

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3177

AN ORDINANCE CREATING A UNIFORM PROCEDURE FOR
ESTABLISHING MUNICIPAL FEES AND CHARGES
BY THE CITY COMMISSION, AND AMENDING VARIOUS
TITLES OF THE HELENA CITY CODE TO REMOVE SPECIFIC
FEE AND CHARGE AMOUNTS FROM THE CITY CODE

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE
CITY OF HELENA, MONTANA:

Section 1. Chapter 5 of Title 1 of the Helena City Code is
hereby amended as follows:

1-5-1 through 1-5-8: No change.

1-5-9: **FEE AND CHARGE AMOUNTS:** The specific amount of any
fees and charges imposed by city ordinance will be established
and adjusted by the commission in the manner provided in Title
7, Chapter 5, Part 1 of the Montana Code Annotated. (Ord. 3177,
6-10-2013)

1-5-10: SPECIAL ASSESSMENT SPLITS:

A. Definitions: . . .

C. Collection Of Fees: The city engineer shall collect ~~the~~
~~following~~ nonrefundable fees to cover ~~his~~ costs ~~in~~ of
processing the special assessment split application. ~~:-~~ a
~~base fee of fifty dollars (\$50.00); the applicant shall pay~~
~~an additional five dollars (\$5.00) per parcel for each~~

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~~parcel in excess of five (5) when the proposed split creates more than five (5) parcels.~~

. . . . (Ord. 2905, 2-26-2001; amd. Ord. 3177, 6-10-2013)

Section 2. Chapter 8 of Title 2 of the Helena City Code is hereby amended as follows:

2-8-6: COURT FEES, CRIMINAL:

- A. The court fee for posting bond for any case pending in municipal court is ~~five dollars (\$5.00)~~, in addition to the regular bond. This ~~five dollar (\$5.00)~~ court fee must be paid at the time of posting bond. If, at a later date, the municipal court judge or a jury finds the defendant not guilty, the ~~five dollar (\$5.00)~~ court fee will be returned to the defendant. If the defendant forfeits the posted bond, the ~~five dollar (\$5.00)~~ court fee also will be forfeited.
- B. A ~~twenty dollar (\$20.00)~~ court fee, in addition to the regular fine and surcharges required by law, will be assessed against any person who appears in the municipal court and is found guilty of the charges brought against

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him or her. This ~~twenty dollar (\$20.00)~~ court fee may not be assessed until a conviction has been reached by either the judge or a jury. This ~~twenty dollar (\$20.00)~~ court fee is to be paid along with the regular fine and surcharges, and is to cover the court costs incurred in the action. If a defendant has previously ~~posted~~ paid a court fee for posting bond, the defendant shall pay the difference between the amount of the bond fee and the ~~twenty dollar (\$20.00)~~ court fee upon receiving a guilty verdict. (Ord. 3121, 1-11-2010, eff. 3-10-2010; amd. Ord. 3177, 6-10-2013)

2-8-7: COURT FEES, CIVIL: In civil cases, ~~the~~ municipal court will charge the ~~following~~ fees set forth in Mont. Code Ann. § 25-31-112 and any surcharges otherwise established by law. ~~for civil cases:~~

~~A. Twenty five dollars (\$25.00) A fee to file a complaint, to be paid by the plaintiff.~~

~~B. Ten dollars (\$10.00) A fee when the defendant appears, to be paid by the defendant.~~

~~C. Ten dollars (\$10.00) A fee to be paid by the prevailing~~

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~~party when the judgment is rendered. In cases where judgment is entered by default, no charge except the twenty five dollars (\$25.00) fee for the filing of the complaint may be made.~~

~~D. Ten dollars (\$10.00) A fee for all services in an action where judgment is rendered by confession.~~

~~E. Ten dollars (\$10.00) A fee for filing a notice of appeal and transcript on appeal, justifying and approving undertaking on appeal, and transmitting papers to the district court with certificate.~~

~~F. Additional user surcharges as provided by law. (Ord. 3121, 1-11-2010, eff. 3-1-2010; amd. Ord. 3177, 6-10-2013)~~

Section 3. Chapters 6 and 14 of Title 3 of the Helena City Code are hereby amended as follows:

. . .

