

TOWN OF FROMBERG
Fromberg, Montana

ORDINANCE # 254

AN ORDINANCE TO IMPLEMENT AND DEFINE SOLID WASTE MANAGEMENT POLICY

Be it ordained by the Town Council of the Town of Fromberg, Montana:

Section 1: Pursuant to the authority of Title 75, Chapter 10 of the Montana Code Annotated, and in order to provide required sanitation and health protection for the inhabitants of the Town of Fromberg and within the jurisdictional territory of said Town, the Town Council hereby declares its policy to implement a solid waste management system. This system shall be mandatory upon all residents who are customers of the sewage and water system. It is therefore declared unlawful for any inhabitants of said Town and territory to dispose of refuse matters, within the limits of the Town of Fromberg in any other manner or any other disposal area except under the provisions of this Ordinance.

Section 2: Garbage, refuse and rubbish disposal and hauling shall be exclusively under the control of the Town Council. The Council shall have the right to contract out the disposal and hauling of such refuse matters, and to establish fair and equitable charges therefore, and shall retain the right and power to assist in the collection of said charges from said inhabitants.

Section 3: Each residential unit will be furnished with a 90 gallon roll-out garbage container, and the container shall be delivered, by the customer, to the spot where it needs to be each week on the collection day. The established fees shall be per 90 gallon unit. For residence or businesses that wish to have larger containers the fee will be multiplied by each 90 gallon equivalent. This fee authorizes each customer to load one refuse container only. Additional acceptable refuse may be disposed of during regular pickup by purchasing "refuse tags" for each additional item. Tags can be purchased at Town Hall during regular business hours for the fee as set forth in the table of fees.

Section 4: Collection of such containers shall be once per week.

Section 5: The Town of Fromberg shall limit or ban outright certain types of refuse and these will be enumerated in the "Billings Regional Landfill Policy" as the Billings Landfill is our designated landfill site.

Section 6: Unacceptable items will not be picked by the garbage service and must be properly disposed of by resident or property owner within 7 days.

Section 7: The rates and charges are as set forth in the Town of Fromberg's Table of Fees. These rates may be amended at anytime by resolution of the Council and with mutual understanding of the contractor. A notice and hearing on any such changes shall first be given to the public.

Section 8: The Town of Fromberg may from time to time establish alternative means for the removal of refuse at designated sites around town for seasonal clean-ups, emergency situations or other reasons that may arise.

Section 9: Violations of this Ordinance shall be a misdemeanor, and penalty to be, \$100 per each violation, plus costs of court action.

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Section 10. All resolutions, ordinances and sections of the Town of Fromberg Municipal Code and parts thereof in conflict herewith are hereby repealed.

Severability

Section 11. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Effective Date

Section 12. This ordinance shall be in full force and effect thirty (30) days after passage on second reading.

PASSED AND ADOPTED by the Town Council of the Town of Fromberg, Montana at a regular session thereof held on the 5 day of December, 2011.

Richard Arden, Mayor

ATTEST:

Sandra Kausela
Town Clerk

PASSED, ADOPTED AND FINALLY APPROVED by the Town Council of the Town of Fromberg, Montana at a regular session thereof held on the 13th day of FEBRUARY, 2011 2012

_____, Mayor

ATTEST:

Sandra Kausela
Town Clerk

James A. Perkins, PRESIDENT

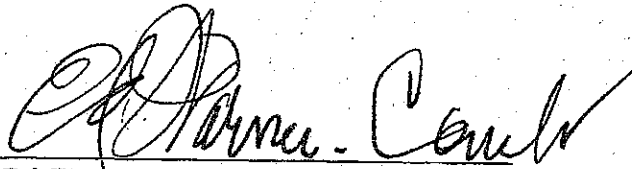
EMERGENCY ORDINANCE NO. 255

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 231 (FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE FOR COMMUNITIES WITH DESIGNATED FLOODWAYS) OF THE FROMBERG MUNICIPAL CODE.

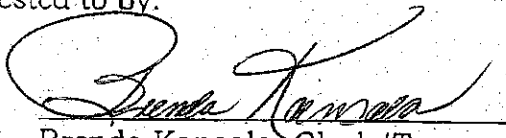
BE IT ORDAINED by the Town Council of the Town of Fromberg that the attached document entitled "Town of Fromberg Flood Plain Hazard Management Regulations" is adopted.

