Burning Violation: 1

Parking Complaint: 1

Parking Violation: 1

Probation Officer Check: 4

Reckless Driving: 2

Ambulance Assists: 6

Request Officer: 5

Request Wrecker: 1

Suspicious Vehicle(s): 2

Theft Motor Vehicle: 1

Threat(s): 2

Traffic Accident - Non-Injury: 3

Traffic - Complaint: 2

Traffic - Slide Off: 3

Traffic - Stranded Motorist: 1

TRO Violation: 1

Unsecure Premises: 1

Unwanted Person(s): 1

Vandalism: 6

Welfare Check: 8



CODE COMPLIANCE REPORT

December 2021

HIGHLIGHTS

- 29 calls of dogs at large, 4 citations written, 8 posted warnings for dog at large, the rest verbal warnings.
- Junk vehicle on Clark towed after 5 postings. Car towed blocking alleyway and impounded.
- Dog given to the city from Granite County. Dog considered vicious after it killed a neighbor's dog while walking it. Dog held for 10 days. I worked with the Anaconda Judge, and we gave it a second chance with the Montana Pettie Project since it had no issues with people. The dog is required to stay out of Powell and Granite County as a condition of release.
- Dog held due to roll-over accident and released the next day.
- Dog held for Sheriff's office due to man jailed for DUI, dog given to his sister.
- 1 puppy thrown from truck and taken to the vet. Truck driver is still unidentified. After clear bill of health puppy adopted out. Her name is pumpkin.

PROJECT SUMMARIES

- 23 cases still open overall
- 6 posted warnings for vehicles blocking the alleyway and trash cans.
- CJIN training done and will become very helpful when starting the Junk Vehicle program.
- Property owner of 517 Conley was sent his first letter as no compliance from Nephew was seen. Nephew no longer lives at address and Mr. Kiss will down in the spring to aid in clean up.
- Community workers still owe hours for the court but have been sick with COVID.

INTEREST ITEMS FOR CITY COUNCIL

- Called the IVY about their old transport van to refurbish for animal control vehicle, other avenues are also being looked into.
- Butte Airport is on the agenda to speak to Sanitation about an impound lot.

STAFFING CONCERNS

- Truck is still in shop.
- I fell and injured myself chasing a dog through playground chasing kids. On restrictive duty.
- Have a Merry Christmas and a Happy New Year.



FIRE DEPARTMENT REPORT

DECEMBER 2021

HIGHLIGHTS

- 2 calls for service in December
 - 1 confined space rescue. Person passed out in sub floor molasses holding tank. Has since made a full recovery.
 - 1 car vs light pole on the interstate on ramp. Crews protected the scene until Northwest Energy was dispatched.

INTEREST ITEMS FOR CITY COUNCIL

- No new business to speak of. As it was a quiet holiday season

City of Deer Lodge Fee Schedule

LEGEND

- *: Fees marked with an asterisk are set by resolution.
- #: Fees marked with a pound sign are set by ordinance and cannot change without a City Code Title Change.
- !: Fees marked with an exclamation point are not clearly defined.
- ^: Fees marked with a caret are being set by resolution, but there is also an ordinance description.
- ~: Fees marked with a tilde are not defined in City Code but are implied to exist.
- @: Fees marked with an at sign are bond-satisfaction rates and should not be changed

TITLE 1: GENERAL PROVISIONS

- ❖ Fees, Licenses, or Permits: None
- ❖ Fines/Penalty: Title 1 GENERAL PROVISIONS: Chapter 1.08: GENERAL PENALTY contains the basis for all Fines that are not specifically identify in the City Code of Deer Lodge.

1.08.010: GENERAL PENALTY

- A. Whenever in any provision of this Code or other ordinance of the City any act is prohibited or is made or declared to be unlawful, a misdemeanor or an offense, or whenever in any such provision or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is otherwise provided therefor, any person upon conviction for the violation of any such provision of this Code or ordinances shall be punished by a fine not exceeding five hundred dollars (\$500.00) for the first or second like violation or in the event of a third or subsequent like violation by imprisonment not to exceed six (6) months or by both such fine and imprisonment, for each such offense.
 - 1. Each day any violation of any ordinance shall continue, shall constitute a separate offense.
 - a. Provisions for first, second, third, or subsequent violations described in A. above do not apply in the event of a continuation of offense as described in A.1. above.
- B. In the construction and interpretation of this section, the revocation of a license or permit shall not be considered as a recovery or penalty so as to bar any other penalty being enforced.

(Ordinance 1 – 1/17/1980: Effective 1/17/1980)

1.08.020: EXECUTION OF A FINE.

- A. If the judgment is for a fine alone, execution may issue thereon as on a judgment in a civil case.
- B. A judgment that the defendant pay a fine may also direct that he be imprisoned until the fine be satisfied, in the proportion of one day's imprisonment for every ten dollars (\$10.00) of the fine.

TITLE 2: ADMINISTRATION AND PERSONNEL

- A. No Fees, Licenses, Permits, or Fines
- (Ordinance 2019-6 – 08/19/2019: Effective 08/19/2019)*

TITLE 3: REVENUE AND FINANCE

- A. No Fees, Licenses, Permits, or Fines

TITLE 4: SEWER AND WATER

- A. Fees, Licenses, Permits, Cost of Service
 - 1. Public Works Call Out Fees [4.13.040]
 - a. During Normal Work Hours (8:00 AM – 5:00 PM, Monday – Friday)..... \$0.00*

	b.	After Hour Work Week Rate (Monday - Friday)	\$200.00*
	c.	Weekends	\$300.00*
	d.	Holidays	\$400.00*
	NOTE: FEES DO NOT INCLUDE ANY OTHER ADDITIONAL EXPENSES INCURRED.		
2.	Water Line Attachment Fee [4.20.020.A]		
	a.	¾"	\$773.00#
	b.	1"	\$1,187.00#
	c.	1.5"	\$2,045.00#
	d.	2"	\$3,140.00#
	e.	3"	\$5,196.00#
	f.	4"	\$8,546.00#
	g.	6"	\$16,831.00#
	NOTE: Owner also responsible for all other permit and tapping fees and/or incidental expenses of materials and manpower.		
3.	Sewer Line Attachment (Development) Fee (Based on size of freshwater line). <u>These fees are in addition to development expenses.</u> [4.19.020, 4.19.030]:		
	a.	¾ Inch	\$478.00*
	b.	1 Inch	\$732.00*
	c.	1 ½ Inch	\$1,264.00*
	d.	2 Inch	\$1,937.00*
	e.	3 Inch	\$3,214.00*
	f.	4 Inch	\$5,251.00*
	g.	6 Inch	\$10,402.00*
2.	Residential and Commercial Permit Fee [4.04.020.A.1.] \$75.00*		
3.	Industrial Waste Establishment Permit Fee [4.04.020.A.3.] \$500.00*		
4.	Sprinkling		
	a.	Automatic Sprinkler Registration [4.18.065.B.]:	\$0.00*
		1.) No Charge, but Automatic Sprinkling System Registration Form Must be Completed.	
	b.	Sprinkling Variance for New Lawn	\$0.00*
		1.) No Charge, but Must Notify City in Writing. Valid for 2 weeks.	
5.	Private Disposal Permit Fee [4.03.010]: Set by Powell County Environmental Health Department#		
6.	Water/Sewer/Garbage Service Deposit [4.12.130]: \$100.00*		
7.	Monthly Water Charge [4.10.070, 4.16.010]		
	a.	Within the Corporate Limits of Deer Lodge:	
		1.) Residential	
		a.) Flat Rates	
		i.) Pipe Size	
		(a.) ½, ¾, 1 Inch	\$25.43@
		(b.) 1 Inch	\$39.08@
		(c.) 1 ¼ Inch	\$54.94@
		(d.) 1 ½ to 1 ¾ Inch	\$57.32@
		(e.) 2 Inch	\$103.34@
		(f.) 2 ½	\$161.036@
		(g.) 3 Inch	\$171.00@
		(h.) 4 Inch	\$281.26@
		(i.) 5 Inch	\$407.08@
		(j.) 6 Inch	\$554.13@
		b.) Meter Rates	
		i.) Pipe Size	
		(a.) ½, ¾, 1 Inch	\$19.59@
		(b.) 1 Inch	\$30.08@
		(c.) 1 ¼ Inch	\$42.26@
		(d.) 1 ½ to 1 ¾ Inch	\$51.77@
		(e.) 2 Inch	\$79.50@
		(f.) 2 ½	\$103.12@
		(g.) 3 Inch	\$131.56@

- (h.) 4 Inch\$216.346@
- (i.) 5 Inch\$313.456@
- (j.) 6 Inch \$426.27@
- ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.52 per 100 ccf@
Over 50 ccf	\$2.184 per 100 ccf@

1.) **Commercial**

a.) Flat Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch \$29.38@
- (b.) 1 Inch \$45.11@
- (c.) 1 ¼ Inch \$63.39@
- (d.) 1 ½ to 1 ¾ Inch \$77.69@
- (e.) 2 Inch \$119.25@
- (f.) 2 ½ \$154.674@
- (g.) 3 Inch \$197.31@
- (h.) 4 Inch \$324.53@
- (i.) 5 Inch \$470.171@
- (j.) 6 Inch \$639.39@

b.) Meter Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch \$23.52@
- (b.) 1 Inch \$36.10@
- (c.) 1 ¼ Inch \$50.70@
- (d.) 1 ½ to 1 ¾ Inch \$77.69@
- (e.) 2 Inch \$119.25@
- (f.) 2 ½ \$123.75@
- (g.) 3 Inch \$197.31@
- (h.) 4 Inch \$324.53@
- (i.) 5 Inch \$376.18@
- (j.) 6 Inch \$639.39@

ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.327 per 100 ccf@
Over 50 ccf	\$2.00 per 100 ccf@

b. **Outside the Corporate Limits of Deer Lodge:**

1.) Residential

a.) Flat Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch \$27.61@
- (b.) 1 Inch \$42.43@
- (c.) 1 ¼ Inch \$59.66@
- (d.) 1 ½ to 1 ¾ Inch \$73.09@
- (e.) 2 Inch \$112.19@
- (f.) 2 ½ \$145.54@
- (g.) 3 Inch \$185.67@
- (h.) 4 Inch \$305.36@
- (i.) 5 Inch \$442.40@
- (j.) 6 Inch \$601.63@

b.) Meter Rates

- i.) Pipe Size
 - (a.) ½, ¾, 1 Inch \$21.27@
 - (b.) 1 Inch \$32.66@
 - (c.) 1 ¼ Inch \$45.89@
 - (d.) 1 ½ to 1 ¾ Inch \$56.21@
 - (e.) 2 Inch \$86.31@
 - (f.) 2 ½ \$111.96@
 - (g.) 3 Inch \$142.83@
 - (h.) 4 Inch \$234.88@
 - (i.) 5 Inch \$340.31@
 - (j.) 6 Inch \$462.80@
- ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.11 per 100 ccf@
Over 50 ccf	\$1.82 per 100 ccf@

2.) Commercial

a.) Flat Rates

- i.) Pipe Size
 - (a.) ½, ¾, 1 Inch \$31.90@
 - (b.) 1 Inch \$48.98@
 - (c.) 1 ¼ Inch \$68.81@
 - (d.) 1 ½ to 1 ¾ Inch \$84.34@
 - (e.) 2 Inch \$129.47@
 - (f.) 2 ½ \$167.93@
 - (g.) 3 Inch \$214.23@
 - (h.) 4 Inch \$352.35@
 - (i.) 5 Inch \$510.47@
 - (j.) 6 Inch \$694.20@

b.) Meter Rates

- i.) Pipe Size
 - (a.) ½, ¾, 1 Inch \$25.53@
 - (b.) 1 Inch \$39.20@
 - (c.) 1 ¼ Inch \$55.06@
 - (d.) 1 ½ to 1 ¾ Inch \$67.47@
 - (e.) 2 Inch \$99.70@
 - (f.) 2 ½ \$134.36@
 - (g.) 3 Inch \$171.42@
 - (h.) 4 Inch \$281.90@
 - (i.) 5 Inch \$408.42@
 - (j.) 6 Inch \$555.41@

ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.52 per 100 ccf@
Over 50 ccf	\$2.18 per 100 ccf@

- c. Short Term Water Responsibility Discontinuance Monthly Charge..... To Be Determined (Water Bond)@
 - 1.) Covers base infrastructure cost.
- d. Discontinuance/Disconnection [4.12.040]: Owner's Expense
- e. Reconnection Fee [4.12.050.A.]: \$100.00*

2. Monthly Sewer Charge [4.10.070] Evaluated at a minimum of biannually [4.10.050]:

a. Within the Corporate Limits of Deer Lodge:

- 1.) Residential..... \$42.31*
- 2.) Commercial \$42.31*

b. Outside the Corporate Limits of Deer Lodge:

- 1.) Within City Limits \$42.31*
- 2.) Outside City Limits \$42.31*
- c. Short Term Sewer Responsibility Discontinuance Monthly Charge [4.10.071.B]: \$12.87@
 - 1.) Covers base infrastructure cost
- 3. Discontinuance/Disconnection [4.10.071]: Owner's Expense
- 4. Extension of Water Main [4.12.030]: Cost Borne by Owner

B. Fines/Penalties

- 1. Watering Hours/Method Violations (Includes Automatic Sprinkling System Violations) [4.18.080/4.12.060.Q] – Currently in Water Shortage Double Penalty Stage due to loss of one well [4.18.070]
 - a. First Offense \$25.00 x 2=\$50.00^
 - b. Second Offense..... \$40.00 x 2=\$80.00^
 - c. Third Offense \$60.00 x 2=\$120.00^
 - d. Fourth Offense \$80.00 x 2=\$160.00^
 - e. Open Hose [4.18.060]..... \$125.00 x 2=\$250.00*
- 2. Clear Water Connection Penalty [4.04.080/4.09.020]:..... <= \$500.00*
- 3. Discharge of Unpolluted Waters Penalty [4.05.010/4.09.020]:..... <= \$500.00*
- 4. Discharge of Specified Waters or Waste Penalty [4.05.030/4.09.020]:..... <= \$500.00*
- 5. Exceeding Specified Substances, Materials, Waters, Waste Limits [4.05.040/4.09.020]: <= \$500.00*
- 6. Sewer Destruction Penalty [4.06.010/4.09.010/4.09.020]: <= \$500.00*
 - a. Immediate Arrest on Charge of Disorderly Conduct
- 7. Discharge of Specified Waters or Waste Penalty [4.05.030/4.09.020]:..... <= \$500.00*
- 8. Liability to City for Expense, Loss, Damage Due to Violation [4.09.030]: **Actual Cost**
- 9. Monthly Water and Sewer Charge Late Fee [Not Defined]: \$1.5% of Total
- 10. Two Month Late Disconnect Fee [Not Defined]: \$25.00
- 11. Discontinued Water Service Reconnection/Usage without Authorization [4.12.050.D]:
 - a. Reconnection Fee: \$25.00 during business hours, otherwise per Public Works Callout Fee Schedule#
 - b. Owner additionally liable for all monthly charges since disconnect date
- 12. Discontinued Sewerage Service Reconnection/Usage w/o Authorization [4.10.070.D]:
 - a. Reconnection Fee Included with Water Connection Fee.#
 - b. Owner additionally liable for all monthly charges since disconnect date#
 - c. Willful and Blatant reconnection could result in denial of future discontinuation of service applications.#
 - 1.) Denial must state specific reasons.
 - 2.) This action can only be resolved by appeal to the City Council within 30 days of denial.
- 13. Non-Compliance with Phosphorus Compound Discharge to Wastewater [4.11.070]:
 - a. First Offense Notification by City Clerk, with 10 Days to comply#
 - b. Non-Compliance after 10 Days:..... Misdemeanor#
- 14. Each Violation of This Chapter [4.11.070]: \$50.00 to \$500.00#
 - a. Each day violation continues counts as a separate violation

TITLE 5: BUSINESS LICENSES AND REGULATIONS

- 1. Fees, Licenses, or Permits [5.02.050: LICENSE SCHEDULE OF FEES]
 - a. Annual Business License Fees [5.02.020: A]
 - 1.) Term: July 1, Current Year through June 30, Following Year
 - 2.) License:
 - a.) General Business License (Per Business/Branch) [5.02.040]: \$125.00*
 - b.) Non-Resident General Business License (Per Business/Branch): \$150.00!
 - c.) Contractor's Business License: \$50.00*
 - i.) Term: Maximum of 6 months*
 - d.) Major Home Occupation Business License (Per Business/Branch): \$50.00*
 - i.) Home Business Assessment Required to Verify Home Business Type
 - ii.) Requires Conditional Use Permit:..... \$100.00*
 - (a.) This permit cost includes the first year's Major Home Occupation Business License Fee.
 - e.) Minor Home Occupation Business License (Per Business/Branch): \$25.00*
 - i.) Home Business Assessment Required to Verify Home Business Type

