

ORDINANCE NO. 1240

AN ORDINANCE OF THE CITY OF MILES CITY PROHIBITING PARKING OF MOTOR VEHICLES AND CAMPERS UPON PRIVATE PROPERTY FOR CAMPING AND SLEEPING PURPOSES, PROVIDING A PENALTY FOR VIOLATION THEREOF, PROVIDING FOR A PUBLIC HEARING THEREON, AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, due to the rapid development of energy production in Eastern Montana and western North Dakota, neighboring communities in Eastern Montana and western North Dakota have experienced increases in crime, overcrowding, unsanitary conditions, and accumulations of trash and debris from motor vehicles and campers upon private property being used for temporary or permanent residential purposes;

AND WHEREAS, the City Council of the City of Miles City has determined that the utilization of motor vehicles and campers upon private property within the City of Miles City for temporary or permanent residential purposes presents public safety concerns due to fire danger, increased crime, overcrowding, unsanitary conditions and accumulations of waste and debris due to lack of adequate potable water, wastewater, and solid waste facilities, and is contrary to the character and established uses of zoning districts within the City of Miles City and within the extended zoning jurisdiction of the City of Miles City;

AND WHEREAS, the City of Miles City zoning ordinance provides General Commercial (GC) districts in which tourist parks and campgrounds are permitted and such tourists parks and campgrounds have the appropriate facilities and space for the use of motor vehicles and campers for temporary or permanent residential purposes and are subject to sanitation regulations and inspections;

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

Section 1. There is enacted a Section 24-21 of the Code of Ordinances of the City of Miles City, Montana to read as follows:

“Sec. 24-21. - Parking for camping purposes.

(1) It is unlawful for any person to park any motor vehicle or camper on public or private property for camping or sleeping purposes in the City of Miles City or within the extended zoning jurisdictional area outside of the City of Miles City except in a campground licensed by the State of Montana pursuant to Title 50, Chapter 52, M.C.A.

(2) Overnight parking or camping in private parking lots within the city limits or within the extended zoning jurisdictional area outside of the City of Miles City is prohibited. However, a rest period of no more than ten (10) hours shall be allowed, providing it is permitted by the owner of the parking lot. The rest period shall consist of ten (10) consecutive hours, after which time the vehicle must be removed from the parking lot.

(3) The term “*camper*” shall include all travel trailers, towed trailers, folding camping trailers, fifth wheels, and truck campers, but shall not include a mobile home or manufactured home as

defined in 15-24-201 MCA. “*Motor vehicle*” shall be as defined in Section 22-2(1)(g) of the Miles City Code of Ordinances.

(4) Upon approval by resolution, the city council may temporarily suspend the requirements and restrictions imposed by section 24-411 in order to accommodate special events held within the city. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event.

(5) Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, may be fined not less than \$10.00 nor more than \$500.00 for each violation, and may be imprisoned until such fine is paid, but not exceeding 50 days. Each day that a violation is permitted to exist shall constitute a separate offense.”

Section 2. A public hearing shall be held upon this ordinance before the City Council at 7:00 p.m. on the 12th day of June, 2012 in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 3. The City Clerk shall give notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of hearing, in accordance with §76-2-303 and §76-2-305 MCA.

Section 4. This Ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

SAID ORDINANCE READ AND PUT UPON ITS PASSAGE THIS 8TH DAY OF MAY, 2012.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

SAID ORDINANCE FINALLY PASSED AND APPROVED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 12TH DAY OF JUNE, 2012.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk