

Public Safety Committee Meeting January 30, 2013

The **Public Safety Committee** met Wednesday, January 30, 2013, at 12:00 pm in the City Hall Conference Room. Present were Committee Chairperson Andrews and Committee Members Sue Galbraith, Jerry Partridge and John Hollowell. Also present were Police Chief Doug Colombik, Public Utilities Director Al Kelm, Mayor C.A. Grenz and Committee Recorder Connie Watts.

1. ELECTION OF CHAIRPERSON

Committee Member Jerry Partridge, acting as temporary chairman, brought the meeting to order and called for chairperson nominations.

*** Committee Member Partridge nominated Dwayne Andrews as chairperson, seconded by Committee Member Galbraith and passed 3-0. Dwayne Andrews is the new chairperson for the Public Safety Committee.*

2. **ORDINANCE NO. 1250:** An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

Discussion revolved around the appropriateness of the usage of shotguns and/or rifles at the Airport and the Wastewater Treatment Plant. Public Utilities Director Kelm said there are a lot of problems with skunks, raccoons, coyotes, etc., at the WWTP and welcomes hunters to help alleviate those varmints. The Airport has deer problems, which can be dangerous for aircraft.

Chief Colombik said he does not feel it is appropriate to shoot shotguns or other rifles of any kind at the WWTP, as there are too many homes in the area and the risk of someone getting hurt is too great. He is also rather uncomfortable with guns at the airport because of the activity up there. He said other cities that allow deer hunting inside the city limits restrict the hunting to archery. He has absolutely no problems with archery.

It was proposed to change Ordinance 1250 as follows: (changes indicated by italics)

Sec.16-43 – Discharge of Firearms

“(a) it shall be unlawful for any *unauthorized person.....*”

PUBLIC SAFETY COMMITTEE AGENDA

DATE: Wednesday, January 30, 2013

TIME: 12:00 p. m. Noon

PLACE: City Hall Conference Room

AGENDA:

1. **Election of Chairperson**
2. **ORDINANCE NO. 1250:** An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Range
3. **Handicap Parking at 907 Garland for Deb Kirkwood**
4. **Requests of Citizens**

Public comment on any public matter that is not on the agenda of this meeting can be presented under "Request of Citizens" provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on the matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings.

ORDINANCE NO. 1250

AN ORDINANCE REVISING SECTIONS 16-43 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA SO AS TO PROHIBIT THE DISCHARGE OF FIREARMS ON CITY OWNED OR LEASED LANDS WITHIN THREE (3) MILES OF THE CITY LIMITS EXCEPT AT APPROVED SHOOTING RANGES.

The City Council of the City of Miles City having determined that the discharge of handguns, rifles and shotguns on City owned or City leased lands within three (3) miles beyond the City limits of the City of Miles City, other than at approved shooting ranges, is disruptive to the peace and safety of the users of such lands;

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

Section 1. Section 16-43 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

“Sec. 16-43. - Discharge of firearms.

(a) It shall be unlawful for any person to willfully shoot or fire off a gun, pistol or any other firearm within the limits of the city.

(b) It shall be unlawful for any person to willfully discharge a handgun, rifle or shotgun upon any City owned or City leased property within three (3) miles beyond the City limits of the City of Miles City, including, but not limited to, Spotted Eagle Recreation Area, Frank Wiley Field, the City Wastewater Treatment plant and adjoining former lagoon area, the City Water Treatment Plant property and Pumping Plant Park, and the Industrial Site west of the City limits. This prohibition shall not apply to authorized users of the Miles City Police Department pistol range adjacent to the City Water Treatment Plant, nor to shotgun users of the trap shooting range at Spotted Eagle Recreation area during daylight hours. The Following Hunting exceptions apply: with permission from the Airport manager or the Waste Water Plant Manager/Operator, archery and shotgun hunting of upland game birds, spring turkey and waterfowl on City owned property which is fenced outside of the runways at the Airport, and hunting access is also allowed at the Wastewater Plant, providing hunting access to the river.

(c) Any person who violates this section shall be punishable by a fine not exceeding \$500.00 or by imprisonment in the county jail for a period not exceeding 6 months, or both.

(d) Firearms may be discharged in an indoor or outdoor rifle, pistol, or shotgun shooting range located within the city limits if the shooting range is approved by the City Council.

(e) Subsections (a and b) do not apply if the discharge of a firearm is justifiable under Title 45, chapter 3, part 1, MCA.”

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

Said Ordinance read and put on its passage this 8th day of January, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

FINALLY PASSED AND ADOPTED this 22nd day of January, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

December 19, 2012

Mayor Butch Grenz and Miles City Safety Committee
P O Box 910
Miles City, Montana 59301

Dear Honorable Mayor Grenz and Safety Committee Members:

I understand that the City Council is planning on installing a School Safety sign in front of my home at 907 Garland. This is long overdue in light of the fact that we endure many speeding cars that frequent our neighborhood even though it is a closed street at both ends. Drivers often use our alley as a street in the morning and afternoon when many children walk down the alley on their way to and from school.

I would also like to request that a handicapped parking sign be installed along with the school sign as well. Being disabled, I often find that I cannot access my sidewalk when exiting a cab. I would like to also request permission to include a sidewalk ramp when I widen my front walk for wheel chair accessibility. I know that the handicapped parking sign has been granted to others who needed it in front of their residence so shall thank you in advance for your consideration.

Respectfully yours,



Deb Kirkwood
907 Garland
Miles City, Montana 59301



