

**MINUTES  
CITY OF LAUREL  
CITY COUNCIL WORKSHOP  
TUESDAY, JUNE 15, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:33 p.m. on June 15, 2021.

**COUNCIL MEMBERS PRESENT:**

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

**OTHERS PRESENT:**

Kurt Markegard, Public Works Director  
Ryan Welsh, KLJ  
Karen Courtney, Building/Code Enforcement  
Stan Langve, Police Chief

**Public Input:**

James Lowery, 78 27<sup>th</sup> Street W. Billings, MT, stated he is 76 years old, two tour survivor of Vietnam. In the last 20 months, he has also survived a stroke and a heart attack. It's only been in the last 20 months that he has had to face what a lot of people face with disability. He hasn't been able to follow his grandkid's sports, which they are very active in. He was looking forward to this spring of the track meets here in Laurel. Only to find out that the parking for handicap is 96 yards from the entrance to the stadium. These 96 yards are impelled by people in lawn chairs on the sidewalk watching the long jump and triple jump. That leaves about 2/3<sup>rd</sup>s of the sidewalk that he can negotiate with his walker. And people with wheelchairs are trying to get through there because the school buses and the athletes are running back and forth. His question is, why can't the City install handicap parking either to the east entrance to the stadium or where they get a permit where they are parking the buses. Some of the buses park with athletes 10 yards from the stadium. While those with a handicap have to negotiate through a jungle of 96 yards to get to the stadium. Then, of course, once they are in the stadium, and of course, it doesn't with the City Council, but that stadium is not Americans with Disability approved. There are no handicapped bathrooms; there are no electric doors. Once you get to the bathroom, you have to push a very heavy door to the right, holding it, and try to maneuver a walker to the right. Once inside, there are no handicap stalls; you have to leave your walker outside. There are no grab bars or hand bars. He stated he realizes that has nothing to do with you. He stated he is trying to get a meeting with the School Board, but he has been unsuccessful. He stated he does not know why the school can get a permit to park the buses why the school can't get a permit to install handicapped parking. So people with disabilities can attend their grandkid's future events at Laurel stadium.

He stated he appreciates any understanding that he knows it can't be done overnight. And he knows they have provided parking in the past, but it's definitely not adequate parking.

Mayor Nelson stated he would follow up with the school on this matter and get back to Mr. Lowery.

Mayor Nelson read the attached letter from Barb Emineth, 501 Alder Avenue, into the record.

Mayor Nelson read the attached letter from Kevin St. John, 4151 Thunder Ridge, Billings, MT, into the record.

## **General Items**

### **Executive Review**

#### **1. Laurel Airport Authority Appointment**

Laurel Airport Authority has one vacancy. This is a five-year term ending 6/30/2026. At this time, no letters of interest have been submitted.

#### **2. City/County Planning Board Appointments**

City/County Planning Board has three vacancies. Two are Council appointments, and one is a Mayor's appointment. They are a two-year term ending 6/30/2023—one letter from Karl Dan Koch asking for reappointment. And a letter received tonight from Roger Geise asking for reappointment as well.

#### **3. Cemetery Commission Appointments**

Cemetery Commission has four vacancies. They are one term ending 6/30/2022 and three ending 6/30/2023. Two letters of interest have been received, one from Richard Klose asking for reappointment. The other is from David Gauslow, also asking for reappointment.

#### **4. Emergency Services Committee Appointment**

Emergency Services Committee has one vacancy. There is no term limit. One letter of interest has been received from Jim Irwin.

#### **5. Library Board Appointment**

Library Board has one vacancy. This is a five-year term ending 6/30/2026. Two letters of interest have been received. The Library Board is recommending the appointment of Kate Manley to the Board. The Mayor is bringing forward as requested by the Board.

#### **6. Park Board Appointment**

Park Board has one vacancy. It is a four-year term ending 12/31/2022. One letter of interest has been received from Paul Kober.

## 7. Public Works Committee Appointment

Public Works Committee has one vacancy. There is no term limit. No letters of interest have been received.

## 8. Tree Board Appointments

Tree Board has three vacancies. This is a three-year term limit—one term ending on 6/30/2022. Two terms are ending 6/30/2024. Two letters of interest have been received. One from Walter Widdis requesting to be reappointed. One from Paul Kober requesting to be appointed to this Board.

## 9. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Green Technology Solutions To Provide Electronics Recycling Drop Off Bins And Related Services At The City's Container Site.

Kurt Markegard, Public Works Director, stated that Mr. Overcast came before Council proposing electronic recycling a few months ago. He met with Mr. Overcast at the Container Site and identified an area that would work. He sent to the City Attorney what other communities have done to bring this service to their communities.

Mr. Overcast stated there would be four recycling bins placed at the City's transfer site. They accept everything except tube TVs and projection TVs. They are able to take batteries as well. These bins are fairly maintenance-free. The goal is to get the bins placed by the end of the month. Need the contract signed before he can order the lumber to build the bins.

It was questioned if they would accept car batteries. It was clarified there are two different weatherproof bins for batteries. There is a pallet for car batteries.

The Public Works Director stated this contract is for one year time. If all goes well, the City can revisit again next year.

It was questioned how many sites Mr. Overcast currently has. It was clarified there are collection bins in Park City, Absarokee, and two in Columbus. He is in the works of bringing his services to Reed Point and Nye.

## Council Issues

### 10. Chickens Discussion

Karen Courtney, Building/Code Enforcement, briefly reviewed the attached handouts.

Council noted there were various numbers of chickens residents could have. Did the Code Enforcement Officer put together a draft that incorporates the best of everything? The Mayor



clarified that Council would need to debate the issue so the administration can gauge if Staff should work on drafting something.

It was questioned how they determine who's chickens are who's. The City does not have fairgrounds to house chickens should they be picked up. There is a lot of costs associated with allowing chickens. Staff noted that they are concerned about that as well. They would need to wait to see if anyone claimed the chickens. They would be handled like any stray animal.

It was questioned if there are any facilities in Billings that will take chickens. It was clarified that the Billings Humane Society does take chickens. Bozeman uses their fairgrounds, and Missoula places them in a coop until they find someone to take them. A good registration fee may help offset the costs to house chickens. That is, if permits are obtained.

Council questioned how the City would enforce the rules regarding chickens. It was questioned if County's Animal Control would assist with enforcement.

Stan Langve, Police Chief, stated they would only assist in a mutual investigation. The Police Department works with the Animal Shelter in Billings. If it is a Laurel matter, the Laurel Police Department deals with it. When the City lost the parking and barking officer, all officers absorbed those duties. This position needs to be brought back. But with the realization, they are only one person.

It was questioned if the Animal Control Officer would need any special equipment to deal with sick or diseased chickens. Animal Control Officers work very closely with established vets. They have personal protective equipment such as gloves, nets, respirators, and other safety devices. Respirators are very expensive and have a short life span but are needed if the air is harmful.

Mayor Nelson stated the biggest concern is resources. Budget-wise they are moving Code Enforcement from Planning to Police. The Police Department is prepared to take on those complaints.

The Police Chief noted that the position has not changed. Officers will enforce all laws on the books, but it is another thing to take care of the animals after they have been seized. If they seize chickens in an animal cruelty case, it can strain the Department's resources. The position will deal with parking, barking, and property violations. They will have a lot to do. The line between what is and is not allowed may become blurred.

A Council Member stated they were under the impression Belgrade did not pass because they did not have an Animal Control Officer. They further stated that they weren't against having chickens, just maybe not right now until the City has hired an Animal Control Officer, then no. They were recommending not moving forward until this position is hired. Once filled, revisit in the future.

Another Council Member agreed chickens should not be allowed until the Animal Control Officer position is filled.



Mayor Nelson stated he would have something on the next agenda for Council to vote on if they would like an ordinance drafted to allow chickens.

#### 11. Parking on 3rd Avenue Discussion

Stan Langve, Police Chief, stated he is not in favor of diagonal parking. While he would like more parking to be available, he is concerned with safety. It is more dangerous to back up out of a space than to pull away from the curb. The Police Department, Fire Department, and Ambulance Service frequently use 3<sup>rd</sup> Avenue when responding to calls. Diagonal parking worked on E. 6<sup>th</sup> Street because it is a wider road. So far, there have been no accidents due to the diagonal parking on E. 6<sup>th</sup> Street.

Kurt Markegard, Public Works Director, stated 3<sup>rd</sup> Avenue is no different than any other downtown street. He does not recommend diagonal parking either. Straight in parking is safer than diagonal parking. There are new guidelines on corners and alley approaches. They won't gain much parking. As soon as the City designates parking, they must have a handicapped parking spot.

Ryan Welsh, KLJ, stated they would be taking 18 to 20 feet off each side of the street. He has seen streets lose parking due to the new guidelines. This is why they put in straight in parking for the East Downtown Infrastructure Improvements Project.

A Council Member stated he was glad to hear why they used straight-in parking for the EDII project. However, without explaining why the City can give the perception that citizens' needs are not important.

Council noted diagonal parking causes hazards for Law Enforcement.

