



# COUNCIL AGENDA

February 7, 2022 - 6 PM

The City Council will hold the meeting at the Community Center, 416 Cottonwood Avenue to allow social distancing protocols as part of the City of Deer Lodge's Coronavirus (COVID-19) transmission mitigation efforts.

**1. Call Meeting to Order | Pledge of Allegiance**

**2. Public Comment** – Members of the audience may comment on any non-agenda items. State Statute limits the City Council from discussing any introduced items. 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. Public Hearing**

- a. Master Fee Schedule – Jordan  
Action Item: Vote on Acceptance of Resolution 2022-R-4
- b. ROW Abandonment: Peggy White – Jordan  
Action Item: Vote on Acceptance of Resolution 2022-R-5
- c. ROW Abandonment: Terry and Kathy White – Jordan  
Action Item: Vote on Acceptance of Resolution 2022-R-6
- d. ROW Abandonment: Brad's Storage– Jordan  
Action Item: Vote on Acceptance of Resolution 2022-R-7

**4. Approval of Minutes**

- a. Regular Meeting: January 24, 2022
- b. Special Council Meeting: February 2, 2022

**5. Committee Reports** (~~report in the packet~~)—Approve as presented

- a. ~~City Council Operations~~—Rob Kersch **MSU Training**
- b. ~~Economic Growth & Development~~ – Jan Mtg Cancelled
- c. Finance Committee – Dick Bauman
- d. ~~Parks & Recreation~~ – Jan Mtg Cancelled
- e. Public Health & Safety – John Skibsrud
- f. ~~Public Works~~ – Jan Mtg Cancelled

**6. Board Reports**

- a. Airport Board – John Skibsrud
- b. Powell County Parks Board – Vacant
- c. Chamber of Commerce – John Henderson
- d. Headwaters RC&D – Dick Bauman
- e. Historic Preservation – Curt Fjelstad
- f. Landfill – Rob Kersch
- g. LEPC – Dick Bauman
- h. Library – John Molendyke
- i. Planning Board – Dick Bauman **Jan Mtg Cancelled**
- j. Youth Board – Jackie Greenwood

**7. Continued Business** (Continued or Tabled)

- a. None

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

- a. Treasurer's Report | January Claims - Judi Whitney. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.
- b. City Treasurer Acceptance – Jordan

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

- Council #2 – February 22<sup>nd</sup> at 6 PM
- Board of Adjustment – No Meeting
- City Council Operations – February 14<sup>th</sup> at 5 PM
- Economic Growth & Dev – February 3<sup>rd</sup> at 3 PM
- Finance – February 7<sup>th</sup> at 3PM
- Parks and Recreation – February 8<sup>th</sup> at 4 PM
- Planning Board – February 22<sup>nd</sup> at 10AM (if needed)
- Public Health & Safety – February 10<sup>th</sup> at 5 PM
- Public Works – Wednesday, February 23<sup>rd</sup> at 5 PM – moved to a Wednesday due to Council on Tuesday the 22<sup>nd</sup>

**10. 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.

**11. Next Meeting Announcement(s)**

- a. Tuesday, February 22<sup>nd</sup>, at 6 PM. Monday February 21<sup>st</sup>, City Hall closed Presidents Day.

**12. 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**

**RESOLUTION 2022-R-4**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE ESTABLISHING NEW FEES AND CHARGES FOR PERMITS, LICENSES, SERVICES, AND FACILITIES PROVIDED BY THE CITY OF DEER LODGE AND AMENDING AND RESCINDING THE CITY'S PREVIOUS COMPREHENSIVE FEE SCHEDULE.**

WHEREAS, the City of Deer Lodge is empowered to impose reasonable fees, rates, and charges for municipal services; and

WHEREAS, the City Council periodically reviews the fees, rates, and charges to ensure they cover the costs reasonably borne or a substantial portion of the actual costs of the services provided by the City; and

WHEREAS, the Finance Committee has conducted an extensive analysis of all municipal services, the costs reasonably borne by the City in providing these services, the beneficiaries of such services, and the revenues produced by those paying fees and charges for such services; and

WHEREAS, the City Council discussed the proposed Fee Schedule at their January 24, 2022 meeting and held a duly noticed public hearing on February 7, 2022 to accept comments regarding the proposed Fee Schedule; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Lodge to establish the fees, rates, and charges for all items listed on the City's 2022 Fee Schedule.

The City of Deer Lodge's 2022 Fee Schedule is attached to this Resolution 2022-R-4.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 7<sup>th</sup> day of February 2022.

The effective date of Resolution 2022-R-4 is February 7, 2022.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Vacant				
John Skibsrud				
James Jess   Mayor				

---

James Jess, Mayor

Attest:

---

Cyndi Thompson, City Clerk



# 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\*
- 3. 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 1<sup>st</sup> Offense [7.01.080] ..... \$200.00\*
  - 2. Decay / Nuisances All Subsequent Offenses [7.01.080] ..... \$500.00\*
  - 3. Garbage Collection Violation 1<sup>st</sup> 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 <sup>st</sup> Offense [7.02.120].....	\$250.00*
7.	Unlawful Dumping Subsequent Offenses [7.02.120].....	\$500.00*
8.	Burning of Refuse Violation 1 <sup>st</sup> 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 <sup>st</sup> Offense [7.04.070].....	\$50.00*
12.	Fireworks Penalty 2 <sup>nd</sup> 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.)	1 <sup>st</sup> Offense.....	Impoundment Fees Plus \$50.00*
2.)	2 <sup>nd</sup> Offense.....	Impoundment Fees Plus \$100.00*
3.)	3 <sup>rd</sup> Offense.....	Impoundment Fees Plus \$200.00*
e.	Animal Waste Removal. [8.02.182]	
1.)	1 <sup>st</sup> Offense.....	\$20.00~
2.)	2 <sup>nd</sup> 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.) 1<sup>st</sup> Offense:.....**Written Warning to the Licensee & Department of Revenue Notified#**
      - 2.) 2<sup>nd</sup> Offense .....**\$100.00 fine to offending server#**
      - 3.) 3<sup>rd</sup> Offense.....**\$250.00 fine to offending server#**
      - 4.) 4<sup>TH</sup> 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]
    - a. Careless Driving [10.02.120]:..... Misdemeanor, **\$85.00 #**
    - b. Violation of any other term/provision of Chapter 10.02 [10.02.130.A.1.a]: ..... **\$1.00 to \$100.00#**
      - 1.) ALTERNATIVE: [10.02.130.A.1.b] Any person in violation of this Chapter may pay a **\$25.00** fine at City Hall within 5 business days or appear before the City Judge after 5 business days and before 15 calendar days with the potential of a fine within the full amount as described in 10.02.130.A.1.a. #
  2. Violations of Chapter 10.04: PARKING REGULATIONS [10.04.140]
    - a. Violations of Chapter 10.04 .....**\$1.00 to \$50.00#**
    - b. ALTERNATIVE: [10.04.140.A.1.b] Any person in violation of this Chapter may pay a **\$5.00** fine at City Hall within 5 business days or appear before the City Judge after 5 business days and before 15 calendar days with the potential of a fine within the amount as described in 10.04.140.A.1.a. ^
  1. 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 ..... **\$10.00 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#**
  2. 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
- 3. Violations of Chapter 10.12: SNOWMOBILES
  - 1.) Violation of any other term/provision of Chapter 10.12 [10.12.030.A.1.a]: ..... \$10.00 to \$30.00#
  - 2.) ALTERNATIVE: [10.12.030.A.1.b] Any person in violation of this Chapter may pay a fine of \$10.00 at City Hall within 5 business days or appear before the City Judge after 5 business days and before 15 calendar days with the potential of a fine within the full amount as described in 10.12.030.A.1.a.#
- 4. 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#
- 5. Violations of Chapter 10.16: HEIGHT, LENGTH, WIDTH AND LOAD RESTRICTIONS
  - 1.) Fine [10.16.130] ..... \$1.00 - \$150.00#
  - 2.) ALTERNATIVE: [10.16.130.A.1.a] Any person in violation of this Chapter may pay a fine of \$50.00 at City Hall within 5 business days or appear before the City Judge after 5 business days and before 15 calendar days with the potential of a fine within the full amount as described in 10.16.130.A.1.a.#
- 6. 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#
- 7. 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 1<sup>st</sup> 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 1<sup>st</sup> 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 \$5 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
    - 10.02: Traffic Regulations
      - Changed careless driving penalty to be \$85.00 and a misdemeanor. Removed maximum of \$250.00.
      - Changed any other violations to be \$1.00 to \$100.00 instead of general penalty [1.08.010].
      - Added reduced penalty of \$25.00 if paid at City Hall within 5 business days.
    - 10.04: Parking Regulations
      - Added violation of chapter to be \$1.00 to \$50.00.
      - Added reduced penalty of \$5.00 if paid at City Hall within 5 business days.
      - Removed parking meter violation language and fees to match revised Title 10.
    - 10.06: Motorcycles or Quadricycles
      - Increased first offense minimum from \$5.00 to \$10.00.
    - 10.12: Snowmobiles
      - Added reduced penalty of \$10.00 if paid at City Hall within 5 business days.
    - 10.16: Height, Length, Width and Load Restrictions
      - Decreased minimum penalty from \$50.00 to \$1.00.
      - Lowered alternative payment from \$75.00 to \$50.00 if paid at City Hall within 5 business days.



- 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: 2<sup>nd</sup> Violation \$40 x 2=\$80.00 (down from \$85) and 3<sup>rd</sup> 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 1<sup>st</sup> Offense (\$50.00) – Lowered from \$75.00
  - Fireworks Penalty 2<sup>nd</sup> 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: 1<sup>st</sup> Offense is \$20.00, 2<sup>nd</sup> 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 1<sup>st</sup> 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.

## RESOLUTION 2022-R-5

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE ABANDONING A 25-FOOT PORTION OF THE CITY RIGHT OF WAY DIRECTLY TO THE NORTH OF THE TRACT OF LAND WITH THE LEGAL DESCRIPTION OF SECTION 33, TOWNSHIP 08 NORTH, RANGE 09 WEST, C.O.S. 835RB, LOT 11A AND WITH THE ADDRESS OF 413 PARK STREET AND AUTHORIZING THE MAYOR OF THE CITY OF DEER LODGE TO EXECUTE A QUITCLAIM DEED OF SAID PROPERTY TO PEGGY WHITE AND ANY AND ALL SUCCESSORS.**

WHEREAS, The Deer Lodge City Council has the authority to hear and consider requests to abandon (surrender or relinquish) City owned property if it is in the best interest of the public; and

WHEREAS, the City of Deer Lodge on August 13, 2021 received a *Request for Abandonment of City Owned Property* from Peggy White of an approximately 25-foot by 50-foot portion of an alley directly north of a tract of land with the legal description of Section 33, Township 08 North, Range 09 West, C.O.S. 835RB, Lot 11A and with the address of 413 Park Street that is owned by the applicant, Peggy White; and

WHEREAS, the Public Works Committee at their August 24, 2021 meeting reviewed the request and report presented by the Chief Administrative Officer and found no concerns as the abandonment shall not affect any public utilities and as such, agreed to forward the request for approval of the City Council; and

WHEREAS, the City Council at their September 7, 2021 meeting reviewed the request and report presented to the Public Works Committee and elected to forward the request to a public hearing; and

WHEREAS, the Chief Administrative Officer and the City's contracted Examining Land Surveyor reviewed the quitclaim deed and amended plat as provided by the applicant's contracted surveyors and found that they were appropriate and valid for filing with the Powell County Clerk and Recorder; and

WHEREAS, the City Council held a duly notice hearing on February 7, 2022 to accept public comments regarding the proposed alley abandonment; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Lodge to adopt Resolution 2022-R-5 to abandon the described property and have it cease being the property of the City of Deer Lodge. FURTHER, to authorize the Mayor to execute a quitclaim deed with the applicant for said described property.

The *Request for Abandonment of City Owned Property* from Peggy White, the amended plat legally describing said property, and the quitclaim deed for said property are attached to Resolution 2022-R-5.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 7<sup>th</sup> day of February 2022.



The effective date of Resolution 2022-R-5 is February 7, 2022.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Vacant				
John Skibsrud				
James Jess   Mayor				

---

James Jess, Mayor

Attest:

---

Cyndi Thompson, City Clerk

Request for Abandonment of City Owned Property

RECEIVED  
AUG 16 2021  
BY: JORDAN GREEN

ABANDONMENT: "TO NO LONGER HAVE ANY RIGHT TO A PROPERTY"

The giving up of ownership and any present or future rights to real property by the lawful owner. Governing entities have the power to abandon publicly owned property if it is determined that the best interest of the public will be served by transferring ownership from the public sector to the private sector or from one entity to another. If abandonment is granted, the deed will be filed with the Powell County Clerk and Recorder.

Name of Applicant: Peggy White  
Address of Applicant: 413 Park Street, DL, MT  
Telephone Number: 704-649-6436

Property description of land requesting to be abandon: Approx 30' x 50'  
piece of land adjacent to my  
property + the ALLEY behind my house  
Ownership of adjoining property: City of Deer Lodge +  
Terry + Kathy White.

Letters that there are no objections to the abandonment must be received from at least 51% of adjoining property owners.

Provide a site map indicating the property in question, with appropriate dimensions.

The city is required to publish a public notice in the local newspaper twice prior to the council meeting that action will be taken.

[Signature]  
Signature of Applicant

8-13-21  
Date

[Signature] JORDAN GREEN  
Received by

8-16-21  
Date

Forwarded to PUBLIC WORKS Committee on August 24, 2021

Note: Request will not be considered without proper information  
Please allow at least four weeks lead time for preliminary review by the committee.  
Advertising and filing fees will be billed to the applicant

City of Deer Lodge  
300 Main Street  
Deer Lodge MT 59722-1098





After Recording, Return To:  
Terry White  
PO Box 423  
Deer Lodge, MT 59722

## QUIT CLAIM DEED

THE CITY OF DEER LODGE MONTANA, whose address is 300 Main Street Deer Lodge Montana, the grantor(s),

in consideration of the sum of FOUR THOUSAND and no/100 DOLLARS (\$4,000.00),

do(es) hereby convey, release, remise and forever quit claim unto

PEGGY WHITE, whose address is 205 4<sup>th</sup> Street Deer Lodge Montana, the grantee(s),

the following described premises in Powell County, Montana, to-wit:

All right, title and interest, together with any after-acquired title, in and to the following described real property:

**A tract of land located in the Southwest 1/4 of Section 33, Township 8 North, Range 9 West, P.M.,M., City of Deer Lodge, Powell County, Montana, being more particularly described as:**

**AREA 1 of Amended Plat No. \_\_\_\_\_, on file in the Office of the Clerk and Recorder, Powell County, Montana. See attached hereto Resolution Number \_\_\_\_\_ as passed by the City of Deer Lodge, Powell County, State of Montana.**

TO HAVE AND TO HOLD the premises, with their appurtenances unto the said Grantee, his heirs and assigns forever.

Dated: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, CITY OF DEER LODGE, MONTANA

State of Montana

County of \_\_\_\_\_

This instrument was signed before me on \_\_\_\_\_

by \_\_\_\_\_  
*Print name of signer(s)*

\_\_\_\_\_  
*Notary Signature*

## RESOLUTION 2022-R-6

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE ABANDONING A 25-FOOT BY 60-FOOT PORTION OF THE CITY RIGHT OF WAY DIRECTLY TO THE NORTH OF THE TRACTS OF LAND WITH THE LEGAL DESCRIPTION OF SECTION 33, TOWNSHIP 08 NORTH, RANGE 09 WEST, C.O.S. 835RB, LOT 13A AND LOT 14 AND WITH THE ADDRESSES OF 113 AND 117 WEST MILWAUKEE AVENUE AND AUTHORIZING THE MAYOR OF THE CITY OF DEER LODGE TO EXECUTE A QUITCLAIM DEED OF SAID PROPERTIES TO T W BARR, LLC AND ANY AND ALL SUCCESSORS.**

WHEREAS, The Deer Lodge City Council has the authority to hear and consider requests to abandon (surrender or relinquish) City owned property if it is in the best interest of the public; and

WHEREAS, the City of Deer Lodge on September 17, 2021 received a *Request for Abandonment of City Owned Property* from Terry and Kathryn White (shown on attached quitclaim deed as T W Barr, LLC) of an approximately 25-foot by 60-foot portion of an alley directly north of two tracts of land with the legal descriptions of Section 33, Township 08 North, Range 09 West, C.O.S. 835RB, Lots 13A and 14 and with the addresses of 113 and 117 West Milwaukee Avenue that is owned by the applicants; and

WHEREAS, the Public Works Committee at their September 28, 2021 meeting reviewed the request and report presented by the Chief Administrative Officer and found no concerns as the abandonment shall not affect any public utilities and as such, agreed to forward the request for approval of the City Council; and

WHEREAS, the City Council at their October 4, 2021 meeting reviewed the request and report presented to the Public Works Committee and elected to forward the request to a public hearing; and

WHEREAS, the Chief Administrative Officer and the City's contracted Examining Land Surveyor reviewed the quitclaim deed and amended plat as provided by the applicant's contracted surveyors and found that they were appropriate and valid for filing with the Powell County Clerk and Recorder; and

WHEREAS, the City Council held a duly notice hearing on February 7, 2022 to accept public comments regarding the proposed alley abandonment; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Lodge to adopt Resolution 2022-R-6 to abandon the described property and have it cease being the property of the City of Deer Lodge. FURTHER, to authorize the Mayor to execute a quitclaim deed with the applicant for said described property.

The *Request for Abandonment of City Owned Property* from Terry and Kathryn White, the amended plat legally describing said property, and the quitclaim deed for said property are attached to Resolution 2022-R-6.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 7<sup>th</sup> day of February 2022.



The effective date of Resolution 2022-R-6 is February 7, 2022.

<b>Council Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain/Present</b>	<b>Absent</b>
Dick Bauman				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Vacant				
John Skibsrud				
James Jess   Mayor				

---

James Jess, Mayor

Attest:

---

Cyndi Thompson, City Clerk

K SEP 17 2021 U  
BY: \_\_\_\_\_

### Request for Abandonment of City Owned Property

**ABANDONMENT: "TO NO LONGER HAVE ANY RIGHT TO A PROPERTY"**

The giving up of ownership and any present or future rights to real property by the lawful owner. Governing entities have the power to abandon publicly owned property if it is determined that the best interest of the public will be served by transferring ownership from the public sector to the private sector or from one entity to another. If abandonment is granted, the deed will be filed with the Powell County Clerk and Recorder.

Name of Applicant: Terry + Kathryn White

Address of Applicant: Po Box 423 - 208 5th St D.L. MT

Telephone Number: 406 846 1398 or 560 1035

Property description of land requesting to be abandon: Piece of land behind 113 + 117 W Main, called alley or W Missouri

It is the property marked with Green "X." Same as Peggy White

Ownership of adjoining property: City of Deer Lodge, Peggy White

Letters that there are no objections to the abandonment must be received from at least 51% of adjoining property owners.

Provide a site map indicating the property in question, with appropriate dimensions.

The city is required to publish a public notice in the local newspaper twice prior to the council meeting that action will be taken.

Terry White  
Kathryn A White  
Signature of Applicant

9/17/21  
Date

BREAN GREEN  
Received by

9/17/21  
Date

Forwarded to PUBLIC WORKS Committee on \_\_\_\_\_, 20\_\_

Note: Request will not be considered without proper information  
Please allow at least four weeks lead time for preliminary review by the committee.  
Advertising and filing fees will be billed to the applicant

City of Deer Lodge  
300 Main Street  
Deer Lodge MT 59722-1098





After Recording, Return To:  
Terry White  
PO Box 423  
Deer Lodge, MT 59722

## QUIT CLAIM DEED

THE CITY OF DEER LODGE MONTANA, whose address is 300 Main Street Deer Lodge Montana, the grantor(s),

in consideration of the sum of FOUR THOUSAND FOUR HUNDRED and no/100 DOLLARS (\$4,400.00),

do(es) hereby convey, release, remise and forever quit claim unto

T W BARR, LLC, whose address is PO Box 423 Deer Lodge Montana, the grantee(s),

the following described premises in Powell County, Montana, to-wit:

All right, title and interest, together with any after-acquired title, in and to the following described real property:

**Two tracts of land located in the Southwest 1/4 of Section 33, Township 8 North, Range 9 West, P.M.,M., City of Deer Lodge, Powell County, Montana, being more particularly described as:**

**AREA 2** of Amended Plat No. \_\_\_\_\_, on file in the Office of the Clerk and Recorder, Powell County, Montana. See attached hereto Resolution Number \_\_\_\_\_ as passed by the City of Deer Lodge, Powell County, State of Montana.

And

**AREA 3** of Amended Plat No. \_\_\_\_\_, on file in the Office of the Clerk and Recorder, Powell County, Montana. See attached hereto Resolution Number \_\_\_\_\_ as passed by the City of Deer Lodge, Powell County, State of Montana.

TO HAVE AND TO HOLD the premises, with their appurtenances unto the said Grantee, his heirs and assigns forever.

Dated: \_\_\_\_\_

\_\_\_\_\_

MAYOR, CITY OF DEER LODGE, MONTANA

State of Montana

County of \_\_\_\_\_

This instrument was signed before me on \_\_\_\_\_

by \_\_\_\_\_  
*Print name of signer(s)*

\_\_\_\_\_  
*Notary Signature*



## RESOLUTION 2022-R-7

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE ABANDONING A 65-FOOT BY 150-FOOT PORTION OF THE CITY RIGHT OF WAY BETWEEN THE TRACTS OF LAND WITH THE LEGAL DESCRIPTIONS OF (A) NORTHWEST TOWNSITE SECTION 32, TOWNSHIP 08 NORTH, RANGE 09 WEST, BLOCK 4, LOT 1 - 5 AND (B) NORTHWEST TOWNSITE, SECTION 32, TOWNSHIP 08 NORTH, RANGE 09 WEST, BLOCK 9, LOT 1 - 5, AND 10X150 ALLEY ABANDONMENT, SEE BK 124, PG 266 AND AUTHORIZING THE MAYOR OF THE CITY OF DEER LODGE TO EXECUTE A QUITCLAIM DEED OF SAID PROPERTIES TO BRAD'S STORAGE, LLC AND ANY AND ALL SUCCESSORS.**

WHEREAS, The Deer Lodge City Council has the authority to hear and consider requests to abandon (surrender or relinquish) City owned property if it is in the best interest of the public; and

WHEREAS, the City of Deer Lodge on June 18, 2021 received a *Request for Abandonment of City Owned Property* from Brad's Storage, LLC of an approximately 65-foot by 150-foot portion of an alley between the tracts of land with the legal descriptions of (A) Northwest Townsite Section 32, Township 08 North, Range 09 West, Block 4, Lot 1 – 5 and (B) Northwest Townsite Section 32, Township 08 North, Range 09 West, Block 9, Lot 1 – 5, and 10x150 Alley Abandonment, see Book 124, Page 266 that are both owned by the applicant and are identified on Exhibit A to the attached quitclaim deed; and

WHEREAS, the Public Works Committee at their July 26, 2021 meeting reviewed the request and report presented by the Chief Administrative Officer and found no concerns as the abandonment shall not affect any public utilities and as such, agreed to forward the request for approval of the City Council. FURTHER, the Public Works Committee elected to decrease the cost of said abandonment from the amount calculated in the staff report to the amount indicated in the attached quitclaim deed; and

WHEREAS, the City Council at their September 7, 2021 meeting reviewed the request and report presented to the Public Works Committee and elected to forward the request to a public hearing; and

WHEREAS, the Chief Administrative Officer and the Powell County Clerk and Recorder reviewed the quitclaim deed and attached Exhibit A as provided by the applicant's contracted surveyors and found that they were appropriate and valid for filing with the Powell County Clerk and Recorder; and

WHEREAS, the City Council held a duly notice hearing on February 7, 2022 to accept public comments regarding the proposed alley abandonment; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Lodge to adopt Resolution 2022-R-7 to abandon the described property and have it cease being the property of the City of Deer Lodge. FURTHER, to authorize the Mayor to execute a quitclaim deed with the applicant for said described property.

The *Request for Abandonment of City Owned Property* from Brad's Storage, LLC, the quitclaim deed for said property, and Exhibit A to the quitclaim deed which describes said property are attached to Resolution 2022-R-7.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 7<sup>th</sup> day of February 2022.

The effective date of Resolution 2022-R-7 is February 7, 2022.

<b>Council Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain/Present</b>	<b>Absent</b>
Dick Bauman				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Vacant				
John Skibsrud				
James Jess   Mayor				

---

James Jess, Mayor

Attest:

---

Cyndi Thompson, City Clerk

## Request for Abandonment of City Owned Property

### ABANDONMENT: "TO NO LONGER HAVE ANY RIGHT TO A PROPERTY"

The giving up of ownership and any present or future rights to real property by the lawful owner. Governing entities have the power to abandon publicly owned property if it is determined that the best interest of the public will be served by transferring ownership from the public sector to the private sector or from one entity to another. If abandonment is granted, the deed will be filed with the Powell County Clerk and Recorder.

Name of Applicant: Brads Storage / Angel Lemper +  
Address of Applicant: 13175 Eastside Rd Anaconda MT  
Telephone Number: 406-691-0840  
Property description of land requesting to be abandon: <sup>last</sup> 1/2 blk of Cottonwood  
that Dead-ends on Brads Storage. Corners with  
Washington St  
Ownership of adjoining property: Brads Storage on both sides  
Clawson & Andersons Grant Kohrs

Letters that there are no objections to the abandonment must be received from at least 51% of adjoining property owners.

Provide a site map indicating the property in question, with appropriate dimensions.

The city is required to publish a public notice in the local newspaper twice prior to the council meeting that action will be taken.

Angel Lemper  
Signature of Applicant

6/18/21  
Date

[Signature]  
Received by

6/18/21  
Date

Forwarded to PUBLIC WORKS Committee on JULY 26, 2021

Note: Request will not be considered without proper information  
Please allow at least four weeks lead time for preliminary review by the committee.  
Advertising and filing fees will be billed to the applicant

hans 7265@live.ca

City of Deer Lodge  
300 Main Street  
Deer Lodge MT 59722-1098



Brad Storage LLC  
13179 Eastside Road  
Anaconda, MT 59711

**QUIT CLAIM DEED**

THIS INDENTURE, made the \_\_\_\_ day of \_\_\_\_\_, 2022 between the City of Deer Lodge, as the Party of the First Part, and Brads Storage LLC, as the Party of the Second Part, WITNESSETH:

That the said Party of the First Part, in consideration of the sum of SIX THOUSAND FIVE HUNDRED and no/100 DOLLARS (\$6,500.00), does hereby convey, remise, release and forever quitclaim unto the said Party of the Second Part, and to his successors and assigns, forever, all liability for, right, title, interest in and to the real property, situated in the County of Powell, State of Montana, to-wit:

See Exhibit A attached hereto and Resolution Number \_\_\_\_\_ as passed by the City of Deer Lodge, Powell County, State of Montana.

together with all the tenements, hereditaments, and appurtenances thereto belonging, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever as well in law as in equity, of the said Party of the First Part, of, in or to the said premises and every part and parcel thereof, to have and to hold, all and singular the said premises, with the appurtenances, unto the said Party of the Second Part, and assigns, forever.

**1. QUIT CLAIM DEED**







# CITY COUNCIL

# MINUTES

---

The City Council met on Monday, January 24, 2022, at 6 PM | PC Community Center

<b>Members Present:</b>	Rob Kersch, Dick Bauman, John Henderson, John Molendyke, John Skibsrud, Curt Fjelstad
<b>Members Absent:</b>	Jackie Greenwood, 1 Vacant
<b>Mayor:</b>	James Jess
<b>CAO:</b>	Jordan Green
<b>Staff:</b>	Police Chief Smith, FD Chief Pierson, Trent Freeman, Suzan Callahan, Cyndi Thompson & Peter Elverum
<b>Consultants</b>	None
<b>Guests:</b>	None

**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** - Members of the audience may comment on any non-agenda. 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.

a. None

**3. Approval of Minutes**

a. Regular Meeting: January 3, 2022. Member Skibsrud, correction to minutes, section 10(c) to include the wording "and grazing" to Mike Clasby public comment.

Member Kersch motioned to approve minutes as amended. Member Henderson seconded the motion. 6 Ayes, 0 Nos, 1 Absent, 1 Vacant. Motion passed.

**4. Public Hearing.**

- a. None

**5. Department Reports:** Composed Reports are in the packets.

- a. CAO Report – Report was accepted as presented.
- b. Public Works – Report was accepted as presented.
- c. Police - Report was accepted as presented.
- d. Code Enforcement - Report was accepted as presented.
- e. Fire Department– Report was accepted as presented.

**6. 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. Member Kersch asked about the open vacancy on council if there were any interested candidates. CAO Green stated, no interested candidates at this time. City Attorney Elverum stated State Law requires it be filled within 30 days and if that can't happen, continue to get the word out. Elverum suggested putting a comment on the utility billing cards advertising the vacancy in ward 1. Advertising has been Silver State Post, Facebook, and City website.
- b. Member Kersch thanked Jordan for setting up the MSU Local Government Training. The training went well.
- c. Member Skibsrud asked about council representation being present during an interview process. Mayor Jess stated, him and Jordan just discussed this, and, in the future, we will have a council member present.

**7. Continued Business** - The Council will act on each item after accepting public comments.

- a. None

**8. New Business** (Old Business or Items Tabled)

- a. Committee Assignments – Council President Bauman  
Council President Bauman presented to the committee members an outline of each councilors assigned committees for 2022/2023.
- b. Board Appointments – Mayor Jess  
Mayor Jess presented to the committee members the assigned Board Appointments for each councilor for 2022/2023. Each member accepted the Board Appointments as Mayor Jess read the assignments.
- c. Fee Schedule – Jordan  
Updated copy of the Fee Schedule was presented to council. Changes to City Code Titles were outlined in Appendix A: Version History, reflecting current version and previous version.

Member Kersch stated there were changes in Title 10 that are not shown in Appendix A. Member Skibsrud asked about Title 10 section 1c "Parking meters and regulations and the cost associate with the violations and adding verbiage for repeated offenders.

Jordan addressed Mr. Kersch and Mr. Skibsrud stating he will review Title 10 and update the Appendix reflecting changes and verify the parking meters and regulations cost are correct and clarifying the language.

Jordan stated he will update the fee schedule to reflect the current changes in Title 10 and ready for the public hearing.

Member Kersch motioned to correct the fee schedule to reflect the fines, fees & penalties as outlined in the new Title 10, so they correspond. Council President Bauman seconded the motion. 6 Ayes, 0 Nos, 1 Absent, 1 Vacant. Motion passed.

d. ARPA Discussion – Jordan

The requirements use on how to use the ARPA funds have been adjusted to follow the final rule. The new final rule now allows and municipalities that received less than \$10 million dollars can be used for any government service provision.

A committee of council members plus others from the public to discuss the best use of the ARPA funds. This would be an Ad Hoc Committee.

Using some of the funds for the Well project was discussed.

For those interested in being on the committee please reach out to the Mayor or Council President Bauman. Member Fjelstad stated he would be interested in being on the committee. Council President Bauman stated he would be interested in being on the committee.

**9. Next Meeting Announcements**

- a. February 7, 2022, at 6PM.

**10. Adjournment**

Mayor Jess adjourned the meeting at 7:10PM.

Prepared By: Cyndi Thompson, City Clerk

---

James Jess, Mayor

---

Date



---

**CITY OF DEER LODGE**

---

**CITY COUNCIL**

**\*SPECIAL MEETING\***

**MINUTES**

---

**The City Council met on February 2, 2022, at 6 PM | City Hall Council Chambers**

**Members Present:** Dick Bauman, Robert Kersch (via zoom), John Skibsrud, John Henderson, Jackie Greenwood & Curt Fjelstad

**Members Absent:** John Molendyke

**Mayor:** James Jess

**CAO:** Jordan Green

**Staff:** Cyndi Thompson

**Consultants** None

**Guests:** John Greenwood

**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. Mr. Greenwood questioned why we can't have sirens for medical emergencies. Mayor Jess replied there isn't a noise ordinance for emergency vehicles. Deer Lodge Medical center has their own policy. The City Code doesn't prohibit emergency sirens.

**3. Public Hearing.**

a. None

**4. Approval of Minutes.**

a. Regular Meeting: Deferred till February 7, 2022, regular Council meeting.

**5. Continued Business** (old/continued Business or Items Tabled)

a. None

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

a. Purchase of New Code Enforcement Vehicle: 2013 Ford Explorer Police K-9 Equipped - Jordan

The Special Council Meeting was called to present from Asia Motors a 2013 Ford Explorer that is outfitted as a K-9 vehicle. This is the same company we just recently purchased the police cruiser from. Asia Motors would not place a hold on the vehicle and there was another Municipal organization interested in the same vehicle. Therefore, resulted in a Special Council Meeting.

With Council's approval we would like to purchase the mentioned vehicle for \$16,595 plus shipping and use the available ARPA funds to purchase that vehicle.

Jordan stated, he did investigate the van that was given to the City years back from Renfield Metal and that vehicle is nonoperational for a City Official to operate daily.

Jordan stated he ran the Carfax and VIN on the vehicle, and it is clear of any accidents, etc. Discussed this with the mechanics on the public works crew and they said that was a good vehicle to purchase and will work well for the city.

Council President Bauman asked about the resale value on box truck that is currently being used for the Code Enforcement. Jordan stated we looked at possibly using that vehicle for Public Works, although they decided against it due to the condition of the vehicle and it only being front wheel drive. Suzan has a potential buyer although the sale would have to go through the sealed bid process to sale it. She has someone that would bid \$5,000 on the vehicle immediately.

Member Skibsrud asked why a new vehicle for Code Enforcement wasn't budgeted for this year. Jordan replied we did not have a Code Enforcement Officer at the time of budget preparations.

Member Skibsrud asked why this new vehicle wasn't preapproved. We should have set a budget amount then shopped for a vehicle. Jordan stated Suzan has outlined this in her monthly report and had been mentioned several times in different committees. There is no State Law that requires us to take it to a committee before we present it to Council.

Mayor Jess stated he was made aware of Code Enforcement needing a new vehicle and is in favor of what is being presented tonight.

Member Greenwood motioned to approve the purchase of 2013 Ford Explorer from Asia Motors purchase price \$16,595 plus shipping using the available ARPA funds. Council President Bauman seconded the motion and stated that he is in favor of the purchase and using the ARPA funds to purchase it.

Council asked about the Dodge Charger City vehicle and does the City need that vehicle. Jordan and Mayor Jess stated Dan Green, City Building Inspector, Trent Freeman PW Supervisor use this

vehicle frequently. Member Kersch stated that the city got a great deal on that Dodge Charger, and it would be silly to sell something that gets used.

Public comment: Mr. Greenwood stated he was in favor of the purchase as the current vehicle is inadequate for Code Enforcement daily tasks. He stated that using the Dodge Charger is not large enough to secure large animals inside the vehicle and potentially could be a safety hazard to the Code Enforcement Officer.

Mayor Jess stated, we have a motion on the table and a seconded. Member Greenwood amended motioned to approve the purchase of 2013 Ford Explorer from Asia Motors or if that vehicle is no longer available, a purchase price of up to \$20,000 to purchase a different vehicle using the available ARPA funds. Council President Bauman seconded the motion.  
5 Ayes, 1 No, 1 Absent, 1 Vacant. Motion passed.

**7. 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. None

**8. Next Meeting Announcements**

a. Regular Meeting: Monday, February 7, 2022, at 6 PM at PC Community Center

**9. Adjournment**

Mayor Jess adjourned the meeting at 6:20PM.

Prepared By: Cyndi Thompson, City Clerk

\_\_\_\_\_  
James Jess, Mayor

\_\_\_\_\_  
Date



# City Council - February 7, 2022

## Financial Summary

January 2022

Atypical Revenues	Purpose	Fund	Amount
FEMA-Planning Grant	Flood Mitigation Cottonwood Creek	General	\$45,929.74
Completed Projects	Grant Funded	City Funded	Final Cost
Flood Mitigation Cottonwood Creek	\$45,929.74	\$15,694.42	\$61,624.16 under budget- \$8,375.84
Atypical Claims	Purpose	Fund	Amount
Asia Motors-Law Enforcement	2017 Ford Explorer	Police Capital	\$30,685.00

Payables	
Claims	\$166,254.97
Payroll	\$146,830.25
<b>Total</b>	<b>\$313,085.22</b>

**A motion to approve payment of the claims is requested.**

City of Deer Lodge  
 Claims by Vendor  
 January 2022

Vendor	Amount
AMAZON	200.94
ASIA MOTORS, INC.	30,685.00
BIRD DOG BBQ	250.00
CALLAHAN, SUZAN	47.39
CENTER POINT LARGE PRINT	47.94
CENTURY LINK	85.10
CHARTER COMMUNICATIONS	650.43
COLLABORATIVE SUMMER LIBRARY PROGRAM	57.49
CULLIGAN OF BOZEMAN - BUTTE	11.00
DAN GREEN	1,109.36
DAVID G. RAY	100.00
DEE MOTOR CO.	833.05
DEER LODGE REFUSE DISPOSAL DISTRICT	420.00
DEPARTMENT OF LABOR AND INDUSTRY	31.00
ELVERUM LAW FIRM, PLLC	5,351.50
ENERGY LABORATORIES, INC.	2,264.00
EVERLY & ASSOCIATES	150.00
FICKLER OIL CO.	97.00
GALLS, LLC	389.13
GIRKY, ELISSA	180.00
HACH COMPANY	1,217.00
HERRICK, SEAN	65.00
HYDROMETRICS, INC.	2,948.97
INGRAHAM ENVIRONMENTAL, INC.	681.36
J&C BODY SHOP	6,278.92
Johnson & Associates, Inc.	85.00
KEYSTONE DRUG	75.00
KOHR'S MEMORIAL LIBRARY - PETTY CASH	47.22
LEE'S OFFICE CITY, INC.	106.20
LICKETY PRINT	334.05
LOCAL GOVERNMENT CENTER	1,055.36
MONTANA BROOM & BRUSH COMPANY	1,067.63
MONTANA CORRECTIONAL ENTERPRISES	101.80
Montana Department of Corrections	525.00
MONTANA HISTORICAL SOCIETY	35.00
MORRISON-MAIERLE CORP.	14,265.33
MOUNT POWELL TIRE CENTER, INC.	729.97

NAPA AUTO PARTS	1,358.80
NELSON, MAGDA	910.00
NORTHWEST PIPE FITTINGS	296.82
NORTHWESTERN ENERGY	21,496.67
OLD MONTANA PRISON	100.00
PIONEER RESEARCH CORPORATION	4,570.37
PITNEY BOWES, INC.	644.40
POWELL COUNTY CLERK	3,340.75
R & C HOME IMPROVEMENT	94.95
RDO EQUIPMENT CO.	8,256.65
ROME ENTERPRISES 027545	587.71
S&N CONCRETE MATERIALS, INC	348.75
STAHLY ENGINEERING & ASSOCIATES, INC.	7,022.75
Staples Credit Plan	144.96
Titan Machinery, Inc.	395.48
TRITECH SOFTWARE SYSTEMS	1,861.93
U.S. BANK COMMUNITY CARD	3,679.41
UNIVISION, INC.	854.60
UPS	141.00
USDA RD LOAN #92-01	15,765.00
USDA RD LOAN #92-02	4,075.00
USDA RD LOAN #92-04	11,886.00
UTILITIES UNDERGROUND LOCATION CENTER	17.27
VEHICLE SERVICES BUREAU	20.60
VERIZON WIRELESS SERVICES, LLC	563.83
WEX BANK	5,242.13

Total 166,254.97