3-6-2: APPLICATION FOR PERMIT: Application for the moving of any building or structure shall be made on forms supplied by the community development department ~~of public service~~, accompanied by a fee ~~of twenty five dollars (\$25.00)~~. Upon approval of the

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moving permit, the applicant will be given an eight inch by ten inch (8" x 10") yellow-colored permit card which shall be securely attached to the front of the building. This permit shall show the following: (Ord. 2205, 8-3-1981; amd. Ord. 3177, 6-10-2013)

. . .

3-14-4-5: FEES: A processing fee ~~of twenty five dollars (\$25.00)~~ shall be submitted with each permit application. (Ord. 2594, 4-29-1991; amd. Ord. 3097, 4-7-2008; amd. Ord. 3177, 6-10-2013)

Section 5: Chapters 1, 2, 3, 4, 5, 6, 9, and 10 of Title 4 of the Helena City Code are hereby amended as follows:

. . .

4-1-7: PAYABLE ANNUALLY: ~~All licenses, except as otherwise herein provided, shall be payable annually, in advance to the director of finance, and wherever the amount of said license is not specified the same shall be one dollar (\$1.00).~~ Except as otherwise provided herein, all license fees shall be payable annually, in advance, to the director of administrative

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services. Whenever the amount of any license fee is not specifically established, the fee shall be the same as the general business license fee. (Ord. 1263, 10-25-1937; amd. Ord. 3177, 6-10-2013)

. . .

4-1-9: LICENSE FEES; MISCELLANEOUS BUSINESS: No person shall conduct, operate, transact, engage in, or carry on, any of the industries, trades, pursuits, professions, vocations, or businesses within the city hereinafter specified and enumerated, without first applying for and obtaining a license ~~therefor from said city~~ as herein provided, and, if such application for license is granted, shall pay ~~therefor as follows:~~ the required fee. (Ord. 2355, 12-3-1984; amd. Ord. 3177, 6-10-2013)

A. ~~Each~~ The operation of any billiard, pool, or bagatelle table, not kept exclusively for family use, ~~fifty dollars (\$50.00) per year.~~ (Ord. 2819, 12-22-1997; amd. Ord. 3177, 6-10-2013)

B. Auctioneers, ~~fifteen dollars (\$15.00) per seventy two (72) hour period or forty five dollars (\$45.00) per year.~~ (Ord. 2355, 12-3-1984; amd. Ord. 3177, 6-10-2013)

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. . .

4-1-16-10: FEE DISPOSITION ON DENIALS OR REVOCATION: Upon denial of a business license, ~~twenty dollars (\$20.00) or the license fee, whichever is less, shall be retained by the city as an administrative fee for processing the application and the balance, if any, shall be refunded to applicant after the period for appeal has elapsed~~ an administrative fee for processing the application shall be retained by the city. The same fee shall be retained if the application is withdrawn prior to final city action. On revocation, the city shall retain the license fee. (Ord. 2188, 9-21-1981; amd. Ord. 3177, 6-10-2013)

. . .

4-1-16-16: PENALTY OF FOR LATE RENEWAL: ~~On late renewal, a penalty of twenty dollars (\$20.00) plus two percent (2%) of the license fee per month or any portion thereof shall be assessed.~~ This A penalty fee will be assessed in the event of any late renewal, and the penalty shall be paid prior to issuance of a new or renewed license. (Ord. 2188, 9-21-1981; amd. Ord. 3177, 6-10-2013)

. . .

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4-1-16-20: LICENSE FEE SCHEDULE: ~~Effective for calendar year 1999 and thereafter, all~~ All businesses licensed pursuant to this chapter shall pay an annual business license fee. as follows:

A, B, and table: Deleted in their entirety.

(Ord. 2874, 5-17-1999; amd. Ord. 3177, 6-10-2013)

. . .