It was noted that should diagonal parking be put in, they would need to put in a van-accessible spot as well. Any time there is a handicap spot, there needs to be an ADA ramp as well. There is a financial impact to this discussion.

It was questioned if these streets should be one way with parking on one side of the street.

The Gateway Plan had diagonal parking on all the streets. It might be better to take out the turn lane and create middle lane parking, but the State of Montana controls main street.

#### 12. W. Railroad Update

Mayor Nelson stated he had an hour meeting this morning with KLJ and spoke about W. Railroad and if TIF District dollars would be a good option. He briefly reviewed the numbers given by the Clerk/Treasurer for the TIF District; see attached. At this point, it is unclear if the TIF District could bond a project as big as they were expecting. If the Laurel Urban Renewal Agency was disbanded and the grant programs removed, more funds would be available to bond projects. Using Urban Route funds, the State dictates where that money is spent. The City is currently working on a Southside Storm Water project to focus on those streets down there.

Council noted that both W. Railroad and S. 4<sup>th</sup> Street need to be fixed. They noted an overpass at the new interchange would be helpful with the traffic to CHS.

Council asked that this item come forward again at the next Workshop. They also asked to have a conversation about CARES and ARPA Funds. What are they being used on, and what are the plans moving forward. Council also asked to discuss what streets need to be replaced. Mayor Nelson stated he would add that discussion to an upcoming Workshop agenda and review the PACER Study.

### 13. S. 4th Street Update

Kurt Markegard, Public Works Director, shared the attached photos of S. 4<sup>th</sup> Street. This is a discussion on how this street should be designed. If the City widens the street, there will be issues. Parking is an issue in the area. If the street is widened, residents would lose part of their lot and cause more issues parking on the side streets. There are also driveway approaches on S. 4<sup>th</sup>. He needs feedback from Council and the Community before moving forward with a design. Stormwater is critical to this area.

Ryan Welsh, KLJ, stated that all Southside streets came in as a 3, 4, or 5 rankings. All are structurally failing. Some trees need to be removed. The City can keep the current width or widen; the City can create a boulevard, etc. The City can use ARPA funds towards this project. The estimated cost is \$4.5 million dollars.

It was questioned if S. 4<sup>th</sup> Street turned into a one way going west and turn S. 5<sup>th</sup> Street into a one way going east if that would help deal with these issues. It was clarified that it would more than double the cost.

It was questioned if the plan was still to do W. Railroad with Urban Route Funds. The City is paying for a study on water drainage. And now the City is looking at redoing S. 4<sup>th</sup> Street. But the City still does not have the match for W. Railroad. It was further questioned why the City is moving forward on a street when still looking at W. Railroad. Is the focus shifting from W. Railroad to S. 4<sup>th</sup> Street? It was further questioned what the relationship is between the homeowner and the boulevard. If the City can take that property, will the homeowners be compensated? It was clarified that they could not move forward on W. Railroad until stormwater is addressed. The biggest obstacle for this project is stormwater.

The Public Works Director clarified that public right of way extends into the boulevard. The City owns the boulevard. Residents do their part by maintaining the boulevard. The same is true for alleys. Sidewalks and driveway approaches will be relocated if the road width is widened. Sidewalks are assessed to each owner. The City takes care of all corners.

It was questioned if there is \$4.5 million for a pavement maintenance project, why are those funds not applied to W. Railroad. It was clarified this project is in its infancy stage. Need an estimate to assess appropriately.



W. Railroad will cost less as there are no water line replacements. It is expected the City will need to commit \$2 million to \$2 million to the State through street maintenance funds. The City could save those funds for three years and move forward with that project. The City would still do approximately \$200-\$300k worth of maintenance. All streets on the Southside need to be redone. It is not worthwhile to crack or chip seal these areas. The Mayor would like to do both projects eventually. It is a slow process.

KLJ has helped identify funding sources for the City to apply for. The Mayor will bring this item back as a package looking at S. 4<sup>th</sup> Street and W. Railroad and the funding options available for both.

Public Works Committee will be meeting the following Monday at 6 p.m. and will be discussing this street. There is an opportunity for public comment at those meetings.

The estimate of \$4.5 million does include water, sewer, and stormwater. The goal is to make the infrastructure as sound as possible. There are a lot of water breaks in the area. The City is currently working on the Water PER. This will look at the rate structure. The City has not raised the rates since 2010. The Southside currently has a 4-inch cast-iron waterline. They have been changing water valves, but some valves are from the 1970s and have caused issues.

#### **Other Items**

Mayor Nelson read the attached email regarding the ARPA funds the City will receive.