- f.) Non-Profit Business License [5.02.080: E]: \$35.00*
 - i.) Must provide IRS documentation#
- g.) Pawn Broker License [5.04.020: A]: \$125.00*
 - i.) Proof of Liability Insurance Required [5.04.110]#
- b. Special Business License Fees
 - 1.) Transient Retail Merchant License [5.02.084: E.]: \$20.00*
 - a.) Term: Up to 1 year#
 - 2.) Itinerant Vender License [5.02.086.B.]: \$50.00*
 - a.) Term: 90 (Ninety) Days#
 - b.) Proof of Liability Insurance Required [5.02.086.E.]#
- c. Amusement Event License [5.02.090: A]: \$50.00*
 - 1.) Term: Designated Period of Time
 - 2.) License required for assessment of services.
- d. Amusement Event Permit [5.02.090: A]: \$0.00#
 - 1.) Term: Designated Period of Time
 - 2.) Applies only to Events held within the property boundary of the establishment, otherwise, an Amusement Event License is required.
 - 3.) Permit required for assessment of services.
- e. Duplicate Business License [5.02.060: H]: \$25.00*
- 2. Fines/Penalties
 - a. Failure to Display Business License [5.02.050: G]: \$25.00*
 - b. Business License Late Fee [5.02.050: C] 50% of Business License Fee#
 - c. Failure to Obtain Business License [5.02.050: F/.070.D] 150% of Business Fee + Late Fees#
 - 1.) This is a misdemeanor.
 - 2.) Every day that business is conducted without a license is a separate offense.
 - d. Failure to Obtain Transient Retail Merchant License [5.02.084: C]: Double the License Fee#
 - e. Pawn Broker Fines [5.04.170 Per 1.08.010: GENERAL PENALTY, including the following]
 - 1.) Fine: Not to Exceed 500.00#
 - 2.) Violation of Article may result in revocation of license.
 - 3.) Every day of failure to comply is a separate offense.
- 3. Refund of Overpayment [5.02.050: E]
 - a. Whole or In Part.
 - 1.) Providing written notice of overpayment is filed with the City within 30 days from the last day of the month of the overpayment.
 - 2.) City determines validity and amount of refund, if any.
- B. Alcohol Licenses [5.06: REGULATION OF ALCOHOLIC BEVERAGES]
 - 1. Fees, Licenses, or Permits
 - a. Term: July 1, Current Year through June 30, Following Year
 - b. Prorates/Refunds: License fee may be prorated, but not refunded.
 - c. Licenses [5.06.050.A.7.]:
 - 1.) Liquor License (All Beverages): \$275.00*
 - 2.) Beer and Wine License: \$225.00*
 - 3.) Beer License: \$175.00*
 - 4.) Brewery License: \$225.00*
 - 2. Fines/Penalties
 - a. Failure to Display License [5.06.090/5.06.180]: Per 1.08.010#
 - b. Revocation of State License results in revocation of City License. [5.06.130]
 - c. City Judge is bound by State Law to report convictions within 10 days. [5.06.170]
 - d. Violations punishable by 1.08.010 [5.06.180]
 - e. Minors (under age 21) Penalty as per the MCA for minor in possession of alcohol
- C. Gambling Licenses [5.08: GAMBLING REGULATIONS]
 - 1. Fees, Licenses, or Permits [5.08.010]: License is issued by the State of Montana
- D. Handbill Regulations [5.14: HANDBILL REGULATIONS]
 - 1. Fines/Penalties [5.14.030] Violations Punishable by 1.08.010.#
- E. Sign Regulations [5.16: PROHIBITING PLACING OF SIGNS ON UTILITY & TRAFFIC CONTROL DEVICES]

- 1. Fines/Penalties [5.16.030] Violations punishable by 1.08.010#
- F. Television Cable Fees [5.18: TELEVISION CABLE SYSTEMS]
 - 1. Fees, Licenses, or Permits [5.18]
 - a. As Negotiated with Television Cable Provider. See Title 13: FRANCHISES
- G. Parade Licenses [5.20: LICENSING PARADES]
 - 1. Fees, Licenses, or Permits [5.20.030]
 - a. Parade Permit [5.20.020]: No Fee#
 - b. Conditions:
 - 1.) Permit must be obtained a minimum of 7 days prior to event.
 - 2. Fines/Penalties
 - a. Violation of Provisions [5.20.050]: Not Less than \$1.00 or more than \$100.00#

TITLE 7: HEALTH AND WELFARE

- A. Fees, Licenses, Permits, and Cost for Service
 - 1. Monthly Garbage Collection Charge (within City Limits) [7.02.110]
 - a. Residential
 - 1.) Regular Container: \$14.00*
 - 2.) Extra Container: \$6.00*
 - 3.) Additional Pickup Per Occurrence: \$5.00*
 - b. Commercial
 - 1.) Large Container: \$26.00*
 - 2.) Extra Container: \$11.00*
 - 3.) Additional Pickup Per Occurrence: \$5.00*
 - 2. Monthly Garbage Collection Charge (outside City Limits) [7.02.110]
 - a. Residential
 - 1.) Regular Container: \$16.00*
 - 2.) Extra Container: \$7.00*
 - 3.) Additional Pickup Per Occurrence: \$8.00*
 - b. Commercial
 - 1.) Large Container: \$30.00*
 - 2.) Extra Container: \$13.00*
 - 3.) Additional Pickup Per Occurrence: \$8.00*
 - 3. Fireworks Sales and Public Display Permit [7.04.30] \$50.00*
 - a. Term: 5 Days
 - b. Bond [7.04.050]: Not to exceed \$500.00#
 - 4. Livestock Permit [7.01.020] \$50.00~
 - a. Restrictions [7.01.020.A.1, 11.01.140.080: Animal Enclosure Setbacks]
 - 1.) Minimum of 1 acre per animal, maximum of 2)
 - 2.) Property must be inspected and approved by the City Code Enforcement Officer.
 - 3.) No livestock within 100 feet of any neighboring house or dwelling.
 - 5. Poultry Permit [7.01.020] \$25.00~
 - a. Restrictions [7.01.020.A.2]:
 - 1.) Property must be inspected and approved by the City Code Enforcement Officer.
 - 2.) Up to 6 poultry.
 - 3.) Absolutely no roosters.
 - 4.) Permit is permanent, providing no violations resulting in revocation.
- B. Fines/Penalties [7.01.080, 7.02.120, 7.03.050; 7.04.070]
 - 1. Decay / Nuisances 1st Offense [7.01.080] \$200.00*
 - 2. Decay / Nuisances All Subsequent Offenses [7.01.080] \$500.00*
 - 3. Garbage Collection Violation 1st Offense [7.02.120] \$50.00*
 - 4. Garbage Collection Subsequent Offenses [7.02.120] \$125.00*
 - 5. Monthly Water / Sewer Charge Late Fee [NEED REFERENCE]: 1.5% of Total Charges Late!

6.	Unlawful Dumping 1 st Offense [7.02.120].....	\$250.00*
7.	Unlawful Dumping Subsequent Offenses [7.02.120].....	\$500.00*
8.	Burning of Refuse Violation 1 st Offense [7.03.050].....	\$75.00*
9.	Burning of Refuse Subsequent Offenses [7.03.050].....	\$150.00*
10.	Fireworks Sale and Public Display Fine for Failure to Buy Permit [7.04.070].....	\$100.00*
11.	Fireworks Penalty 1 st Offense [7.04.070].....	\$50.00*
12.	Fireworks Penalty 2 nd Offense [7.04.070].....	\$125.00*
13.	Failure to Obtain Livestock or Poultry Permit [7.01.080].....	1.5 times the Permit Fee + Cost of Permit*

TITLE 8: ANIMALS

A. Dog Licenses [8.02.030: LICENSING]

1. Fees, Licenses, or Permits [8.02.030]
 - a. Dog Licenses [8.02.030]
 - 1.) Term: January 1, Current Year through Last Day of February, Following Year
 - 2.) Restrictions:
 - a.) Must have current Rabies Vaccine [8.02.030.6]
 - b.) Applies to Dogs > 6 Months Old [8.02.030.3]
 - 3.) Licenses:
 - a.) Altered Dog License [8.02.030: A.4] \$10.00*
 - i.) Excess Dog License (Each Dog Over 2)..... \$20.00#
 - b.) Unaltered Dog License [8.02.030: A.4]:..... \$15.00*
 - i.) Excess Dog License (Each Dog Over 2)..... \$30.00#
 - b. Excess Animal Permit [8.02.025: C] \$25.00#
 - 1.) Required for More than 2 Dogs > 6 Months Old
 - 2.) Maximum Number of Dogs is 5
 - 3.) Each Dog over 2 Dogs Costs Double the Normal Licensing Fee (Altered or Unaltered)
 - c. Lost Dog License Tag [8.02.030.A]..... \$2.00#
 - d. Pet Adoption Fee [8.04.044]..... \$35.00~
 - e. Impoundment Fee [8.04.080]..... \$35.00~
 - f. Daily Impound Boarding Fee [8.04.080]..... \$25.00~
2. Fines/Penalties
 - a. Late Licensing Fee per Dog [8.02.030: A.7] Double Normal License Fee*
 - b. Dog Off Leash [8.02.050: A]..... \$25.00*
 - c. Failure to Have Control [8.02.050: B]..... Impoundment
 - d. Dog Running At Large [8.04.010; 8.04.110]
 - 1.) 1st Offense Impoundment Fees Plus \$50.00*
 - 2.) 2nd Offense Impoundment Fees Plus \$100.00*
 - 3.) 3rd Offense..... Impoundment Fees Plus \$200.00*
 - e. Animal Waste Removal. [8.02.182]
 - 1.) 1st Offense \$20.00~
 - 2.) 2nd and Subsequent Offense \$50.00~
 - f. Violations of Provisions of This Chapter Not Set By Fee Not to Exceed \$500.00#
 - 1.) Kennels Prohibited. [8.02.200]
 - 2.) Chasing Vehicles. [8.02.181]
 - 3.) Barking Dogs. [8.01.180]
 - 4.) Teasing or Unauthorized Releasing of Animal. [8.02.210]
 - g. Misdemeanor Violations:
 - 1.) Any person found violating 8.02.025, 8.02.030.A. will be charged a misdemeanor. [8.02.220]
 - 2.) Unlawful Releasing of Animals. [8.04.090]
 - 3.) Keeping Wild Animals [8.04.095]
 - 4.) Animals Disturbing the Peace [8.04.100]
 - 5.) Obstructing an Animal Control Designee or Shelter Attendant to Care for Animals. [8.04.070]

TITLE 9: PUBLIC PEACE, SAFETY AND MORALS

- A. Fees, Licenses, or Permits
 - 1. Deer Lodge Police Department – Case or Accident Report Request Form
 - a. Involved Party..... UNDER REVIEW (CURRENTLY FREE) ~
 - b. Third Party and Public At Large UNDER REVIEW (CURRENTLY FREE)~
- B. Fines/Penalties
 - 1. Violations of Chapter 9.08: PROHIBITING POSSESSION OF FIREARMS [9.08.040]
 - a. Violation of any other term/provision of Chapter 9.08: Section 1.08.010 of this Code#
 - 2. Violations of Chapter 9.12: UNLAWFUL CONDUCT [9.12.020]
 - b. Violation of any other term/provision of Chapter 9.12: Section 1.08.010 of this Code#
 - 3. Violations of Chapter 9.18: CURFEW [9.18.020]
 - a. Violation of any other term/provision of Chapter 9.18: \$25 - \$75 OR Up to 10 Hours Community Service, OR Both#
 - 4. Violations of Chapter 9.24: ELECTRIC FENCES IN CITY UNLAWFUL [9.24.020]
 - c. Violation of any other term/provision of Chapter 9.24: \$25 + \$25/Each Additional Day#
 - 5. Violations of Chapter 9.26: PUBLIC DRINKING, DISPLAY OR EXHIBITION OF BEER OR LIQUOR PROHIBITED [9.26.030]
 - d. Violation of any other term/provision of Chapter 9.26: ... Section 1.08.010 of this Code AND Section 1.08.020#
 - 6. Violations of Chapter 9.28: DEPARTMENT OF REVENUE PRE APPROVED RESPONSIBLE ALCOHOL SALES & SERVICE [9.28.070]
 - a. Violation of any other term/provision of Chapter 9.28:
 - 1.) 1st Offense:.....Written Warning to the Licensee & Department of Revenue Notified#
 - 2.) 2nd Offense\$100.00 fine to offending server#
 - 3.) 3rd Offense.....\$250.00 fine to offending server#
 - 4.) 4th Offense Section 1.08.010 of this Code #

