

**ORDINANCES**  
MILES CITY, MONTANA

**ORDINANCE NO. 1305**

**AN ORDINANCE ENACTING SECTION 11-1 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, TO ESTABLISH REGULATIONS GOVERNING FIRE DEPARTMENT REPOSITORY UNITS.**

**WHEREAS**, the City Council of the City of Miles City has determined that it is necessary and appropriate to enact Section 11-1 pertaining to regulations governing fire department repository units to the Code of Ordinances of the City of Miles City. The City recognizes that said repository units assist in providing the fire department rapid entry into locked buildings, increasing the chance of survival in a fire and a reduced risk of substantial property damage caused by delays in gaining entry into a structure, or caused as a result of forced entry into a structure.

**BE IT ORDAINED**, by the City Council of the City of Miles City, Montana, as follows:

**Section 1.** That there is hereby enacted a Section 11-1, entitled Fire Department Repository Units, as follows:

Sec. 11-1. – Fire Department Repository Units.

(a) The owner or person in control of the following types of buildings as set forth in this section shall install and maintain a Fire Department Repository Unity of a type approved by the Fire Chief of the City of Miles City. A list of approved units, along with order forms, shall be maintained by the Fire Inspector. Repository Units shall be mounted 6 feet above ground level, on the right hand side of the main entrance. The following buildings shall be required to install Repository Units at the owner's expense:

1. Any newly constructed apartment building or other rental building containing four (4) or more residential living units and which access to the building or to common areas or mechanical or electrical rooms within the building is denied through locked doors.
2. Any newly constructed nonresidential building which is used for a commercial or industrial purpose.
3. Any existing or newly constructed non-residential building where a fire detection or suppression system is monitored by an alarm company or has an external audible alarm.
4. Any building or facility containing a quantity of hazardous materials which would require compliance with Title III of SARA (Superfund Amendment Reauthorization Act).
- (b) The owner or person in control of the buildings or facilities described in Section 11-1(a) above shall cause to be placed in such Repository Unit a key to the following areas:
  1. Locked points of access in the exterior of the building or facility;
  2. Locked points of access to common areas, such as hallways or utility rooms, contained in such buildings or facilities;
  3. Locked mechanical rooms;
  4. Locked electrical rooms;
  5. All other locked areas, other than individual apartments or rented rooms, as directed by the Fire Chief.
- (c) The fire chief may require additional information to be stored within the Repository Unit, to include an emergency contact card, diagram showing locations of utility

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and fire protection controls, and any other contents as may be required by the Fire Chief or his/her designee.

- (d) All properties required by this section to have a Repository Unit shall have a period of six months from the final passage of this section to have said unit in place. Any newly constructed property required by this section to have a Repository Unit shall install said unit prior to the City issuing an occupancy permit to for the property.
- (e) The Board of Appeals for the City of Miles City may waive the requirements of this section for good cause shown, and only after a hearing before the Board of Appeals following notice to the Fire Chief of such request.
- (f) Violations of this ordinance shall be referred to the City Prosecutor to be filed into City Court, and shall be punishable by a fine not less than \$100.00 and not more than \$500.00, with each day of a continuing or existing violation being considered a separate offense.

**Section 2.** This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 27<sup>th</sup> day of September, 2016.

  
John Hollowell, Mayor

ATTEST:   
Lorrie Pearce, City Clerk

**FINALLY PASSED AND ADOPTED** this 11<sup>th</sup> day of October, 2016.

ATTEST:  
  
Lorrie Pearce, City Clerk

  
John Hollowell, Mayor

# Affidavit of Publication

STATE OF MONTANA }  
County of Custer } ss.

Mary Rose Bovee, being duly sworn on her oath, says that she has been the principal clerk of the printer of the MILES CITY STAR, a daily newspaper of general circulation, printed and published at Miles City, in said County and State. **City of Miles City, Legal Notice. Ordinance Number 1305.** A printed and true copy which, cut from the columns of said newspaper, is hereto attached, and made a part hereof, was printed and published in said newspaper, in the regular and entire issue of every number of the paper during the period and time of publication, on the following dates,

September 30, and October 7, 2016

Signed Mary Rose Bovee  
Subscribed and sworn to before me this 30th  
day of September, 2016

Tabatha Hallman

Tabatha Hallman, Notary Public for the state of Montana, residing at Rosebud. My Commission Expires June 1, 2019.



## LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Miles City at a Regular Council Meeting held on Tuesday, September 27, 2016 at 7:00 p.m., passed on first reading the following Ordinance:

**Ordinance No. 1305-**  
An Ordinance Enacting Section 11-1 of the Code of Ordinances of the City of Miles City, Montana, to Establish Regulations Governing Fire Department Repository Units

The above Ordinance is on file and available for public inspection at the City Clerk's Office at City Hall, 17 S. 8th Street, Miles City, Montana. You are further notified that objections to the final adoption of the Ordinance will be heard by the City Council at its regularly scheduled meeting in the Council Chambers at City Hall, 17 S. 8th Street, Miles City, Montana, on Tuesday, October 11, 2016 at 7:00 p.m.

For information or questions you may contact the City Clerk at 234-3462.

BY ORDER OF

THE CITY COUNCIL

Lorrie Pearce

City Clerk

(Published September 30, and October 7, 2016 )

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