This EMERGENCY ordinance shall take effect immediately upon passage and remain in effect for a period not to exceed 90 days.

PASSED AND ADOPTED by the Town Council of the Town of Fromberg at a regular meeting held on the 3rd day of December, 2012.


Ed Warner-Combs, Mayor

Attested to by:


Brenda Kansala, Clerk/Treasurer

ORDINANCE NO. 256

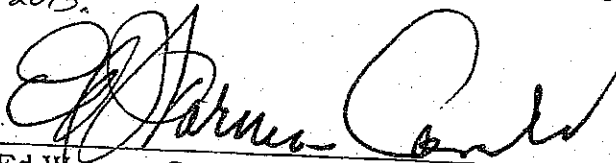
AN ORDINANCE AMENDING ORDINANCE 231 (FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE FOR COMMUNITIES WITH DESIGNATED FLOODWAYS) OF THE FROMBERG MUNICIPAL CODE.

BE IT ENACTED BY THE CITY COUNCIL OF THE TOWN OF FROMBERG:

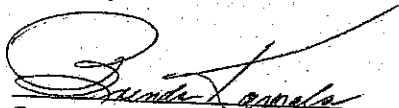
See attached Ordinance entitled "Town of Fromberg Flood Plain Hazard Management Regulations."

This amended ordinance shall be in full force and effect 30 days from and after passage and approval upon second reading.

PASSED AND APPROVED on second reading this 14th day of January, ~~2013~~ 2013.


Ed Warner-Combs, Mayor

Attested to by:


Brenda Kansala, Clerk/Treasurer

ORDINANCE NO. 257

AN ORDINANCE AMENDING 4-5-01 (CONSTRUCTION COSTS) OF THE FROMBERG MUNICIPAL CODE.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF FROMBERG:
CONSTRUCTION COSTS.

A. As of the date of passage of this ordinance, each new or repaired connection to the town's water mains shall be achieved by use of a curbstop. Each residence or building must have its own curbstop. Multiple residences or buildings cannot hook up to the same curbstop.

B. Curbstops installed after the date of passage of this ordinance shall be owned by the town and the entire cost of installing, constructing, laying, repairing, or maintaining of a town curbstop and the pipe leading from the curbstop to the water main shall be the responsibility of the town, except for repairs necessitated by damage or disruption of supply caused by the property owner, tenant, or other agent of the property owner. The property owner shall then be liable for all costs associated with the necessary replacement or repairs, wherever located.

C. As of the date of passage of this ordinance, the property owner shall be responsible for the costs of installing, constructing, laying, repairing, or maintaining the pipes leading from the property to the curbstop, whether property-owned or town-owned.

D. The town's installation of town curbstops does not alleviate the property owner from having to pay the connection fee for connecting to the town's water main required by 4-5-02.

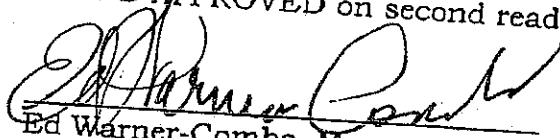
E. Curbstops already installed on the date of passage of this ordinance shall still be owned by the property owner. The town will assume responsibility for repair and maintenance of the curbstop and pipes from the curbstop to the town water main. If necessary, when repairing an old curbstop, the town may install a new town curbstop in the place of the property owned curbstop at the town's expense.

F. Town curbstops installed and maintained by the town after the adoption of this ordinance shall be installed as close as practicable to the boundary of the town's right of way for any road, street, alley, or other city property where the water main connection is located.

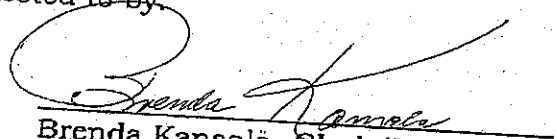
G. Where curbstops are not in place as described above, the entire costs of constructing, laying, repairing, or maintaining any water pipes from the property to the water main shall be paid by the property owner.

This ordinance shall be in full force and effect 30 days from and after passage and approval.

PASSED AND APPROVED on second reading this 11 day of March, 2013.


Ed Warner-Combs, Mayor

Attested to by:


Brenda Kansala, Clerk/Treasurer

ORDINANCE NO. 258

AN ORDINANCE PROVIDING THE TOWN OF FROMBERG WITH AUTHORITY TO ENTER PRIVATE PROPERTY TO INSPECT AND REPAIR WATER PIPES, CURBSTOPS, METERS, AND METER PITS CONNECTED TO THE TOWN'S PUBLIC WATER SUPPLY.

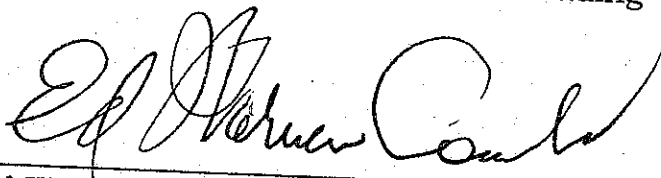
BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF FROMBERG:

POWERS AND AUTHORITY OF INSPECTORS.

- A. The Public Works Director, or other duly authorized employee of the Town bearing proper credentials and identification shall be permitted to enter all properties, excepting residences, for the purpose of inspection, observation, measurement, testing, maintenance or repair pertinent to water pipes, curbstops, meters, and meter pits connected to the Town's public water supply.
- B. If the property owner has his or her meter or meter pit associated with Town water located inside their personal residence, then the property owner must grant the Public Works Department's representative access, by appointment, to inspect, test or repair pertinent meters or meter pits connected to the Town's public water supply.
- C. If the property owner refuses to grant access to his or her private residence to the Public Works Department for the specific purpose of inspecting, testing or repair of meters or meter pits connected to the Town's public water supply, it is the property owners's responsibility to move the meters or meter pits outside of the residence where the Public Works Department can then gain access.
- D. If the property owner refuses to grant access to his or her private residence to the Public Works Department for the specific purpose of inspecting, testing or repair of meters or meter pits connected to the Town's public water supply, AND circumstances require immediate action, the Public Works Director or his representative may shut off water to the property after proper notice to the property owner.
- E. While performing the necessary work on private properties referred to in A, above, the Public Works Director or duly authorized employees of the town shall observe all safety rules applicable. The town shall indemnify the property owner against loss or damage to town property by town employees and against liability claims and demands for personal injury or property damage asserted against the property owner growing out of the inspecting, observing, measuring, testing, maintaining, or repair operations, except as such may be caused by negligence or failure of the property owner in his or her duty of ordinary care.

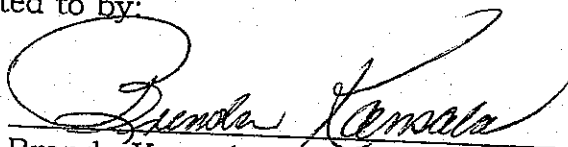
This ordinance shall be in full force and effect 30 days from and after passage and approval.

PASSED AND APPROVED on second reading this 1st day of April,
2013.



Ed Warner-Combs, Mayor

Attested to by:



Brenda Kansala, Clerk/Treasurer

ORDINANCE NO. 259

AN ORDINANCE SPECIFICALLY PROVIDING FOR THE OPERATION OF GOLF CARTS WITHIN THE FROMBERG TOWN LIMITS.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF FROMBERG:

A. DEFINITION. "Golf cart" means a motor vehicle that is designed for use on a golf course to carry a person or persons and golf equipment and that has an average speed of less than 15 miles per hour (Section 61-1-10(24)(a), MCA).

B. A person may operate a golf cart on a public street or highway open to the public within the Fromberg town limits subject to the following requirements:

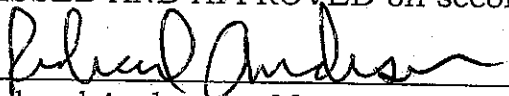
- (1) the person operating a golf cart under this section must have a valid driver's license (Section 61-8-391(2), MCA);
- (2) the golf cart may only be operated on streets and roadways with a posted speed limit of 25 mph or less, with the exception of crossing Highway 310 where the operator may cross only at River Street and only when it is safe to cross; and
- (3) a one-time registration fee of \$25.00 must be paid to the Department of Motor Vehicles for operation of a golf cart under this section. The Department will then issue a decal, which must be displayed visibly on the golf cart (Section 61-3-321(12)(c), MCA).