TITLE 10: VEHICLES AND TRAFFIC

- A. Fees, Licenses, or Permits
 - 1. None
- B. Fines/Penalties
 - 1. Violations of Chapter 10.02: TRAFFIC REGULATIONS [10.02.130]
 - a. Careless Driving [10.02.130]:..... Misdemeanor, \$85.00 Up To \$250.00#
 - b. Violation of any other term/provision of Chapter 10.02 [10.02.120]: Section 1.08.010 of this Code#
 - c. Violations of Chapter 10.04: PARKING METERS AND REGULATIONS
 - a. Parking Violation [10.04.110.A.]
 - 1.) Paid within 48 hours:\$1.00#
 - 2.) Paid after 48 hours:.....\$2.00#
 - 3.) Failure to Pay: Judge Summons + \$5.00#
 - b. Violation of Chapter 10.04 Other Than Above [10.04.110].....\$50.00#
 - 1.) Each day that a violation continues or each time that a violation continues past a parking limitation period is a separate violation.
 - 2. Violations of Chapter 10.06: MOTORCYCLES OR QUADRICYCLES
 - a. Violation of any other term/provision of Chapter 10.06 [10.06.050]:
 - 1.) First Offense\$5.00 to \$50.00#
 - 2.) Second Offense\$25.00 - \$100.00#
 - 3.) Third or Subsequent Offense\$100.00 - \$500 plus Impoundment of not less than 6 months#
 - 3. Violations of Chapter 10.08: ABANDONED AND JUNK VEHICLES
 - a. Violation of Chapter 10.08 [10.08.090]:..... Section 1.08.010 of this Code#
 - 1.) Each day a violation exists or continues constitutes a separate offense.
 - 2.) Each day that a violation continues or each time that a violation continues past a parking limitation period is a separate violation.
 - 3.) Removal of the nuisance by the Powell County Sheriff or City Police Chief is authorized.
 - 4.) City may charge the expense of removing the nuisance
 - 5.) Owner is responsible for Impound Fees as set by the impoundment business owner

- 6.) The City Council may seek injunctive relief from a court of record to enjoin further violations
- 4. Violations of Chapter 10.12: SNOWMOBILES
 - 1.) Violation of any other term/provision of Chapter 10.12 [10.12.030]: \$10.00 to \$30.00#
- 5. Violations of Chapter 10.14: TRUCKS AND LOAD RESTRICTIONS
 - a. Violation of any other term/provision of Chapter 10.14 [10.14.040]:
 - 1.) First Offense \$10.00 to \$50.00#
 - 2.) Second Offense (within 1 year) \$50.00 - \$200.00#
 - 3.) Third or Subsequent Offense (within 1 year) \$200.00 - \$500.00#
- 6. Violations of Chapter 10.16: HEIGHT, LENGTH, WIDTH AND LOAD RESTRICTIONS
 - 1.) Fine [10.16.130] \$50.00 - \$150.00#
 - 1.) \$75 if paid at City Hall within 5 Business Days
- 7. Violations of Chapter 10.17: VEHICLE LOAD LIMITS [10.17.070]
 - 1.) Violation of any other term/provision of Chapter 10.17: \$100.00 to \$500.00#
- 8. Violations of Chapter 10.18: RAILROAD ENGINE AND TRAIN SPEED LIMIT [10.18.020]
 - a. Violation of any other term/provision of Chapter 10.18: Section 1.08.010 of this Code #

TITLE 11: ZONING

- A. Fees, Licenses, or Permits [6.01.160]
 - 1. Subdivisions Major (5 Plus Parcels)..... \$1000.00*
 - 2. Subdivisions Minor (1 -4 Parcels)..... \$600.00*
 - 3. Conditional Use Permit (C.U.P.) \$50.00*
 - 4. All Plan Amendments..... \$50.00*
 - 5. Appeal of Administrative Decision..... \$50.00*
 - 6. Rezoning \$50.00*
 - 7. Variances..... \$50.00*
 - 8. Certificate of Survey (COS)..... \$50.00*
 - 9. Utility Right-of-Way Permit..... \$50.00*
 - 10. Floodplain Development Permit \$25.00*
 - 11. Zoning Permit..... No Fee, Included in Business License Cost~
 - 12. Advertising Fee for Public Hearing.....Cost of Silver State Posting*

* APPLICANTS SUBJECT TO ALL ASSOCIATED COSTS (Newspaper Ads, Mailings, Administrative Costs, Engineering, etc.)

TITLE 12: STREETS AND SIDEWALKS

- A. Fees, Licenses, or Permits
 - 1. Street and Alley Excavation Fee [12.04.050, as set by Resolution 1281]:
 - a. Minimum Charge (Paved or Unpaved):.....\$50.00*
 - b. Surfaced Area (i.e. Asphalt, Concrete) Additional Charge:..... \$10.00 per Square Foot*
 - 1.) This charge must be provided by check prior to project commencement and is refundable upon successful completion within time restraints (generally October 1st at the latest) and finish inspection by the Public Works Supervisor.
 - 2.) Refer to **Resolution 1281 (provided to each permit holder)** for full details of time restraints and specifications for proper repair of excavated area.
 - c. Requirement: ... All City Water and Sewer Mains must be uncovered by final Hand Digging upon reaching reasonable proximity.
- B. Fines/Penalties
 - 1. Breaking a Sewer or Water Main with Power Equipment [12.04.070]:..... \$100.00 + Repair Fees#
 - a. Public Works Supervisor, Health Inspector, Mayor, or Councilman will stop work until fees are paid. [12.04.070]
 - 2. Violation of any other term/provision of Chapter 12.04: Section 1.08.010 of this Code #
 - 3. Detrimental Sidewalks (Refusal to Repair) [12.06.020]: Repair Cost as Lien on Property #
 - 4. Overhanging Trees (Refusal to Remove) [12.06.040]:Removal Cost as Lien on Property #
 - 5. Skateboarding, Roller Skating, & Other Prohibited Devices on Main Street [12.08]..... ADDRESS 1.08 GENERAL PENALTY~

TITLE 13: FRANCHISE

- A. Fees, Licenses, or Permits
 - 1. Charter Communications Franchise Fee [13.04.130]:..... 5% of Gross Revenues for Calendar Year#
 - a. Conditions (Insurance/Indemnity) [13.04.070]:
 - 1.) Workers Compensation:..... Statutory Limits#
 - 2.) Commercial General Liability: \$1M/Occurrence, Combined Single Liability, \$2M General Aggregate#
 - 3.) Auto Liability..... \$1M/Occurrence, Combined Single Liability#
 - 4.) Umbrella Liability..... \$1M/Occurrence, Combined Single Liability#
- B. Fines/Penalties
 - 1. None

