



**AGENDA
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, JULY 15, 2025
6:30 PM
COUNCIL CHAMBERS**

Public Input: *Citizens may address the Council regarding any item of City business that is not on tonight's agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda. Because of the Rules that govern public meetings, Council is not permitted to speak in response to any issue raised that is a non-Agenda item. The Mayor may provide factual information in response, with the intention that the matter may be addressed at a later meeting. In addition, City Council may request that a particular non-Agenda item be placed on an upcoming Agenda, for consideration. Citizens should not construe Council's "silence" on an issue as an opinion, one way or the other, regarding that non-Agenda matter. Council simply cannot debate an item that is not on the Agenda, and therefore, they must simply listen to the feedback given during public input. If a citizen would like to speak or comment regarding an item that is on tonight's agenda, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.*

Be advised, if a discussion item has an upcoming public hearing, we would request members of the public to reserve your comments until the public hearing. At the public hearing, the City Council will establish an official record that will include all of your comments, testimony, and written evidence.

General Items

1. Appointment of David Gauslow to the Cemetery Commission for a two-year term ending June 30, 2027.

Executive Review

2. Ordinance No. R25-01: An Ordinance Amending Chapter 12.28 (Park Rules And Regulations) And Repealing Chapter 12.32 (Trees And Boulevards) Of The Laurel Municipal Code.

Council Issues

Other Items

Attendance at Upcoming Council Meeting

Announcements

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 5100, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

1. Appointment of David Gauslow to the Cemetery Commission for a two-year term ending June 30, 2027.

JUNE 28, 2025

DEAR MAYOR DAVE WAGGONER

THANK YOUU FOR LETTIING ME SERVE THIS COMMITY ON THE CEMETERY COMMISSIONN PLEASE PUT
ME FOR NEXT YEAR. THANK YOU.



DAVID A. GAUSLOW

File Attachments for Item:

2. Ordinance No. R25-01: An Ordinance Amending Chapter 12.28 (Park Rules And Regulations) And Repealing Chapter 12.32 (Trees And Boulevards) Of The Laurel Municipal Code.

ORDINANCE NO. 025-01

**AN ORDINANCE AMENDING CHAPTER 12.28 (PARK RULES AND REGULATIONS)
AND REPEALING CHAPTER 12.32 (TREES AND BOULEVARDS) OF THE LAUREL
MUNICIPAL CODE.**

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating chapters, sections and subsections to address situations and problems within the City and to remain in accordance with Montana law;

WHEREAS, City Staff prepared, reviewed, and approved the amendments to the existing LMC Chapter 12.28 (Park Rules and Regulations) as noted in the attached and hereby recommends the same to the City Council for their full approval; and

WHEREAS, since LMC Chapter 12.32 (Trees and Boulevards) is recommended to be combined with LMC Chapter 12.28 (Park Rules and Regulations), City Staff approves repealing of LMC Chapter 12.32 (Trees and Boulevards) in its entirety and hereby recommends the same to the City Council for their full approval.

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor. This Ordinance shall result in amendments to the existing LMC Chapter 12.28 (Park Rules and Regulations) and repealing of LMC Chapter 12.32 (Trees and Boulevards).

Introduced and passed on first reading at a regular meeting of the City Council on the 8th day of July 2025, upon Motion by Council Member Wilke.

PASSED and ADOPTED by the Laurel City Council on second reading on the 22nd day of July 2025, upon Motion by Council Member _____.

APPROVED BY THE MAYOR on the 22nd day of July 2025.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

Chapter 12.28 PARK RULES AND REGULATIONS AND TREES AND BOULEVARDS*

Sections:

12.28.010 Creation and establishment of a ~~city~~City park boardPark and Tree Board.

There is created and established an advisory board to the ~~city~~City councilCouncil that shall be known as the ~~park board~~Park and Tree Board for the ~~city~~City of Laurel ("Board") which shall consist of ~~seven~~five to nine members who ~~shall constitute three sitting members of the city council and four members at large who~~ must reside in the ~~city~~City or who must live within two miles thereof. ~~These members shall consist of at least three sitting members of the City Council and the remainder of members at large.~~ The ~~mayor~~Mayor shall appoint all members with approval of the ~~council~~Council. The members shall come from diverse interest groups including, but not limited to, school teachers, club members, homeowners, business owners, park or tree professionals and/or representatives from the ~~city~~City government.

(Ord. 06-08 (part), 2006)

12.28.020 Term of office.

The term of office for the members shall be four years. ~~_except that the term of three of the members appointed to the first board shall be for two years and the term of four members of the first board shall be for four years.~~ In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the respective term.

(Ord. 06-08 (part), 2006)

12.28.030 Compensation.

Members of the board shall serve without compensation.

(Ord. 06-08 (part), 2006)

12.28.040 Operation.

The ~~B~~board shall select its own officers (if any), make its own operational rules and regulations to govern its meetings, schedule its own meetings¹ dates and times for the convenience of its members and shall keep a record of its proceedings. All meeting dates and times shall be posted at ~~City~~City Hall. A majority of the members shall be a quorum for the transaction of business.

(Ord. 06-08 (part), 2006)

12.28.050 ~~Park board~~Park and Tree Board authority.

A. The ~~park board~~Park and Tree Board of the ~~city~~City shall have the authority and discretion to:

1. Promulgate and develop proposed ordinances, rules and/or regulations that govern the general use of all ~~cityCity~~ parks with consideration of public input for presentation to the ~~cityCity council~~Council for consideration and adoption by the ~~cityCity council~~Council;
 2. Establish a proposed permit system to provide for an advanced reservation system for the exclusive use of a ~~cityCity~~ park or ~~cityCity~~ park improvement by a person or group to be administered by ~~cityCity~~ staff upon approval by the ~~cityCity council~~Council;
 3. Prepare and adopt proposed rules or regulations governing or limiting the possession or use of alcoholic beverages in ~~cityCity~~ parks by any person or group of people, including establishment of a proposed permit and registration procedure for the possession or use of alcoholic beverages by any group of people to be administered and enforced by ~~cityCity~~ staff and/or the ~~cityCity~~ police when applicable upon approval by the ~~cityCity council~~Council;
 4. Negotiate terms for lease agreements for ~~cityCity~~ parks or other ~~cityCity~~ park related improvements with current or new users, groups or clubs on the ~~cityCity council~~Council's behalf. When completed, the ~~park board~~Park and Tree Board shall present each negotiated proposed lease agreement to the ~~cityCity council~~Council for approval and adoption by resolution of the ~~cityCity council~~Council;
 5. Assist with the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas; and
 6. When requested by the City Council, consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.-
- B. All park ordinances, rules, and regulations promulgated by the ~~park board~~Park and Tree Board shall be adopted by the ~~cityCity council~~Council upon recommendation by the ~~park board~~Park and Tree Board pursuant to this section. All rules, regulations, and/or ordinances adopted hereunder shall be posted in a public place at each park affected thereby or be available at the office of the ~~cityCity Clerk-Treasurer~~. The Park and Tree Board may conduct tree inventory analysis within its discretion.

(Ord. 06-08 (part), 2006)

12.28.060 Park hours.

- A. Except as otherwise provided herein, all ~~cityCity~~ parks shall be closed from ten p.m. until six a.m. each night.
- B. No person shall remain in or upon any ~~cityCity~~ park during closed hours.
- C. This section shall not apply to ~~the~~ overnight camping areas designated ~~in Riverside Park by the City.~~
- D. The children's playground equipment commonly known as "Kids Kingdom" at Kiwanis Park shall close at ten p.m. and reopen at six a.m.
- E. Any person violating the terms of this section shall, upon conviction, be punished as set forth in Section 12.28.100 of this code.
- F. Applicants may seek an exemption to this section when applying for an event permit at ~~cityCity Hall~~.

(Ord. 06-08 (part), 2006)

(Ord. No. 019-03, 12-10-19)

12.28.065 Fees and charges.

The ~~city~~City Council shall establish reasonable fees and/or charges for the use of the pool, parks and/or recreation areas and facilities owned by the ~~city~~City by annual resolution after a public hearing.

(Ord. 07-06 (part), 2007; Ord. 06-04 (part), 2006)

12.28.070 Use of tennis courts restricted.

- A. ~~City~~City tennis courts shall be used only for the practice and playing of tennis. All other activities are prohibited on all ~~city~~City tennis courts. No person shall use or occupy any ~~city~~City tennis court or any part thereof for any purpose other than the playing or practicing of tennis.
- B. Any person violating the terms of this section shall, upon conviction, be punished by a fine not exceeding one hundred dollars.