4-2-2: LICENSE FEES: Any person who desires to engage in the business of selling alcoholic beverages shall, in addition to obtaining the necessary license ~~therefor~~ from the division, obtain a license from the city and pay a license fee. as follows:

A through C: Deleted in their entirety.

All licenses issued hereunder shall expire at twelve o'clock (12:00) midnight on June 30 of each year, and must be renewed annually upon application and payment of the appropriate license fees. A transfer of any such license may be made by application to the city, accompanied by satisfactory evidence of approval of the transfer of the license issued by the division, and the transferee shall pay a transfer fee ~~of ten dollars (\$10.00).~~

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(Ord. 2843, 6-1-1998; amd. Ord. 3177, 6-10-2013)

. . .

4-2-13: TEMPORARY PERMITS: Any person holding a special permit for the sale of all alcoholic beverages issued pursuant to § 16-4-301, MCA, may receive a temporary permit for the corresponding place and period by applying ~~therefor~~ to the director of ~~finance~~ administrative services and paying a fee of ~~five eighths ($\frac{5}{8}$) of the fee charged by the division for a state all beverage license.~~ (Ord. 2843, 6-1-1998; amd. Ord. 3177, 6-10-2013)

4-2-14: SPECIAL BEER AND TABLE WINE PERMIT:

~~A.~~ Permit: No change.

B. Deleted in its entirety. (Ord. 2843, 6-1-1998; amd. Ord. 3177, 6-10-2013)

. . .

4-3-2. APPLICATION; FEE:

A. Pawnbrokers: Said application shall be made in writing, setting forth the full name and residence of such applicant, if an individual; name and address of each

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officer, if a corporation; and name and address of each member, if a partnership or association; and the exact location where said business is to be conducted, and each application shall be accompanied by a license fee ~~of one hundred dollars (\$100.00)~~ if the application is made before July 1 of any year and ~~fifty dollars (\$50.00)~~ 50% of the license fee if the application is made after July 1, which fee shall cover the period up to January 1 of the following year, and the annual fee thereafter shall be ~~the sum of one hundred dollars (\$100.00)~~ payable in advance before January 10 in each year, payable at the office of the director of finance who shall issue a certificate for such license, which such certificate shall be posted at all times in a conspicuous place at the place of business for which such license was issued. Such certificate shall set forth the name of the applicant, purpose of license and designated place of business, which place shall not be changed without a written endorsement of the change on the certificate by the said director of finance. (Ord. 2211, 8-3-1981; amd. Ord. 3177, 6-10-2013)

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B. Secondhand And Junk Dealers: Said application shall be made in writing setting forth full name and residence of such applicant, if an individual; name and address of each officer, if a corporation; and name and address of each member, if a partnership or association, and the exact location where said business is to be conducted, and each application shall be accompanied by a license fee ~~of seventy five dollars (\$75.00)~~, payable at the office of the director of ~~finance~~ administrative services who shall issue a certificate for such license, which such certificate shall be posted at all times in a conspicuous place at the place of business for which such license was issued. Such certificate shall set forth the name of the applicant, purpose of license and designated place of business, which place shall not be changed without a written endorsement of the change on the certificate by the ~~said~~ director of ~~finance~~ administrative services. Said license shall be valid for one year after its issuance. (Ord. 2209, 8-3-1981; amd. Ord. 3177, 6-10-2013)

. . .

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4-4-3: LICENSE FEES: Every person desiring to transact business in the city as a solicitor, peddler or hawker, must, before commencing such business, obtain a license from the director of ~~finance~~ administrative services. ~~for which he shall pay the following:~~ The license fee will be classified based on whether the sale involves immediate or future delivery of the sale or service items, will be paid in advance, and separate licenses must be obtained by each solicitor, peddler, and hawker and by each person employed by or acting on behalf of any such solicitor, peddler, or hawker. (Ord. 1369, 4-5-1948; amd. Ord. 3177, 6-10-2013)

A through D. Deleted in their entirety.

. . .

4-5-2: NON-COMMERCIAL USE OF SOUND TRUCKS:

A. . . .

E. Fee: Upon filing the registration statement, the applicant shall pay a fee ~~of fifteen dollars (\$15.00)~~ to the ~~finance~~ administrative services director. (Ord. 2213, 8-3-1981; amd. Ord. 3177, 6-10-2013)

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. . . .

. . .

4-6-3: APPLICATION; FEE: . . .

A. through F. No change.

A quarterly license fee ~~of fifty cents (\$0.50) per parking stall or space per month~~ shall be paid, in advance. Said quarterly periods shall commence on January 1, April 1, July 1, and October 1. Said licenses shall expire quarterly on March 31, June 30, September 30, and December 31 of the respective quarters. (Ord. 2214, 8-3-1981; amd. Ord. 3177, 6-10-2013)

. . .

4-9-4: APPLICATION REQUIREMENTS:

A. . . .

B. License Fee: Any applicant for a license hereunder shall submit a fee to the ~~city finance~~ administrative services director. ~~, with his application for a license, a fee of ten dollars (\$10.00).~~ There shall not be an additional license charge for any renewal granted under the provisions

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of subsection 4-9-5C of this chapter. . . . (Ord. 2634, 3-2-1992; amd. Ord. 3177, 6-10-2013)

. . . .

4-10-1: LICENSE REQUIRED: For the protection and general welfare of the citizens of Helena, Montana, it is hereby declared that the business of operating coin operated amusement machines or games comes within the police power of the government of the city, and that no person shall operate a coin operated amusement game or machine without a license ~~therefore,~~ ~~as herein provided.~~ The fees charged for said licenses shall be ~~as fixed in this chapter and the monies received from said licenses shall be~~ used to defray the expense of processing and issuing said licenses and the inspection, regulation and control of the aforementioned business in the city. (Ord. 2192, 8-10-1981; amd. Ord. 3177, 6-10-2013)

4-10-2: Deleted in its entirety. (Ord. 2298, 3-28-1983; amd. Ord. 3177, 6-10-2013)

Section 6. Chapters 2, 3, 11, and 12 of Title 5 of the

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Helena City Code are amended as follows:

. . .

5-2-3: LICENSING AND REGISTRATION:

A. No person shall own, keep or harbor any dog within the city limits, unless such dog is licensed as herein provided. Application for such license shall be made to the administrative services director ~~of finance~~, or such agent as shall be designated by the administrative services director ~~of finance~~. Such application shall state the name and address of the owner and the name, breed, color and sex of the dog. The license fee shall be paid at the time of making application, a numbered receipt given to the applicant, and a numbered metallic or plastic tag shall be issued to the owner. ~~The yearly license fee shall be fifteen dollars (\$15.00) for each male which has been altered to be infertile, or spayed female over the age of six (6) months . The yearly license fee shall be twenty five dollars (\$25.00) , for each unspayed female or unaltered male dog over the age of six (6) months.~~ Every person engaged in operating a dog or cat "kennel", as

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defined in this chapter, shall pay an annual kennel license fee ~~of fifty dollars (\$50.00)~~. All dog licenses and kennel licenses shall be issued for one year, beginning ~~with~~ January 1. Any license issued for any dog for the year immediately preceding shall be valid to, but not including, March 1 of the current year. No application for a dog license shall be accepted until the applicant has produced satisfactory evidence that the dog for which the license is to be issued has a currently valid "avianized flurry" strain rabies vaccine as of the date of the application. Any person licensing a dog on or after March 1 of any year shall pay an additional fee ~~one dollar (\$1.00)~~ with the ordinary license fee unless such person can present evidence satisfactory to the administrative services director ~~of finance~~ that the animal being licensed has not been kept, held or owned within the city for a period in excess of one week immediately prior to the date on which application is made. (Ord. 2849, 8-24-1998; amd. Ord. 3177, 6-10-2013)

- B. In the event that a license tag issued for a dog shall be

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lost, the owner may obtain a duplicate tag upon the payment of ~~twenty five cents (\$0.25) to the treasurer~~ a duplicate tag fee. . . . (Ord. 3177, 6-10-2013)

5-2-6: KENNEL LICENSE:

A. A kennel license ~~will be~~ is required by any person or family owning or harboring three (3) or more dogs or cats over six (6) months of age. The following conditions must be met before such a license will be issued:

1. . . .