TITLE 14: PUBLIC WAYS AND PROPERTY

- A. Fees, Licenses, or Permits
 - 1. Purchase Price of Cemetery Plot [14.04.040]: \$350*
 - 2. Internment Cost [14.04.044]:
 - a. Full Interment:..... \$450!
 - b. Saturday Interment: \$500!
 - c. Sunday Interment:..... \$600!
 - d. Holiday Interment: \$700!
 - 3. Cremation Cost [14.04.044]:..... \$275*
 - 4. Disinterment Cost [14.04.060]:..... \$300 for 1st 2 hours +\$150 each additional hour*
 - 5. Monument Setting [14.04.120]
 - a. Flat:..... \$125*
 - b. Raised: \$175*
 - c. Military: Free*
 - 6. Other Cemetery Services [14.04.120]:..... \$25/hr (during normal cemetery hours)*
- B. Fines/Penalties
 - 1. Violation of Chapter 14.06: CEMETERY REGULATIONS [14.06.030] Not Greater than \$100#

TITLE 15: BUILDINGS AND CONSTRUCTION

- A. Fees, Licenses, or Permits [15.02.020, 15.02.080]
 - 1. Fence (After Zoning Compliance)..... \$20.00*
 - 2. Windows and Doors with Header Changes \$20.00*
 - a. Includes all Windows and Doors Done at One Time, If done using separate permits, price is per permit
 - 3. Siding, Partial House (up to 50% of Entire House)..... \$20.00*
 - 4. Siding, Entire House \$40.00*
 - 5. Stairs, Ramps and Landings..... \$20.00*
 - 6. Roof, Partial House (up to 50% of Entire Roof)..... \$20.00*
 - 7. Roof, Entire House \$40.00*
 - 8. Demolition \$40.00*
 - 9. Egress Window (With Excavation and Egress Area Well – Otherwise as per 2.a) \$60.00*
 - a. Includes all above Egress Windows Done at One Time, If done using separate permits, price is per permit
 - 10. Deck or Decks..... \$40.00*
 - 11. Plan Review (if necessary for unique projects)..... \$35.00 to \$150.00*
 - 12. Building Permit Term: 6 Months
- B. Fines/Penalties
 - 1. Starting Without Permit [15.02.110.A.] Double the Fee
 - 2. Violating Permit [15.02.110.A.]..... Not More than \$300.00#
 - 3. Violation of Chapter 15.02: BUILDING REGULATIONS Not Set By Fine in Title 15
 - a. Fine [15.02.110]:..... Not More than \$300.00#
 - b. Penalty [15.02.110]: Misdemeanor#

a.) Conditions:..... Each Day Counts as Separate Offense

Appendix A: Version History

CURRENT VERSION 1/18/2022

- ❖ Resolution 2022-XX
 - Title 1: GENERAL PROVISIONS
 - Included an updated definition of the general penalty in 1.08.010 to remove jail time as a potential penalty for first and second offenses, and the addition of 1.08.010.A.1.a.
 - Title 2: ADMINISTRATION AND PERSONNEL
 - No Fees/Fines/Changes
 - Title 3: REVENUE AND FINANCE:
 - No Fees/Fines/Changes
 - Title 4: SEWER AND WATER
 - Changed Residential and Commercial Permit Fee [4.04.020.A.1.] and Industrial Waste Establishment Permit Fee [4.04.020.A.3] to be set by resolution in fee schedule and not by ordinance.
 - Removed Excess BOD and SS Surcharge from Title 4 and fee schedule.
 - Removed Public Sewer Disturbance Permit and Fee from Title 4 and fee schedule.
 - Title 5: BUSINESS LICENSES AND REGULATIONS
 - Title 5 and fee schedule changed to reflect the following business license fees to be set by resolution (were previously undefined): Contractor's Business License, Major Home Occupation Business License, Minor Home Occupation Business License, Transient Retail Merchant License, and Itinerant Vender License.
 - Reduced Major Home Occupation Business Permit from \$300.00 to \$100.00 to reflect reduction in Conditional Use Permit Application fee in Title 11.
 - Title 6: CITY PLANNING
 - Fees found in Title 6 have been moved to Title 11.
 - Title 7: HEALTH AND WELFARE
 - Monthly Garbage Collection Charges:
 - Increased Regular Residential Container rates from \$12.00 to \$14.00 within city limits, and from \$14.00 to \$16.00 outside city limits.
 - Increased Large Commercial Container rates from \$22.00 to \$26.00 within city limits and from \$26.00 to \$30.00 outside city limits.
 - Added language "NEED REFERENCE" to Monthly Water/ Sewer Charge Late Fee to reflect necessary changes to Title 7.
 - Title 8: ANIMALS
 - No Changes
 - Title 9: PUBLIC PEACE, SAFETY AND MORALS
 - Changed Cost of Case or Accident Report Request Form to reflect that they are under review and currently free.
 - Involved Party UNDER REVIEW (CURRENTLY FREE) was previously \$7.00
 - Third Party and Public At Large UNDER REVIEW (CURRENTLY FREE) was previously \$25.00
 - Title 10: VEHICLES AND TRAFFIC
 - No Changes
 - Title 11: Zoning
 - Added and reduced Fees from Title 6 to new Title 11: Schedule of Fees, Charges, and Expenses [11.01.270.070]:

a. Subdivisions Major (5 Plus Parcels)	\$1000.00*
b. Subdivisions Minor (1 -4 Parcels)	\$600.00*
c. Conditional Use Permit (C.U.P.).....	\$50.00* (was previously \$300.00)
d. All Plan Amendments	\$50.00* (was previously \$300.00)
e. Appeal of Administrative Decision	\$50.00* (was previously \$300.00)
f. Rezoning	\$50.00* (was previously \$300.00)
g. Variances	\$50.00* (was previously \$300.00)
h. Certificate of Survey (COS)	\$50.00* (was previously \$150.00)
i. Utility Right-of-Way Permit	\$50.00* (was previously \$150.00)
j. Floodplain Development Permit	\$25.00*(was previously \$100.00)
k. Zoning Permit	No Fee, Included in Business License Cost~
l. Advertising Fee for Public Hearing.....	Cost of Silver State Posting*

- Title 12: STREETS AND SIDEWALKS
 - Removed fee associated with Excavation Permit language to reflect Title 12 [12.04.020].
 - Changed Skateboarding, Roller Skating, & Other Prohibited Devices on Main Street [12.08] to be addressed by general penalty [1.08]
- Title 13: FRANCHISE
 - No Changes
- Title 14: PUBLIC WAYS AND PROPERTY
 - No Changes
- Title 15: BUILDINGS AND CONSTRUCTION
 - Fees, Licenses, or Permits [15.02.020, 15.02.080]
 - Fence (After Zoning Compliance)..... \$20.00* (reduced from \$45.00)
 - Windows and Doors with Header Changes \$20.00* (reduced from \$45.00)
 - ◆ Includes all Windows and Doors Done at One Time, If done using separate permits, price is per permit
 - Siding, Partial House (up to 50% of Entire House) \$20.00* (reduced from \$60.00)
 - Siding, Entire House \$40.00* (reduced from \$125.00)
 - Stairs, Ramps and Landings..... \$20.00* (reduced from \$65.00)
 - Roof, Partial House (up to 50% of Entire Roof)..... \$20.00* (reduced from \$70.00)
 - Roof, Entire House \$40.00* (reduced from \$130.00)
 - Demolition \$40.00* (reduced from \$80.00)
 - Egress Window (With Excavation and Egress Area Well – Otherwise as per 2.a)..... \$60.00* (reduced from \$90.00)
 - ◆ Includes all above Egress Windows Done at One Time, If done using separate permits, price is per permit
 - Deck or Decks..... \$40.00* (reduced from \$125.00)

PREVIOUS VERSION 2/3/2020

- ❖ Resolution 2020-XX
 - Title 1: GENERAL PROVISIONS
 - No Fees/Fines/Changes
 - Title 2: ADMINISTRATION AND PERSONNEL
 - No Fees/Fines/Changes
 - Title 3: REVENUE AND FINANCE:
 - No Fees/Fines/Changes
 - Title 4: SEWER AND WATER
 - Water Service Deposit [4.12.130]: (\$100.00) New in 2020
 - Determined by recommendation from Sarah Robbins.
 - Watering Hours Violations: 2nd Violation \$40 x 2=\$80.00 (down from \$85) and 3rd Violation \$60.00 x 2=\$120 (up from \$110). Also indicated that all watering hours/method violation fees are double the normal due to loss of one well.
 - Short Term Water Discontinuance Responsibility Monthly Charge: (\$xx.00) – New in 2020
 - Covers base infrastructure cost.
 - Short Term Sewer Discontinuance Responsibility Monthly Charge: (\$xx.00) – New in 2020
 - Covers base infrastructure cost.
 - Title 5: BUSINESS LICENSES AND REGULATIONS
 - Contractor’s Business License: \$50.00!
 - Term: Maximum of 6 months!
 - Minor Home Occupation Business License: (\$25.00) – New in 2020.
 - Major Home Occupation Business License: (\$50.00) – New in 2020
 - Requires Conditional Use Permit: \$300.00!
 - ◆ This permit cost includes the first year’s Major Home Occupation Business License Fee.
 - Amusement Event License: (\$50.00) – New in 2020
 - Amusement Event Permit: (Free) – New in 2020
 - Transient Merchant Fee: (\$20.00) – Lowered from \$50.00
 - Title 6: CITY PLANNING
 - Appeal of Administrative Decision \$300.00~
 - Zoning Permit No Fee, Included in Business License Cost~

- Title 7: HEALTH AND WELFARE
 - Fireworks Sales and Public Display Permit: (\$50.00) - * Lowered from \$75.00
 - Fireworks Sales and Public Display Fine for Failure to Buy Permit: (\$100.00) – Lowered from \$150.00
 - Fireworks Penalty 1st Offense (\$50.00) – Lowered from \$75.00
 - Fireworks Penalty 2nd Offense (\$125.00) – Lowered from \$150.00
- Title 8: ANIMALS
 - Unaltered Dog License: (\$10.00) – Lowered from \$15.00
 - Established Excess Dog Fee of \$25 for dogs in excess of 2 but less than 6: (\$25.00) - New in 2019
 - Double the license fee for dogs 3, 4, and 5: (Determined by altered/unaltered fee) – New in 2019
 - Daily Impound Boarding Fee [8.04.080]..... \$25.00~
 - Poultry Permit Fee: (\$25.00) – Lowered from \$40.00
 - Animal Waste Removal: 1st Offense is \$20.00, 2nd and Subsequent Offense is \$50.00.
 - Failure to obtain Livestock or Poultry Permit: 1.5 times the Permit Fee + Cost of Permit
- Title 9: PUBLIC PEACE, SAFETY AND MORALS
 - No Changes
- Title 10: VEHICLES AND TRAFFIC
 - No Changes
- Title 11: Zoning
 - Contained in Title 6 currently.
- Title 12: STREETS AND SIDEWALKS
 - 2. Street and Alley Excavation Fee [12.04.050, as set by Resolution 1281]:
 - a. Minimum Charge (Paved or Unpaved):..... \$50.00!
 - b. Surfaced Area (i.e. Asphalt, Concrete) Additional Charge:.....\$10.00 per Square Foot!
 - 1.) This charge must be provided by check prior to project commencement and is refundable upon successful completion within time restraints (generally October 1st at the latest) and finish inspection by the Public Works Supervisor.
 - 2.) Refer to **Resolution 1281 (provided to each permit holder)** for full details of time restraints and specifications for proper repair of excavated area.
- Title 13: FRANCHISE
 - No Changes
- Title 14: PUBLIC WAYS AND PROPERTY
 - Monument Setting for Military: (Free) – Lowered from \$125
 - Other Cemetery Service: (\$25.00/hr) – This fee was implied to exist, but not defined.
- Title 15: BUILDINGS AND CONSTRUCTION
 - Building Permits:
 - Windows and Doors with Header Changes Done at One Time: (\$45). If done using separate permits, price is per permit. -- Was previously \$45.00 per Window/Door.
 - Egress Window (With Excavation and Egress Area Well – Otherwise as per 2.a)..... \$90.00*
 - ◆ Includes all above Egress Windows Done at One Time, If done using separate permits, price is per permit
 - Egress Window Done at One Time: (\$45). If done using separate permits, price is per permit. -- Was previously \$45.00 per Window.