(Ord. 06-08 (part), 2006)

12.28.080 Use of ~~South Pond~~Laurel Lion's Family restricted.

- A. The following activities are prohibited at South Pond at all times:
 1. Swimming, ~~except for approved scuba diving and skin diving as set forth in this section; and~~
 2. Motorized or power boating of any kind.
- ~~B. Scuba diving and skin diving shall be permitted at South Pond by advance permit only, subject to the following restrictions:~~
 - ~~1. Any person, prior to skin or scuba diving in South Pond, shall first obtain from the city a permit;~~
 - ~~2. Permits granted hereunder are given pursuant to Montana Code Annotated § 70-16-302(1). The city shall not collect any fee for issuing a permit hereunder. The city shall not be liable for any accidents or injury to persons or property derived from skin or scuba diving or related activities. Every applicant must sign release and waiver of liability before receiving a permit hereunder;~~
 - ~~3. The city shall not issue a permit unless the applicant first displays to the city a current certification of diving qualification issued by a recognized diving training school affiliated with one of the below listed organizations. Student applicants must be accompanied by a certified instructor at all times and are subject to all other requirements of this section. The following organizations are recognized by the city as proper certifying authorities:~~
 - ~~a. N.A.U.I. National Association of Underwater Instructors;~~
 - ~~b. P.A.D.I. Professional Association of Diving Instructors;~~
 - ~~c. Y.M.C.A. Young Men's Christian Association;~~
 - ~~d. N.A.S.D.S. National Association of Skin Diving Schools;~~
 - ~~e. P.S.I.C. Professional Divers Instructional College;~~
 - ~~4. All permittees shall be subject to all federal and state laws, rules and regulations pertaining to scuba diving and skin diving;~~
 - ~~5. Any permit issued hereunder may be revoked at any time by city police officers, with or without cause. Divers shall immediately leave the pond upon demand of any police officer.~~

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(Supp. No. 22)

~~BC.~~ Any person who violates any of the terms or provisions of this section shall, upon conviction therefore, be punished in accordance with the provisions of Section 1.36.010 of this code.

(Ord. 06-08 (part), 2006)

12.28.090 Use of motor vehicles restricted.*

- A. No person shall drive or otherwise operate any motor vehicle in any ~~city~~City park except in or upon ~~gravelled~~graveled or paved parking areas.
- B. This chapter shall not apply to ~~city~~City vehicles in the regular operation and conduct of ~~city~~City business or to construction or maintenance vehicles belonging to any contractor performing any work for the ~~city~~City in any ~~city~~City park.
- C. Users of Riverside Park, however, may operate vehicles only upon designated, defined roadways therein.
- D. Any violation of this chapter shall, upon conviction thereof, be punishable as provided in Section 1.36.010 of this code.

(Ord. 06-08 (part), 2006)

* There were two sections numbered 16.02.020 added to the Laurel prior code.

~~12.28.100 Violation—Penalty.~~

- ~~A. Any person violating any provision of this chapter for which another penalty has not been specifically provided shall, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.~~
- ~~B. Any person violating any ordinance, rule or regulation adopted by the park committee pursuant to this chapter shall, upon conviction thereof, be punished by a fine not to be less than fifty dollars nor more than five hundred dollars, or by imprisonment for a term not exceeding six months, or both.~~

~~(Ord. 06-08 (part), 2006)~~

12.28.100 Tree species to be planted.

The City Park and Tree Board shall develop and maintain a list of desirable trees for planting along streets in three size classes, based on mature height: small (under twenty feet), medium (twenty to forty feet) and large (over forty feet). Efforts shall be made to ensure a sufficient diversity of tree species. Lists of prohibited trees or trees not suitable for planting will also be developed and maintained by the Board.

(Ord. 05-1 (part), 2005)

12.28.110 Spacing.

The spacing of street trees will be in accordance with the three size classes listed in Section 12.28.100 of this chapter, and no trees may be planted closer together than the following: small trees, fifteen feet; medium trees, twenty-five feet; and large trees, thirty-five feet; except in special plantings designed or approved by a landscape architect.

(Ord. 05-1 (part), 2005)

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(Supp. No. 22)

12.28.120 Distance from curb and sidewalk.

The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with the three size classes listed in Section 12.28.100 of this chapter, and no tree may be planted closer to any curb or sidewalk than the following: small trees, two feet; medium and large trees, three feet.

(Ord. 05-1 (part), 2005)

12.28.130 Distance from street corners and fireplugs.

No street tree shall be planted within thirty-five feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No street tree shall be planted within ten feet of any fireplug.

(Ord. 05-1 (part), 2005)

12.28.140 Utilities.

No street trees other than those species accepted as small trees by the City Park and Tree Board may be planted under, or within ten feet of any overhead utility wire.

(Ord. 05-1 (part), 2005)

12.28.150 Public tree care.

The City shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares, and public grounds as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City may remove or cause to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 12.28.100 and 12.28.110 of this chapter.

(Ord. 05-1 (part), 2005)

12.28.160 Pruning standards.

All tree pruning on public property shall conform to the ANSI A300 standards for tree care operations.

