

Harlowton City Ordinance Committee Minutes  
November 13, 2018  
Harlowton City Hall  
6:00pm

Rob Elwood called the meeting to order at 6:00pm.

Bob Schuchard, city resident, discussed his concern regarding lack of enforcement or lack of enforceable dog ordinances/codes. He has a problem with a neighbor and their barking dogs and has been told conflicting information from the sheriff's office/dispatch about what can be done. He does not want to be a bother to the sheriff's office by calling constantly about the same situation. Attorney Karen Hammel suggested that Bob continue to call the sheriff's office as they need to document the complaints. Karen had spoken with Randy Cameron (Undersheriff) about the situation and was told that the first time the owner gets talked to about the situation, 2<sup>nd</sup> time a written warning, 3<sup>rd</sup> time a citation. Rob suggested that the dog ordinance contain larger fines or progressively larger fines. Frank Brouillette wants the ordinance to be more specific with definitions of disturbance. Frank also wants us to all keep in mind that we should not be making codes/ordinances around specific situations. Bob Schuchard was wondering if the dogs he was speaking of get loose and attack someone would the city be liable as the ordinance did not keep residents safe.

Randy Cameron arrived at the meeting and was brought up to date on the discussion. Randy commented that most people who are in violation of the dog ordinances pay the citations and don't care. The fines are currently set at \$35 first citations, \$55 and then \$90. Randy suggested that the fees increase higher for subsequent offenses. The sheriff's office also requested they retain discretion in giving warnings. Randy Cameron wanted to know if the citations were to be issued per dog or per owner. Fines were discussed to be more in line with \$50 first offense, \$100-\$150 second offense and \$300 subsequent offenses. Randy Cameron also asked if the ordinance will address if the dog is within a residence making a disturbance.

Rob Elwood asked Karen Hammel how does the city proceed with repealing only certain sections of a title in the codes. Karen explained that there is an ordinance process to repeal sections. Kathie explained the difference between ordinances and codes. Kathie also explained that the first reading is done at a council meeting, then the second reading is scheduled for the next council meeting. In between those council meetings the information about the ordinance is to be posted at the official posting sights as well as in the local newspaper. At the second reading, if the council approves the ordinance, it becomes effective 30 days later (except for emergency ordinances which are not what the city is currently dealing with).

The ordinance committee is prepared to recommend to the city council repeal of the following codes without any further review:

- Chapter 1.04.030, 1.04.040, 1.04.050, 1.04.080, 1.04.090, 1.04.100
- Chapter 1.12
- Chapter 2.36
- Chapter 2.38
- Chapter 3.08

Chapter 5.36

Karen will prepare the first readings of the ordinances to be repealed.

Karen mentioned that if a code/ordinances has been in effect for 7 years it is presumed to have been implemented correctly.

Randy Cameron said that the sheriff's office does get complaints on parking. Discussion ensued about liability when vehicles are parked illegally or improperly.

Next ordinance committee meeting will be November 27, 2018 at 6:00pm at the Harlowton City Hall. First reading of ordinances to be repealed, dog ordinances and speed/traffic ordinances will be discussed at the next meeting.

Meeting adjourned at 6:46pm.

Committee Members Present: Rob Elwood, Frank Brouillette, Charley Bennett

Others Present:

City: Ian Reed, Paul Otten, Kathie Newland, Karen Hammel

Sheriff's Office: Randy Cameron, Drew Greydanus, Shawn Truesdale

Public: Bob Schuchard

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Rob Elwood, Committee Chair

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Kathie Newland, Clerk