

ORDINANCE NO. 5-2018

ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, REPEALING CHAPTER 5.36 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING FRANCHISES.

RECITALS

WHEREAS, the City Council has found that the existing Municipal Codes concerning franchises is unnecessary because it has been superseded by Chapter 13.1; and

WHEREAS, the City Council finds that repeal of Chapter 5.36 in its entirety, will address this issue.

NOW, THEREFORE, BE IT ORDAINED, by the City Council, City of Harlowton, Montana, as follows:

Section 1: Action

Chapter 5.36, granting a franchise to the Montana Power Company, is superseded by Chapter 13.1, granting a similar franchise to NorthWestern Energy, and is hereby repealed.

Section 2: Repealer

All resolutions, ordinances and sections of the City of Harlowton Municipal Code and Parts thereof in conflict herewith are hereby repealed.

Section 3: Severability

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

Section 4: Effective Date

The First Reading of this ordinance occurred on, and is reflected in the minutes of the City Council dated November 27, 2018.

This ordinance shall be in full force and effect 30 days after passage of the Second Reading.

PASSED AND ADOPTED, ON THIS SECOND READING, by the City Council of the City of Harlowton this 8th day of January, 2019.

John H. Anderson
Councilperson

X
Yes No Absent

Rob Wood
Councilperson

X
Yes No Absent

James R. Koltowski
Councilperson

X
Yes No Absent

Joe Smith
Councilperson

X
Yes No Absent

Donald G. [Signature]
Councilperson

X
Yes No Absent

Councilperson

Yes No Absent

Approved:

Paul Otten
Paul Otten, Mayor

Approved as to Form and Content

Karen Finstad Hammel
Karen Finstad Hammel, City Attorney

ATTEST:

Kathie Newland
Kathie Newland, City Clerk