

ORDINANCES  
MILES CITY, MONTANA

ORDINANCE NO. 1332

**AN ORDINANCE REPEALING SECTION 16-44 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY WITH RESPECT TO THE PROHIBITION AGAINST THE CARRY OR SALE OF SWITCHBLADE KNIVES.**

WHEREAS, the Montana Legislature passed House Bill 155, which repealed the State of Montana's prohibitions related to switchblade knives, and which contains language prohibiting local governments from enforcing any ordinance which regulates, restricts, or prohibits the ownership, use, possession, or sale of any type of knife that is not specifically prohibited by state law;

AND WHEREAS, Section 16-44 of the Code of Ordinances of Miles City, Montana, states as follows: "(a) It shall be unlawful for any person to carry or bear on his person, or within or on any motor vehicle or other means of conveyance which is owned or operated by such person, or give away, sell or offer for sale a switchblade knife; provided that a bona fide collector whose collection is registered with the city police chief is hereby exempted from this section. (b) For the purpose of this section, a switchblade is defined as any knife which has a blade 1½ inches long or longer, which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife.";

AND WHEREAS, Section 16-44 requires repeal by virtue of House Bill 155, which was signed by the Governor of the State of Montana on April 3, 2019;

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

**Section 1. Section 16-44 is hereby REPEALED.**

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

Said Ordinance read and put on its passage this 23<sup>rd</sup> day of April, 2019.

ATTEST:

  
Lorrie Pearce, City Clerk

  
John Hollowell, Mayor

**FINALLY PASSED AND ADOPTED** this 14<sup>th</sup> day of May, 2019.

ATTEST:

  
Lorrie Pearce, City Clerk

  
John Hollowell, Mayor