#### **Review of Draft Council Agendas**

14. Draft City Council Agenda for June 22, 2021.

Appointments will be added to the Council agenda. The Mayor will look into getting that chicken ordinance on that agenda as well.

#### **Attendance at Upcoming Council Meeting**

Council Member Wilke will be absent from the next meeting.

#### **Announcements**

Public Works Committee will meet Monday, June 21, 2021, at 6:00 p.m.

The ceremony at the Cemetery on Memorial Day was well attended. The Mayor was thanked for speaking at the ceremony.

Council asked if any ordinances could assist in dealing with code enforcement issues. We will discuss this on the next Workshop agenda.

It was requested to have a presentation regarding changing the City ordinance regarding holding an office on the next Workshop.

Mayor Nelson reminded residents if they are interested in serving on a Board/Commission/Committee, submit a letter of interest.

Council was reminded June is a five Tuesday month. There is no Council next week.

The council workshop adjourned at 8:42 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", followed by a horizontal flourish.

Brittney Moorman  
Administrative Assistant

**NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.**



6/7/2021

3 minutes - ✓

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Hello, my name is Barbara Anne Sprague Emineth  
I live at 501 Alden here in Laurel

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I came before the city council in 2017 because of activities at 506 Birch and I am here again for the same reason.

Myself and another neighbor filed a citizens complaint on Jan. 20th of this year; about the mounting pile of garbage in their backyard. The people who bought the house next to them made them move what was on their property because they were piling stuff in the backyard at 510 ~~Alden~~ Birch.

It is like living next door to the dump. The person who claims to be fixing up the property says his pile is for construction but the fact is there's so much garbage mixed in with anything useful that I find that hard to believe. There are torn apart appliances, wooden slats, rolls of carpet, broken toys, and plain old garbage! He doesn't live there.

It is the code enforcers job to assure that our property values don't go down because of this situation. I have put 40 years of blood, sweat, and tears into our home and now I dream of living out of town.

On May 2<sup>nd</sup> I asked the fix it man 2 if he thought he might have the mess cleaned up before the years out and he blew up on me. I won't repeat his response except to say he used the F word alot,

Our other neighbor Jonas Torres was taking his garbage out and heard him. Jonas told this guy not to talk to me like that and a split second later this guy grabbed a baseball bat and was threatening Jonas with it. Crystal Torres yelled from the front yard to put that baseball bat down and he did. 5 days later Crystal realized the <sup>back</sup> window of their car had been smashed out. On June 5<sup>th</sup> this guy threatened the Torres' w/ an axe.

I believe Michelle Herren still owns the house at 506 Birch and lives there. She has allowed anyone who wants to stay there to do so. The faces change all the time. I believe there are 6 or 7 residence right now.

We call the cops whenever there is a disturbance and all they tell us is to stay away from these people + they're dangerous, which only makes us all scared to be in our own yards. People like this role neighborhoods with intimidation.



I have found T.P. w/ feces on it as well as<sup>3</sup> hypodermic needles in our alley. Supposedly one of the residence is diabetic and if that's true then said person needs to be disposing of those needles properly. I am concerned about your kids safety.

What needs to happen is Michelle needs to be told by the city to clean up her property or the city will do it and charge her. If the city doesn't have the power to do that with the codes that are in place then we need stronger codes.

Instead of just adding our calls to the huge file the cops have maybe a judge needs to learn everything that's gone on at this house for the past 40 years.

Our codes and laws are in place for a reason but unless and until they are enforced they do us no good.

So if the city can't help and the cops can't help then your law abiding citizens are up a creek without a paddle.

Are there any questions? Thank you for your time

Paula Ann Sprague  
Emmett

# Neighbors Signatures:

name	ADDRESS	PH. #
Barb Emineth	501 Alder Ave.	598-4629
Crystal Torres	509 Alder ave.	671-3729
<del>Anne Torres</del>	509 Alder Ave.	598-9827
Phyllis Minnery	517 Alder Ave.	633-1636
<del>John Minnery</del>	517 ALDER AVE.	698-8715
<del>Clara Minnery</del>	501 Alder Ave	672-8339
Lindsay Hotzinger	502 Birch	
Mary Wenger	502 Birch	696-6893
Kat 1897	424 Birch	740-0034
Dan Mc Sly	424 Birch	740-0028
Justin & Kather Youngblood	523 Alder Ave	698-8985







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June 8, 2021

Dear Laurel City Council, Mayor, and District Superintendent,

I was asked to write a letter suggesting some solutions to the parking issues facing your town and school when hosting State Track meets. Perhaps having the school buses park some place other than where they have been to accommodate parents/fans. I have worked the track meet a few times for your past Athletic Director Roger Heimbigner and while the event and facilities are wonderfully in their own right the parking is an issue. Any steps you can take to remedy the issue would certainly be worthwhile. Thank you for all you do for the kids of Laurel and around our great State.

Sincerely,



Kevin St. John

Kevin O. St. John/4151 Thunder Ridge/Billings, MT 59101/Cell: 406/590-7045/  
Email: saint1962@yahoo.com

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CITY HALL  
115 W. 1<sup>ST</sup> ST.  
PUB. WORKS: 628-4796  
WATER OFC.: 628-7431  
COURT: 628-1964  
FAX 628-2241

# City of Laurel

P.O. Box 10  
Laurel, Montana 59044  
<https://cityoflaurelmontana.com/>



**RE: Urban Chickens (Yard Hens)**

**May 20, 2021**

Mayor Nelson and City Council,

In researching the information for Urban Chickens/Yard Hens throughout jurisdictions in Montana, I have found the following information.

**Helena, MT:** They have never prohibited the keeping of chickens therefore they do not have an ordinance. They treat them the same as they do a dog or cat with catching at large animals and turning over to humane society. If call pertaining to a rooster, they require that owner get rid of them.

**Belgrade, MT:** A draft was brought forth but was never adopted by the city since they do not have animal control officer and felt that the ordinance would require too much of the PD time to ensure enforcement.

**Billings, Bozeman and Missoula, MT:** All three have an ordinance, it is enforced by their animal control officer(s). I used their ordinances as an example for Council's review. They had a few common issues:

1. Roosters. As the chicks are not sexed when sold people have no way of knowing if hen or rooster until they have matured. The animal control officers then must notify them that they must get rid of the roosters.
2. Coups. All three stated you must watch how these are being constructed, placed and maintained. Common complaints are that they are placed too close to property boundaries or not secured.
3. Compliance with getting Permit to keep chickens. Although licenses range from \$10 - \$50 per year, people are not getting the proper license required by ordinance.
4. Confiscated chickens. Billings City Shelter takes the chickens and adopts them out. Missoula had to purchase a coup to hold them and then if unclaimed have a few rural connections that take them. Bozeman's shelter does not take them, so they must arrange for a safe, temporary shelter for them. This is usually at the Gallatin County Fairgrounds and then they must give them away to rural people willing to take them
5. Bozeman stated that they have several problems with stray dogs and cats killing chickens. In this instance both parties are held responsible: the dog/cat owner for not restraining his/her pets and the chicken owner for not keeping in secure enclosure.

**Karen Courtney, CCEO, CPSI, CBI, CFI1**  
Building Official/Code Enforcement Officer/Fire Inspector  
Playground Safety Inspector/ Safety Officer  
City of Laurel, MT

Most of the this is from the City of Bozeman's Ordinance and notations from Billings and Missoula were notated.

### Keeping of chickens (*gallus gallus domesticus*).

A. *Keeping of chickens lawful.* Subject to the standards in this article, it shall be lawful to keep of up to \_female domestic chickens (hens) per permit holder. Except as provided in section \_\_\_\_\_, chickens kept in accordance with the provisions of this section are not nuisance animals pursuant to section \_\_\_\_\_.

- **Under current zoning (Laurel Municipal Code only 1 would be allowed)**
- **Other jurisdictions: Bozeman – 15, Billings – 6, Missoula - 6**

B. *Location and number.*

1. Chickens may be kept in the following locations, subject to all other standards in this article:

- **Billings** – Single family parcel
- **Bozeman**
  - a. On a single household parcel;
  - b. On a parcel under unitary ownership with more than one dwelling on site; and
  - c. On residential parcels under common ownership.
- **Missoula** –
  - a. a single-family parcel(s); or
  - b. multi-dwelling parcel(s,) if all residents and the property owner(s) consent in writing before the fowl are acquired. The “allowed fowl” owner must keep a copy of the signed approval document and present it for inspection if requested by Animal Control personnel.

2. The number of chickens authorized per permit shall comply with the following, subject to all other standards in this article:

- **Billings** – Up to six (6)
- **Bozeman**
  - a. For the first 3,000 square feet of any residential parcel, up to four chickens;
  - b. For each additional 1,000 square feet of any residential parcel, one additional hen up to a maximum of 15; and
  - c. For parcels with multiple households the physical area used for determining the maximum number of allowed hens is exclusive to each permit and may not overlap. This may restrict the number of permits issued on a given parcel.
- **Missoula** - The total number of geese, plus ducks, plus other domestic fowl may not exceed six.

C. *Specific standards for chickens.*

1. No male chickens (roosters) over the age of three months are permitted.
2. No chickens may run at large within the corporate limits of the city. All chickens must be contained with the permittee's property boundary.
3. The permittee shall provide the chickens with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens. The chicken house



must be adjacent to and provide free access to the chicken enclosure. Any heat source or electrical facilities installed in a chicken house must comply with all adopted building and electrical codes of the city.

4. The permittee shall provide the chickens with a predator-proof enclosure of sufficient size to admit free movement of the chickens. Chicken enclosures may be movable.
    - **Billings** requires 2 square feet per chicken. Coop & enclosure no more than 12' at peak
    - **Missoula** requires 2 square feet per chicken
  5. Chickens shall be secured within the enclosure from sunset to sunrise.
  6. Chicken enclosures and houses must be kept in a neat and sanitary condition at all times and must be cleaned on a regular basis so as to prevent offensive odors.
  7. Chickens shall have continuous access to adequate food and water.
  8. Stored feed must be kept in a rodent- and predator-proof container.
  9. Chickens shall be maintained in a healthy condition. Ill chickens shall either receive appropriate medical care or be culled.
  10. No chicken house shall be located closer than 20 feet to any structure inhabited by someone other than the chicken owner, custodian, or keeper, and not closer than five feet to any property line. Chicken houses may be movable but must comply with all standards of this section.
    - **Billings**- no closer than 10 feet from public right of way, sidewalk or neighboring property line. Also prohibits keeping in front yard.
    - **Missoula** – 20 feet from any residential structure occupied by someone other than the owner, custodian or keeper.
  11. No chicken shall be kept in a manner so as to create noxious odors or noise of a loud, persistent and habitual nature.
  12. No chickens shall be slaughtered within the public view.
    - **Billings** also includes the verbiage: within view of adjacent property or public
- D. **Permits required/inspections. This is not included in Billings' or Missoula's ordinance they just state you are required to obtain a permit.**
1. Prior to the keeping of any chickens, a party seeking to keep chickens shall obtain a permit from the city. A permit fee may be established by resolution of the city commissions and may be revised from time to time. Only one permit shall be issued per household. Issuance of a permit is a discretionary act.
  2. The owner of the chickens shall keep a copy of all signed city approval documents for inspection upon request by an animal control officer.
  3. A permit for chickens under this section does not relieve any party from any requirement to obtain any other permit or other necessary approvals for any structure, fence, lighting, heat source, etc. as required by this Code.
  4. A party wishing to keep chickens shall submit an application to keep chickens to the city treasurer's office. The application shall contain the following:
    - a. A sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location of the chicken enclosure and chicken house.
    - b. The name, address, and signed statement of the property owner, if different from the applicant, consenting to the keeping of the applied for number of chickens on the property.

- c. Whether the number of chickens kept will be between one and six, or between seven and 15.
  - d. A description of the enclosure and chicken house, including materials used and cubic footage.
  - e. A sworn statement that all statements contained in the application are true and that the permit holder shall keep the chickens in compliance with the terms of the permit, application and this section.
  - f. The applicant shall provide each residence adjacent, including those adjacent across a public right-of-way, an acknowledgement of notification and request for hearing form and indicate on said form that the applicant intends to keep chickens in the manner described in the application. The applicant shall submit the signed forms and a listing of all adjacent residents with the application. If a neighbor refuses to sign, the applicant shall so state on the application. For the keeping of seven or more chickens, if two or more adjacent residences request a hearing, the city shall schedule and notice a hearing before the city commission pursuant to subsection E of this section.
  - g. Where the party seeking to keep chickens is not the fee owner of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the landowner.
- 5. For any party wishing to keep seven or more chickens, up to the maximum number allowed, the party shall have the location inspected by a city animal control officer prior to the keeping of seven or more chickens. The animal control officer shall review the enclosure, chicken house, and all matters related to the keeping of chickens.
  - 6. If, during any inspection, the animal control officer determines changes are to be made to the enclosure, chicken house, or to the number of chickens to be kept, or require mitigation for the impact to adjacent properties, such as fencing or other screening, the applicant/permit holder shall comply with the order of the animal control officer. A person aggrieved by a decision of the animal control officer may appeal to the city manager who shall review all applicable information and issue a decision on the appeal. Appeals from the city manager's decision on an application, permit or order of an animal control officer's decision may be made to the city commission. At the time of final approval by animal control, the officer shall indicate final approval on the permit and keep a record of final approval.
  - 7. A permit to keep chickens is specific to the permit holder and the location of the permit. A person wishing to move chickens to a different property shall obtain a new permit. A new resident of a property who intends to keep chickens shall obtain a new permit regardless of whether chickens were kept on the property or continue to be kept on the property.
  - 8. Approval of a permit to keep chickens authorizes the permit holder to keep the number of chickens in the manner described on the application and permit. Any increase to the number of chickens to seven or more up to the maximum number allowed, or a significant change to the manner of keeping said chickens shall require a new permit.
  - 9. Nothing in this section shall prevent an animal control officer from requiring an inspection of a property prior to or after issuance of a permit for any number of chickens including six or less.
  - 10. Changes to the standards contained in this section shall require any permit holder to comply with any new standard, regulation, or condition and no notice to a permit holder is required prior to enforcement of any new standard beyond that required for adoption of a new or revised ordinance.
- **Billings also includes this in their ordinance**



- E. *Protest and hearing.* **(Not included in Billings or Missoula)** For the keeping of seven or more chickens, a request by the occupants, owners, or residents of two or more adjacent properties for the city commission to conduct a hearing on the application shall subject the application to a hearing before the city commission. Adjacent properties shall include those properties adjacent by a public right-of-way and include those connected by property corners. If a hearing is held the commission may issue a permit if the commission finds:
1. That the site for the proposed use is adequate in size to accommodate such the keeping of chickens, and all yards, spaces, fences, and enclosures are adequate to properly relate such use with the land and uses in the vicinity;
  2. That the proposed use will have minimal adverse impact on adjacent properties or residents; and
  3. That any conditions stated in the approval are in addition to those required in this article and are deemed necessary, and shall apply and be followed by the applicant and the property owner as a condition of approval.
- F. *Enforcement.* Upon receiving a complaint of a possible violation, the animal control officer will investigate and determine if a violation of this section exists. If the animal control officer determines a violation exists, the officer may serve upon the permit holder or the owner or lessee of the property a written notice of violation and an order to take corrective action, may issue a warning, or may immediately issue a violation notice. The notice of violation may be served by leaving the notice in a conspicuous location at the place of the keeping of the chickens, or in accordance with section \_\_\_\_\_. The animal control officer will revisit the owner's address ten days or more after the notice of violation is issued. The provisions of sections \_\_\_\_\_ and article \_ of this chapter shall apply to the keeping of chickens.
- **Billings: municipal infraction with civil penalties.**
  - **Missoula: Misdemeanor offense**

**Same—Notice to owner; redemption conditions. (Bozeman Only)**

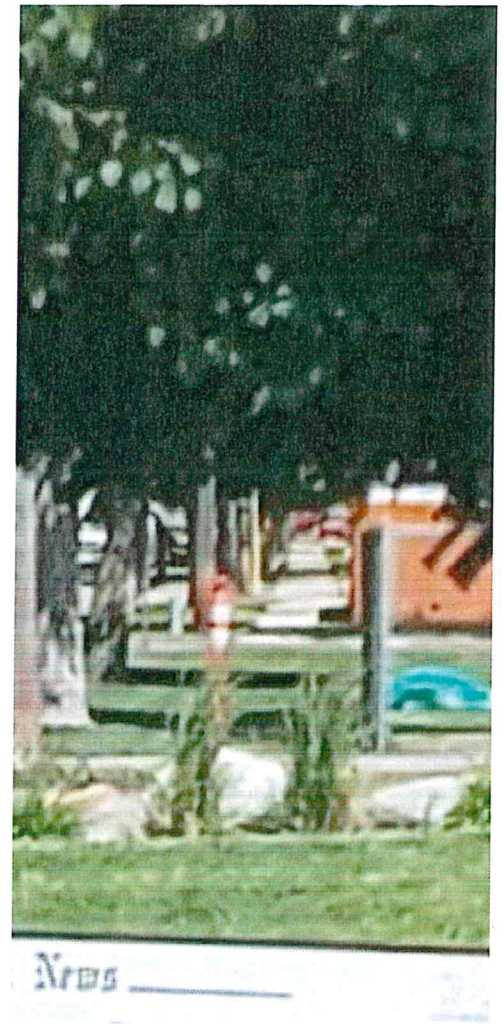
- A. It is the duty of every owner of any animal to know its whereabouts at all times. In the event that any animal is impounded, the owner shall redeem the same within 96 hours, or it shall be subject to disposal by the animal shelter director as provided in section \_\_\_\_\_. The owner of any impounded animal may redeem the same within such a period of time by accepting a citation for violation of any ordinance of the city for which the owner may be properly charged, and posting any boarding fees to the animal shelter in accordance with their established fee rates.
- B. If an impounded animal is suspected or known to have dangerous or vicious propensities, or accused of being a nuisance animal, it shall not be released or redeemed unless, or until, a hearing can be held before the municipal court to determine under what conditions, if any, such animal shall be released or redeemed. A complaint may be filed in municipal court against the person redeeming any animal impounded for violation of any provision of this article.
- C. To reclaim or redeem any animal impounded on the belief said animal is repeatedly at large, or is a nuisance, the owner must petition the municipal court for a hearing to determine under what conditions, if any, such animal shall be released or redeemed. During the hearing, the court will hear evidence to determine whether the animal should be declared a nuisance animal, to include any recommendations by the animal control officer. If a determination is made that the animal is repeatedly at large, or otherwise a nuisance, the owner shall be ordered to comply with provisions or conditions made by the court, including, but not limited to, ordered confinement of the animal in a secure enclosure. If the owner does not file such a petition within four days of the impound, the animal shall become the property of the city and subject to disposal by the animal shelter director as provided in section \_\_\_\_\_. Impoundment and associated costs, including any costs of destruction, shall be at the expense of the owner.

- D. To reclaim or redeem any animal impounded on the belief said animal is dangerous, vicious or the subject of abuse, the owner must petition the municipal court for a hearing to determine under what conditions, if any, such animal shall be released or redeemed. During the hearing, the court will hear evidence to determine whether the animal should be declared dangerous, vicious, or whether the animal was endangered by cruel treatment, and will take into consideration any recommendations by the animal control officer regarding the release of the animal. If a determination is made that the animal is dangerous, vicious, or the animal has been subject to cruel treatment, the owner shall be ordered to comply with provisions or conditions made by the court. If the owner does not file such a petition within four days of the impound, the animal shall become the property of the city and subject to disposal by the animal shelter director as provided in section \_\_\_\_\_. Impoundment and associated costs, including any costs of destruction, shall be at the expense of the owner. The animal shall not be released to the owner until such hearing is held.

**Same—Disposition of unredeemed animals. (Bozeman Only)**

If any animal is not redeemed within 96 hours from the time it is taken and impounded, the owner thereof shall forfeit all right, title, and interest therein, and the animal shelter director may offer the same for sale or adoption. Sale or adoption, and such certificate of sale, shall confer title and ownership of the animal, free of all claims and interest of the previous owner. In the event that any impounded animal is not redeemed by the owner or purchased, it may be disposed of by the animal shelter director or contracting agency in a humane manner. Any animal suffering from an infectious disease shall not be released but shall be disposed of, unless the public health officer shall otherwise order. Any animal deemed dangerous or vicious by the court may not be sold or adopted without proper disclosure to the individual purchasing or adopting said animal, to include the nature and extent of the behavior prompting the declaration of the court.







TIFD Annual revenue is Approx  
\$ 650,000 - 700,000

Total Annual expenditures are

\$ 559,988

- 180,239 Debt Service

- 355,000 Grants

- 24,749 Wages (Nick)  
Operating exp.  
ext.

That leaves \$ 90,012 - 140,012

left over

We plan on moving more of the  
Planning Director's wages here because  
he is spending more time on TIFD  
~~the~~ Grants / Projects, so there will be  
less money next fiscal year.



## Bethany Langve

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**From:** Kessler, Jessica <Jessica.Kessler@mt.gov> on behalf of DOA LGSB Portal Registration <LGSPortalRegistration@mt.gov>  
**Sent:** Tuesday, June 15, 2021 3:43 PM  
**To:** Bethany Langve  
**Subject:** City of Laurel: NEU State and Local Fiscal Recovery Funds for Local Governments Request - Approved

**The request from the City of Laurel for the first tranche of the American Rescue Plan Act State and Local Fiscal Recovery Funds has been approved for \$860,191.92 and was approved on June 15, 2021.**

Your NEU's Recipient Number, MT-5603, will be used as an identifying number throughout the program's lifecycle, including reporting purposes to the US Treasury. Be sure to retain a copy of the award agreements you submitted, as you will need to also report those to the US Treasury, which is due by 10/31/21.

In addition to other reporting requirements, you will be asked to provide US Treasury with the following:

- NEU Recipient Number
- Copy of signed award terms and conditions agreement
- Copy of signed assurances of compliance with Title VI of the Civil Rights Act of 1964
- Copy of actual budget documents validating the top-line budget total provided to the State as part of the request for funding

Visit the [US Treasury's website \[home.treasury.gov\]](https://home.treasury.gov) for the latest information and guidance, Interim Final Rule, FAQs, fact sheet, use of funds, and more. Information regarding establishing the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund can be found in sections 602 and 603 of the Social Security Act.

Sincerely,

The State of Montana