Harlowton City Ordinance Committee Minutes

December 14, 2021

Harlowton City Hall

6:00PM

**Minutes:** Minutes from the November 9, 2021 Ordinance Committee meeting were approved as written.

**Public Comment:** none

**Update on Past Agenda Topics:** City Attorney Karen Hammel gave an update regarding the subdivision/floodplain fees. Karen had spoken with Page Dringman. Page stated that the $200 fee would never be “enough” but that it was set at that amount to encourage people to follow the process. Page had also suggested that the City wait to adopt the resolution for the floodplain ordinance until after the revised FEMA map had been formally adopted.

Regarding the City/County interlocal agreement, Karen had drafted a letter to County Attorney Lynn Grant and had presented it to him.

**Business:**

1) The City’s existing Decay Ordinance was discussed. City Clerk-Treasurer Lara Brisco had reached out to other Montana Cities/Towns for examples of their Decay Ordinances. The Committee reviewed the documents. Discussion took place regarding the similarities and differences between the documents. Karen stated that Harlowton’s current decay ordinance was too vague. Karen stated that everything would not need to be changed, just clarified. Karen gave an example of how the correct process would look. Someone would file a complaint with the City. A Public Works employee or Council person would check out the area of complaint and then bring it to the attention of the Council. The Council would then decide if a certified letter would be necessary. If so, the property owner would have 30 days to respond. The property owner would make a “plan” to present to the Council for correcting the issue. If the person refused to respond, the Sheriff’s Department would be called and the person would receive a citation. The City Court system could also become involved. The City could charge the property owner if the City did the abatement etc… unpaid bills could result in a lien on the property.

Discussion took place regarding a current concern with the liability and safety of the “State” building on Central Ave. Frank stated that he would contact the property owner directly.

Karen stated that if the decay ordinance was revised and the City decides to enforce it, they would need to take public comment at a meeting and also give the community plenty of time (6 months to a year) to comply. The City would also need to be consistent with the enforcement of the Decay Ordinance.

Karen stated that it wouldn’t take much to revise the current Decay Ordinance. Mayor Paul Otten asked if Karen could have the revisions done by the February 8th meeting. Karen said yes, she could.

2) Discussion took place regarding current issues with vicious dogs within City limits and legal action being taken.

3) The Fire Pit Ordinance revision was discussed. Karen had consulted with the DEQ standards and found the definition of burn barrels. “Incinerators” cannot burn solid/hazardous waste (ie cardboard) unless a multi-compartment chamber incinerator is used. No air quality permits are necessary. The DEQ’s standards for incinerators would supersede the City’s ordinances.

Discussion took place regarding the wording of the revised ordinance. Karen stated that the revision would repeal the previous burn barrel ordinance.

Items on the next Meeting’s agenda include:
Continued discussion of the Decay Ordinance

Continued discussion of the Fire Pit Ordinance revision

Meeting adjourned at 6:55pm.

Committee Members present: Allison Jones, Jack Runner, Frank Brouillette

Committee Members absent: none

City: Paul Otten, Lara Brisco, Bob Schuchard, City Attorney Karen Hammel

Sheriff’s Office: none

Public Present: none

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Frank Brouillette , Committee Chair Lara Brisco, City Clerk-Treasurer