(Ord. 05-1 (part), 2005)

12.28.170 Tree topping.

It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Crown reduction by a qualified arborist may be substituted, where appropriate. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the City Park and Tree Board. The City

Park and Tree Board retains discretion to determine appropriate tree topping, and the Board is granted authority to seek the City's intervention to impose penalties for unlawful tree topping.

(Ord. 05-1 (part), 2005)

12.28.180 Pruning and corner clearance.

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection, and so that there shall be a clear space of thirteen feet above street surface or eight feet above the sidewalk surface. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs, which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign or sight triangle at intersections.

Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements.

(Ord. 05-1 (part), 2005)

12.28.190 Dead or diseased tree removal on private property.

The City shall have the right to cause the removal of any dead or diseased trees on private property within the City, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the City. The City will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

(Ord. 05-1 (part), 2005)

12.28.200 Protection of trees.

In order to maintain the overall forest, reasonable efforts shall be made to replace trees that are removed and to protect quality trees that are endangered.

Trees of desirable species and good health shall be protected as much as possible from damage during construction, sidewalk repair, utilities work above and below ground, and other similar activities. The zone of protection shall include the ground beneath the canopy of the tree.

(Ord. 05-1 (part), 2005)

12.28.210 Interference with the City Park and Tree Board.

It shall be unlawful for any person to prevent, delay or interfere with the City of Laurel, its City Park and Tree Board, or any of its agents while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees, as authorized by this chapter.

(Ord. 05-1 (part), 2005)

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12.28.220 Authority of adjoining property owner to plant or care for trees on boulevard or parkways.

Permission is given to the owners of real estate to improve their premises by planting trees and properly caring for trees in the boulevards adjoining their property consistent with the terms of this Section. Such trees shall in no case interfere with the full use of the streets for public purposes, and no person shall plant any tree within the limits of any parkway, street, or alley in the City without having first obtained a written permit from the City.

It shall be the duty of any property owner to make request in writing to the City, stating the variety and precise location of each tree proposed to be planted. The permit shall specify location and variety of each tree.

(Ord. 05-1 (part), 2005)

12.28.230 Removal, cutting and injury.

No person shall remove, destroy, cut, deface or in any way injure or interfere with any street or park tree without a permit from the City.

(Ord. 05-1 (part), 2005)

12.28.240 Interference with trees by house mover, permit required.

It shall be unlawful for any person to move any building along any street, avenue or alley in the City, in such a way as to interfere with or injure any tree or shrub in any street, avenue, alley or public place, including parks and parkways, without a written permit obtained from the City Park and Tree Board. The application for such permit, and the permit issued, shall specify the particular building and the particular route to be followed.

(Ord. 05-1 (part), 2005)

12.28.250 Procedure for temporary removal.

All moving of trees and shrubs made necessary by moving of buildings or any other purpose shall be done under supervision of the City, at the expense of the owners of the buildings, or the party requesting the same. Should such moving cause the death of the tree, the owner of the buildings or the party requesting the temporary removal, at his own expense, shall replace the same under the supervision of the City.

(Ord. 05-1 (part), 2005)

12.28.260 Insects and diseases—Declared nuisance.

All insect pests and diseases known to be injurious to fruit, shade, and ornamental trees and shrubs, and all trees, shrubs and vegetable growth infested or infected therewith constitute a menace, and are hereby declared to be a common nuisance.

(Ord. 05-1 (part), 2005)

12.28.270 Spraying.

Every person who is owner or in possession or control or management of any lot, block or parcel of land upon which there are any fruit, shade or ornamental trees or shrubs which are infested or infected with any insect pests or diseases known to be injurious to such fruit, shade or ornamental trees or shrubs, shall, within three days, upon written notice of the City, spray or cause the same to be sprayed in such manner and with some insecticide designated by the City. Any person failing to comply with any such notice shall be deemed guilty of maintaining a nuisance.

(Ord. 05-1 (part), 2005)

12.28.280 Review by the City Council.

The City Council shall have the right to review the conduct, acts, and decisions of the City Park and Tree Board.

(Ord. 05-1 (part), 2005)

12.28.290 Violation—Penalty.

- A. Any person violating any provision of this chapter for which another penalty has not been specifically provided shall, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.
- B. Any person violating any ordinance, rule, or regulation pursuant to this chapter shall, upon conviction thereof, be punished by a fine not to be less than fifty dollars nor more than five hundred dollars, or by imprisonment for a term not exceeding six months, or both.

(Ord. 05-1 (part), 2005)