3. The applicant must pay the required kennel fee ~~of fifty dollars (\$50.00) per year or any part thereof~~. . . .

(Ord. 2193, 8-10-1981; amd. Ord. 3177, 6-10-2013)

. . . .

. . . .

5-2-20: **IMPOUNDMENT FEES:** Any animal impounded hereunder may be reclaimed as herein provided upon payment of an impoundment fee by the owner to the animal control officer or animal shelter personnel ~~of the sum of twenty five dollars (\$25.00)~~ and an additional fee for each day such animal has been kept in the

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animal shelter. . . . (Ord. 2489, 8-24-1998; amd. Ord. 3177, 6-10-2013)

. . .

5-2-32: VIOLATION; LICENSEE'S LIABILITY AND TRANSFER: In all prosecutions for violations of this chapter, the person who applied for and obtained the license for the dog in question shall be deemed the person responsible for the violation unless there has been a transfer of ownership prior to the violation. Any transfer of ownership must be evidenced by a transfer license issued by the ~~finance~~ administrative services director. A transfer license may be obtained by furnishing the name and address of the transferee to the city finance director and paying a fee ~~of one dollar (\$1.00)~~. (Ord. 2193, 8-10-1981; amd. Ord. 3177, 6-10-2013)

. . .

5-2-34: REGISTRATION:

A. . . .

B. The city shall issue a certificate of registration . . .

4. The city will charge an annual fee ~~of twenty-five dollars (\$25.00)~~ to register dangerous dogs. Said fee is

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in addition to regular dog licensing fees. (Ord. 2453, 9-14-1987; amd. Ord. 3177, 6-10-2013)

. . . .

. . .

5-3-2: IMPOUNDING; FEES: All such animals found running at large may be impounded by the animal control officer as prescribed in section 5-3-1 of this chapter. When any such animal is taken up and confined, it shall not be released until the owner shall pay to the animal control officer having such animal in charge, ~~the sum of five dollars (\$5.00) as his fee a~~ fee for taking up or discharging each and every such animal taken up and confined, and ~~the sum of two dollars fifty cents (\$2.50)~~ an additional fee for the suitable proper sustenance of each and every such animal for every twenty four (24) hours the ~~same shall be~~ animal is kept. For a ~~second violation of this chapter, in one and the same season, the further sum of five dollars (\$5.00) for each and every animal so impounded, and for every subsequent offense during the same season, an additional~~ fee five dollars (\$5.00) for each and every animal so impounded will be imposed. (1979 Code; amd. Ord. 3177, 6-10-2013)

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. . .

5-3-7: KEEPING OF APIARIES:

A. . . .

B. A hobbyist beekeeper may own, use, or maintain a hobbyist apiary site within the city provided that beekeeper first obtains an annual apiary license from the city. ~~The annual fee for an apiary license is fifteen dollars (\$15.00).~~ An apiary license may only be issued to a hobbyist beekeeper who:

. . . . (Ord. 3123, 7-12-10; amd. Ord. 3177, 6-10-2013)

. . .

5-11-7: APPLICATION FOR MONITORING SERVICES PERMIT: . . .

A. through E. No change.

F. Each application for an initial permit hereunder shall be accompanied by a nonrefundable ~~fifty dollar (\$50.00)~~ fee. The initial permit shall be valid for five (5) years from the date of issuance. Permits may be renewed at the time of expiration for an additional five (5) year period. Each application for renewal shall be accompanied by a ~~fifty dollar (\$50.00)~~ fee. In

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addition to said fee, the applicant shall pay a yearly monitoring service fee ~~of seventy dollars (\$70.00) per year to the city finance administrative services director for each alarm installed in a private residence only or one hundred dollars (\$100.00) for each alarm installed in a location other than a private residence,~~ that is monitored in the center. Ninety percent (90%) of the money so collected will be allocated to the operations budget of the center and ten percent (10%) shall be allocated to the ~~city finance~~ administrative services office for administration. (Ord. 2557, 6-18-1990; amd. Ord. 2759, 12-11-1995; amd. Ord. 3177, 6-10-2013)

. . .

5-11-20: FALSE ALARM/SERVICE: The permittee shall be responsible for any service, test, repair, maintenance, adjustment, or installation which might actuate a false alarm on a particular alarm system. In the event an alarm agent will be performing repair, maintenance, testing, adjustment or installation, which might actuate a false alarm, notification shall be made to the center prior to such activity. In the event the city police department, city fire department, Lewis

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and Clark County sheriff's office, rural fire department, or any other legally constituted emergency response agency is requested to respond to such false alarm, it shall be counted as a "false alarm" as defined in this chapter and will require the payment of a false alarm fee. Newly installed alarms shall be granted a fifteen (15) day grace period in which to rectify system problems. False alarms during this period will not be recorded as a "false alarm" as defined hereunder. ~~The following fees shall be paid for all false alarms:~~

FEE TABLE OF FEES DELETED IN ITS ENTIRETY

If any alarm user ~~shall~~ suffers more than five (5) false alarms in any twelve (12) month period, his permit hereunder may be revoked as herein provided. (Ord. 2406, 7-14-1986; amd. Ord. 3177, 6-10-2013)

. . . .

. . .

5-12-5: FACILITY FEE: Any person delivering a load of solid waste without a cover to any licensed solid waste facility will be charged ~~ten dollars (\$10.00)~~ a fee by the facility attendant. (Ord. 2595, 3-25-1991; amd. Ord. 3177, 6-10-2013)

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. . . .

Section 7. Chapters 2 and 3 of Title 6 of the Helena City Code are amended as follows:

. . . .

6-2-4: TAPPING CHARGE: Any person desiring to make connection to the water or sewer mains of the city must make application in writing, and pay a fee for the cost of tapping in advance. ~~the following amounts:~~

A. and B. Deleted in their entirety. (Ord. 2356, 12-10-1984; amd. Ord. 3177, 6-10-2013)

. . . .

6-2-9: WATER SYSTEM DEVELOPMENT FEE:

A. Computation Of Fee: Any party desiring to connect to the city water system shall be subject to a water system development fee (SDF). ~~In the following amount(s):~~

FEE TABLE DELETED IN ITS ENTIRETY

Said fee shall be paid in full by the party seeking connection before issuance of the building permit.

. . . . (Ord. 2401, 5-19-1986; amd. Ord. 3177, 6-10-2013)

. . . .

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6-3-7: WASTEWATER SYSTEMS DEVELOPMENT FEE:

A. Computation Of Fee: Any party desiring to connect to the city wastewater system is subject to a wastewater systems development fee (SDF). ~~computed by multiplying the SDF by the base SDF:~~

FEE TABLE DELETED IN ITS ENTIRETY

. . . . (Ord. 2925, 12-3-2001, amd. Ord. 3177, 6-10-2013)

Section 8. Chapters 1, 2, 5, and 13 of Title 7 of the Helena City Code are hereby amended as follows:

. . . .

7-1-7: CLOSURE AND VACATIONS: The commission may close or vacate streets, alleys and other public ways. Any person desiring the closure or vacation of a street, alley or other public way shall apply therefor and pay to the city an application fee ~~of two hundred fifty dollars (\$250.00).~~ The city shall investigate the proposed closure or vacation and shall, after public notice, hold a public hearing thereon and either approve, deny or conditionally approve said closure or vacation. (amd. Ord. 3177, 6-10-2013)

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. . . .

. . .

7-2-5: FEES FOR EXCAVATION: ~~The charges to be made~~ A charge shall be made for the cost of issuing a permit and for the cost of inspection for street and alley openings of any kind. ~~or character whatsoever shall be as follows:~~

~~A. There shall be a charge of forty dollars (\$40.00) for the cost of issuing the permit.~~

~~B. There shall be a charge of thirty dollars (\$30.00) for the cost of inspection. (Ord. 3013, 2-14-2005; amd. Ord. 3177, 6-10-2013)~~

. . . .