C. A person may not operate a golf cart on a public street or highway when permitted by this section unless it is equipped with:

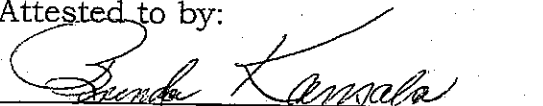
- (1) at least one and not more than two headlamps;
- (2) at least one tail lamp;
- (3) at least one reflector;
- (4) stop (brake) lamps;
- (5) a horn; and
- (6) a mirror that reflects to the driver a view of the highway. (Section 61-8-391(3), MCA).

This ordinance shall be in full force and effect 30 days from and after passage and approval.

PASSED AND APPROVED on second reading this 5 day of MAY, 2014.


Richard Anderson, Mayor

Attested to by:


Brenda Kansala, Clerk/Treasurer

ORDINANCE NO. 260

AN ORDINANCE AMENDING ORDINANCE 251 (USE OF SKATEBOARDS) OF THE FROMBERG MUNICIPAL CODE.

BE IT ORDAINED BY THE TOWN OF FROMBERG THE FOLLOWING:

7-16-01. Definitions

As used in this ordinance, the terms shall have the following meanings:

Person: Any natural person, whether minor or adult.

Play vehicle: A coaster, roller skates, in-line skates, roller blades, roller ski's, **longboards**, scooters, or other non-motorized vehicle upon which a person may ride, but not including a bicycle.

Ride, ridden or riding: Either wholly or partially sitting, standing or laying upon a skateboard or play vehicle by a person whether such skateboard or play vehicle is in motion or stationary.

Skateboard: A device with a board or platform having at least two axles with wheels or any similar device for riding upon, usually standing, including without limitation, skateboards of all types.

7-16-02. Skateboarding in Business District

No person shall ride a skateboard or other play vehicle upon any sidewalk, **street** or public property on River Street from Montana Avenue to Hwy 310.

7-16-03. **Skateboarding on Roads**

People may ride skateboards and play vehicles on the roads in Town, except in the business district, if they follow the traffic laws for motorized vehicles set forth in Title 61 of the Montana Compiled Laws.

7-16-04. Riders to Yield Right-of-Way

Persons riding skateboards or play vehicles upon any sidewalk shall yield the right-of-way to pedestrians on the sidewalks, and shall not otherwise endanger or interfere with the pedestrian traffic on those sidewalks.

7-16-05. Prohibited Conduct

(a) No person shall operate or use a skateboard or play vehicle upon any street **or sidewalk in Town after dark, unless dressed with reflective clothing, which is clearly visible.**

(b) No person shall operate or use a skateboard or play vehicle in a reckless, disruptive, or unsafe manner on public property or private property (unless expressly authorized by the owner of the property). A reckless, disruptive or unsafe manner is defined as:

- (1) riding at excessive speed, (**over the posted speed limit or too fast for conditions**);
- (2) causing noise that disrupts people;
- (3) riding without regard for the safety of others;
- (4) riding in a manner that causes damage to public property or private property or landscaping;
- (5) riding on steps, stairways, retaining walls, benches, railings, brickwork, ornamental surfaces, picnic tables, tennis courts, planters, or sculptures, or on similar architectural features;
- (6) **riding horizontal on skateboard or play vehicle**; or
- (7) **holding onto a moving motor vehicle while traveling on the roadway.**

(c) No person shall use or place a ramp, jump, or any other device used to force a skateboard or play vehicle off the pavement on the grounds of any city owned property, including parking lots, parks, **roads, streets, sidewalks** and tennis courts.

7-16-06 Notice to Parents or Guardians

A copy of a citation issued for violation of this ordinance by persons under 16 years of age shall be mailed by the Town to the parents or guardians of the cited person at their home address, if known.

7-16-07 Confiscation of Skateboard or Play Vehicle

Whenever a law enforcement officer has probable cause to believe a skateboard or other play vehicle is being used in violation of this ordinance, the skateboard or play vehicle may be seized and held until disposition of the charge.

7-16-08 Penalty

A person violating any provision of this ordinance is guilty of a misdemeanor and shall be fined not more than three hundred dollars (\$300.00) for each offense.

Effective Date: This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

PASSED by the Town Council of the Town of Fromberg on first reading this 5th day of JANUARY, 2015.

PASSED, ADOPTED and APPROVED on second reading this 2 day of FEBRUARY 2015.

By James A. Perkins
Mayor - *ACTING MAYOR*

Attested to:

Brenda Kansala
Brenda Kansala, Clerk/Treasurer