

**ORDINANCES**  
**MILES CITY, MONTANA**

**ORDINANCE NO. 1225**

**AN ORDINANCE AMENDING SECTIONS 2-86, 2-126, 2-129, 2-174, 2-179, 2-180, 2-181, 2-222, 2-230, 2-231 AND REPEALING SECTIONS 2-130, 2-171, 2-172, AND 2-173 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA OF TO CONFORM TO CHANGES IN MONTANA STATUTE.**

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

**Section 1.** Section 2-86 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-86. Designation of elective and appointive officers.**

The officers of the city shall consist of elective officers and appointive officers. The elective officers shall be one mayor, one treasurer, one city judge and two aldermen from each ward as provided by law. The appointive officers shall be one city attorney, one city clerk, one chief of police, one chief of the fire department, a city engineer, a city building inspector, one police commission consisting of three members, and such other officers and boards as the council may from time to time create or authorize by ordinance or resolution and in accordance with state law.”

**Section 2.** Section 2-126 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-126. Appointment; term of office.**

The mayor shall appoint, with the consent of the council, a city clerk. ”

**Section 3.** Section 2-129 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-129. Appointment of deputy clerk.**

The mayor may appoint a deputy city clerk, who shall have power to do in the name of the city clerk all acts and duties pertaining to that office. The deputy shall be responsible for the acts done on behalf of that office by the deputy.”

**Section 4.** Section 2-130 of the Code of Ordinances of the City of Miles City, Montana is repealed.

**Section 5.** Section 2-171 of the Code of Ordinances of the City of Miles City, Montana is repealed.

**Section 6.** Section 2-172 of the Code of Ordinances of the City of Miles City, Montana is repealed.

**Section 7.** Section 2-173 of the Code of Ordinances of the City of Miles City, Montana is repealed.

**Section 8.** Section 2-174 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-174. Commencement of term.**

The term of office shall commence on the first Monday in January after the

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## MILES CITY, MONTANA

election.”

**Section 9.** Section 2-179 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-179. Designation of depositories.**

The city treasurer shall deposit the funds of the city, from day to day, in such banks of the city as shall be designated by the city council as city depositories. No bank shall be designated as a city depository until it has filed a written agreement with the city treasurer to pay interest on the daily balances of all such deposits at such rate as may be determined and agreed upon between the bank, the city, and complies with state law. In addition, the city council may require such depository to execute a bond to the city, together with sufficient sureties approved by the city council, in an amount equal to at least the largest amount to be deposited at any time in such bank, as determined by the city treasurer. The city council shall have the power to direct the withdrawal of all such moneys from any such bank for any reason.”

**Section 10.** Section 2-180 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-180. Quarterly reports by depositories.**

The president and cashier of every bank in which city funds are deposited shall make quarterly a full and complete verified statement of account showing the amount of money which has been on deposit with the bank which they represent during the quarter, the amount of the daily balance, and the amount of interest they have credited or paid to the city treasurer on account of such deposits. Such affidavit shall also contain a statement that no interest, consideration or emolument, other than that prescribed by law, has been paid by such depository bank or any of its officers to the treasurer or to any other person as an inducement for the deposit or for continuing the same with such depository.”

**Section 11.** Section 2-181 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-181. Disposition of interest.**

All interest paid and collected on deposits shall be credited to the general fund by the city treasurer unless otherwise required by state law.”

**Section 12.** Section 2-222 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-222. Compensation of officers and employees.**

- (a) The salary or compensation of officers and employees may be set annually by ordinance or resolution of the city council.
- (b) The compensation of the salaried officers and employees of the city shall be paid semi-monthly, except as otherwise provided.”

**Section 13.** Section 2-225 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-225. General city funds created.**

All funds shall conform with the structure provided by the regulatory rules of the Montana Department of Administration.

**Section 14.** Section 2-230 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**“Sec. 2-230. Manner of crediting revenues.**

- (a) All revenues shall be credited as provided by the regulatory rules of the

**ORDINANCES**  
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Montana Department of Administration.

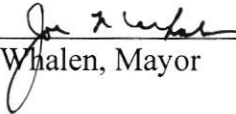
**Section 15.** Section 2-231 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

**"Sec. 2-231. Disbursing of revenues.**


All revenues shall be disbursed as provided by the regulatory rules of the Montana Department of Administration.

**Section 16.** This amendment shall become effective thirty (30) days after its final passage.

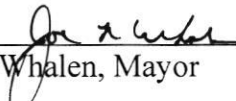
Said ordinance read and put on its passage this 26th day of July, 2011.

  
\_\_\_\_\_  
Joe Whalen, Mayor

ATTEST:

  
\_\_\_\_\_  
Rebecca Stanton, City Clerk

**FINALLY PASSED AND ADOPTED BY THE AFFIRMATIVE VOTE OF  
A MAJORITY OF THE MEMBERS OF THE CITY COUNCIL OF THE  
CITY OF MILES CITY THIS 9TH DAY OF AUGUST, 2011.**

  
\_\_\_\_\_  
Joe Whalen, Mayor

ATTEST:

  
\_\_\_\_\_  
Rebecca Stanton, City Clerk

**Affidavit of Publication**

STATE OF MONTANA }  
County of Custer } ss.

Mary Halvorson, 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. That the Ordinance 1225, second reading  
. 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, August 12 and 19 2011.

Signed Mary M. Halvorson

Subscribed and sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 2011

**LEGAL NOTICE**  
**NOTICE IS HEREBY GIVEN** that the City Council of the City of Miles City at a Regular Council Meeting held on Tuesday, July 26, 2011 at 7:00 p.m., passed on first reading the following Ordinance:  
ORDINANCE NO. 1225 AN ORDINANCE AMENDING SECTIONS 2-86, 2-126, 2-179, 2-180, 2-181, 2-222, 2-230, 2-231 AND REPEALING SECTIONS 2-130, 2-171, AND 2-173 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA TO CONFORM TO CHANGES IN MONTANA STATUTE  
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. Your 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, August 23, 2011 at 7:00 p.m.  
For information or questions you may contact the City Clerk, 17 S. 8th Street, Miles City Montana 59301, at telephone number (406) 234-3462.  
BY ORDER OF  
THE CITY COUNCIL  
Becky Stanton  
City Clerk  
(Published August 12, & 19, 2011)