. . .

7-5-5: FEES: ~~Thirty dollars (\$30.00)~~ There shall be a fee for inspection testing and to set line and grade for up to two (2) alley and/or drive approaches. For more than two (2) approaches there will be an additional charge. ~~a charge of fifteen dollars (\$15.00) per extra approach.~~

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. . . . (Ord. 2547, 4-9-1990; amd. Ord. 3177, 6-10-2013)

. . . .

7-13-5: EXCLUSIVE RIGHT OF WAY USE:

A. . . .

B. Exclusive right of way permits that are granted by the city commission are subject to the following conditions:

1. . . .

8. The permit holder shall pay to the city administrative services department an annual fee for the right of way use permit of five percent (5%) of the fair market value of the property as determined by the most recent appraisal by the Montana department of revenue for ad valorem property taxation purposes, with credit for landscaped areas, alternate routes, and amortized costs of improvements for public improvements, with a minimum fee ~~of fifty dollars~~ ~~(\$50.00)~~ per year.

. . . . (Ord. 3107, 3-9-2009; amd. Ord. 3177, 6-10-2013)

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Section 9. Chapters 7, 8, 14, 21, and 23 of Title 8 of the Helena City Code are hereby amended as follows:

. . .

8-7-111: FEES FOR COPIES OF ACCIDENT REPORTS: Any person seeking to obtain copies of any accident reports prepared by or in the custody of the city police department, shall pay a fee to ~~said~~ the police department ~~in the sum of five dollars (\$5.00)~~ for each copy of each ~~of said~~ reports. (Ord. 2222, 8-3-1981; amd. Ord. 3177, 6-10-2013)

. . . .

. . .

8-8-601: APPLICATION FOR LICENSE: Application for a bicycle license and license plates shall be made upon a form provided by the city and shall be made to the chief of police. A license fee ~~of one dollar (\$1.00)~~ shall be paid to the city before each license or transfer thereof is granted. (1979 Code; amd. Ord. 3177, 6-10-2013)

. . . .

. . .

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8-14-2: PERMIT FOR LOADING OR UNLOADING BY BACKING TO CURB:

The ~~director of the parking and traffic division~~ Helena Parking Commission is authorized to issue special permits to allow the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or construction materials subject to the terms and conditions of such permit. ~~Such~~ These permits may be issued either to the owner or lessee of real property, or the owner of the vehicle, and shall grant to ~~such person~~ the permittee the privilege as therein stated and authorized, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of such permit. There shall be a ~~five dollar (\$5.00)~~ fee for said permit. (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

. . . .

. . .

8-14-4: RESTRICTIONS AND TIME LIMITS UPON PERMISSION TO USE ON STREET COMMERCIAL LOADING ZONES:

A. Commercial vehicles using on street commercial loading zones must obtain a permit from the ~~director of the parking and traffic division~~ Helena Parking Commission. The permit

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~~shall~~ must be displayed on the right front windshield of the commercial vehicle. Every such permit ~~shall~~ expires at the end of each calendar year. The permit shall be issued upon payment of ~~a five dollar (\$5.00)~~ an annual fee, ~~payable annually~~. No commercial loading zone permit shall be issued to any commercial business or individual which does not possess a current city general business license.

. . . . (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

8-14-5: SPECIAL REQUEST FOR ON STREET COMMERCIAL LOADING ZONE:

The ~~director of the parking and traffic division~~ Helena Parking Commission shall not hereafter designate or sign any curb as a loading zone upon special request of any person unless such person makes written application for such zone. The ~~director of the parking and traffic division~~ Helena Parking Commission, upon granting a request, shall collect from the applicant, and deposit in the parking maintenance and operation fund, a service fee ~~of four dollars (\$4.00)~~ per foot per year, or fraction thereof, and may, by general regulations, impose conditions upon the use of such loading zone. (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

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8-14-6: BUS AND TAXICAB ZONES:

A. . . .

C. Designation of Bus and Taxicab Zones:

1. . . .

4. ~~The license fee to be paid to the city~~ An annual permit fee shall be paid for bus and taxicab zones ~~shall be sixty dollars (\$60.00) per year~~ per passenger motor vehicle space.

. . . . (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

. . . .

~~8-14-8: HANDICAPPED PARKING:~~ **This section is deleted in its entirety.** (Ord. 2690, 11-22-1993; amd. Ord. 3177, 6-10-2013)

~~8-14-98:~~(Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

~~8-14-109:~~ (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

~~8-14-1110:~~ **PRIVATE PARKING FACILITIES:**

A. . . .

C. Annual Enforcement Fee. An annual enforcement fee ~~of fifty~~

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~~cents (\$0.50)~~ per parking stall per month shall be assessed by the director of the Helena Parking Commission for the enforcement of parking restrictions in private parking facilities if the city has entered into a written agreement to provide parking control and enforcement. All said fees are to be deposited in the parking maintenance and operation fund. (Ord. 2329, 1-16-1984; amd. Ord.3177, 6-10-2013)

8-14-~~12~~11: (Ord. 2625, 12-9-1991; amd. Ord. 3177, 6-10-2013)

8-14-~~13~~12: (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

8-14-~~14~~13: (Ord. 3163, 1-14-2013; amd. Ord. 3177, 6-10-2013)

8-14-~~15~~14: (Ord. 3163, 1-14-2013; amd. Ord. 3177, 6-10-2013)

8-14-~~16~~15: (Ord. 2329, 1-16-1984; amd. Ord. 3177, 6-10-2013)

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. . .

8-21-1: IMPOUNDMENT: When any owner or possessor of an automobile has violated any of the parking provisions contained in this title, and in order to enforce traffic regulations violated it becomes necessary for possession of the automobile to be taken, the procedure shall be as follows:

- A. Any police officer is hereby authorized to take possession of any motor vehicle owned by any person who has violated, as to said vehicle, any of the traffic regulations of this city, and has authority to remove such vehicle from the streets, alleys or public places, where the violation occurred, and to store and keep possession thereof until the owner of such vehicle appears and claims the same. The cost of towing or removing such vehicle and the costs of storing the same shall be chargeable against the vehicle and the owner thereof and shall be paid by the owner of said vehicle before the same shall be released. The vehicle may be stored in a public or private place; if in a public place, the storage charges shall be the amount

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charged for such public storage; if stored on city property, a ~~the~~ storage charge ~~to~~ will be collected by the city for ~~during~~ the time said vehicle is in the possession of the police department ~~shall be fifteen dollars (\$15.00) per day.~~

- B. Upon taking possession of any such vehicle, the police department shall notify the owner thereof that such vehicle has been impounded and is being held for the towing and storage charges. This notice shall be given to the person to whom said vehicle is licensed in accordance with the registration list furnished by the registrar of motor vehicles. The notice shall be given by certified mail and a charge ~~of five dollars (\$5.00)~~ for the giving of such notice shall be collected at the time the vehicle is returned to the owner thereof.

. . . . (Ord. 3121, 1-11-2010; eff. 3-1-2010; amd. Ord. 3177, 6-10-2013)

. . .

8-21-3: IMMOBILIZATION PROCEDURE:

- A. . . .

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B. It is a misdemeanor punishable as provided in section 1-3-1 of this code for any person to remove or attempt to remove any immobilization device or to move any immobilized vehicle from the place at which the immobilization device was affixed to the vehicle before a release is obtained from the HPC. An immobilized vehicle may not be released by the HPC until a fee ~~of fifty dollars (\$50.00)~~ for the immobilization is paid, together with payment of all outstanding parking fines, or posting of bond as allowed by subsection 8-21-4B of this chapter.

. . . .(Ord. 3011, 2-14-2005; amd. Ord. 3177, 6-10-2013)

. . . .

CHAPTER 23, VEHICLE SIZE AND WEIGHT, is hereby deleted in its entirety. (Ord. 3177, 6-10-2013)

Section 2. This ordinance is effective the 15th day of July, 2013.

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FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 20th DAY OF MAY, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 10th DAY OF JUNE, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION