



# Livingston City Commission Agenda

January 05, 2021

5:30 PM

Via Zoom:

<https://us02web.zoom.us/j/82108911861?pwd=WXpLQ1pLV2lVblpyZTdia3cya2djQT09>

MEETING ID: 821 0891 1861 PASSCODE: 391082 CALL IN: +1 669 900 6833 US (San Jose)

- 1. Call to Order
- 2. Roll Call
- 3. Annual Election of Chairperson and Vice-chairperson
- 4. Public Comment

*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

5. Consent Items

- A. APPROVE MINUTES FROM 12/15/2020 REGULAR CITY COMMISSION MEETING. PG.**
- B. RATIFY CLAIMS PAID 12/15/2020-12/22/2020. PG.**
- C. ACCEPT URA'S RECOMMENDATION TO FILL VACANCY. PG.**
- D. ACCEPT PLANNING BOARDS RECOMMENDATION TO FILL VACANCY. PG.**
- E. ACCEPT CITY TREE BOARDS RECOMMENDATION TO FILL VACANCY. PG.**

6. Proclamations

7. Scheduled Public Comment

8. Public Hearings

- A. RESOLUTION NO. 4935: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2020-2021, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$1,165,750 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,663,574. PG.**
- B. RESOLUTION NO. 4936: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BOUNDARIES OF THE LIVINGSTON BUSINESS IMPROVEMENT DISTRICT AT THE REQUEST OF THE LBID AND ITS MEMBERS AS REQUIRED BY LAW. PG.**
- C. ORDINANCE NO. 2096: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AMENDING ARTICLE V. SECTION 2-73 ENTITLED EMPLOYEE HOLIDAYS TO CITY OF LIVINGSTON HOLIDAYS AND AMENDING SECTION 2-73, A,7 AMENDING THE SECOND MONDAY IN OCTOBER FROM COLUMBUS DAY, TO INDIGENOUS PEOPLES DAY. PG.**
- D. ORDINANCE NO. 2097: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE I, ARTICLE II, ARTICLE IV, ARTICLE V, AND**

**ARTICLE VI, CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING, AS IT PERTAINS TO ZONING SETBACKS AND ALLOWED ENCROACHMENTS. PG.**

9. Ordinances

10. Resolutions

11. Action Items

**A. DISCUSS/APPROVE/DENY: ACCEPTING 2021 CITY COMMISSION MEETING SCHEDULE PG.**

**B. DISCUSS/APPROVE/DENY: CITY COMMISSIONERS ASSIGNMENT TO CITY BOARDS AND COMMITTEES. PG.**

**C. DISCUSS: CITY ATTORNEY'S NEWSLETTER AND STATE OF MONTANA MUNICIPAL RECORDS RETENTION SCHEDULE. PG.**

**D. DISCUSS/APPROVE/DENY: MEMBERSHIP ON CITY CONSERVATION BOARD. PG.**

**E. DISCUSS/APPROVE/DENY: PLANNING BOARDS REQUEST FOR EXTENSION TO THE DEADLINE OF PROVIDING A GROWTH POLICY RECOMMENDATION. PG.**

**F. DISCUSS: INTERVENTION FLOWCHART WITH RESOURCES LIST. PG.**

12. City Manager Comment

13. City Commission Comments

14. Adjournment

**Calendar of Events PG.**

**Supplemental Material**

Notice

- **Public Comment:** The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).
- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- **Special Accommodation:** If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

**File Attachments for Item:**

**A. APPROVE MINUTES FROM 12/15/2020 REGULAR CITY COMMISSION MEETING.**

**LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES**

**Tuesday, December 15, 2020, 5:30 pm**

**Zoom Online Meeting ID: 899 1931 3028**

**1 Call to Order**

**2 Roll Call**

\* Hoglund, Friedman, Mabie, Schwarz, and Nootz were present.

**3 Public Comment: (00:01:17)**

\* Johnathan Hettinger made public comment (00:01:56)

**4 Consent Items: (00:0**

**A. Approve Minutes from 12/01/2020 Regular Meeting**

**B. Ratify Claims Paid 12/01/20-12/08/2020**

**C. Accept Judge's Monthly Report as of October 2020.**

Friedman motioned to approve items A-C, Friedman seconded.

All in favor, passed 5-0.

**5 Proclamations:**

**6 Scheduled Public Comment:**

**7 Public Hearings: (00:15:50)**

**A. Ordinance No. 2095: An Ordinance of the City Commission of the City of Livingston, Montana, amending Chapter 23 of the Livingston Municipal Code Entitled "Trees" by clarifying that all boulevard trees are to be properly maintained, including pruning, watering and removal when necessary.**

- \* Kardoos gave opening statement
  - \* Marshall Swearingen made comments
  - \* Courtney Lawellin made comments
  - \* Leslie Fiegle made comments
  - \* Schwarz made comment
  - \* Nootz made comment
  - \* Hoglund made comment
  - \* Mabie made comment
  - \* Schwarz motioned, second by Friedman
- All in favor, passes 5-0

**8 Ordinances: (00:40:40)**

**A. Ordinance No. 2098: An Ordinance of the City Commission of the City of Livingston, Montana, amending Ordinance No. 2041, 2049, and 2055 as codified by Chapter 9 of the Livingston Municipal Code entitled Traffic and Vehicles.**

- \* Shannon Holmes made opening statement
  - \* Nootz made comment
  - \* Mabie made comment
  - \* Hoglund made comment
- No public comment  
Nootz motioned, second by Friedman  
All in favor, passes 5-0.

**9 Resolutions: (00:51:42)**

**A. Resolution No. 4932: A Resolution of the City Commission of the City of Livingston, Montana, resolving it's intent to amend the boundaries of the Livingston Business Improvement District, and to extend the boundaries of the Livingston Business Improvement District, and to extend the duration**

for ten (10) years, at the request of the LBID for it's members, as required by law.

- \* Kardoes gave opening statement
- \* Kristen Galbraith made comment
- \* Patricia Grabow made comment
- \* Courtney Lawellin made comment
- \* Katie Weaver made comment
- \* Mabie made comment
- \* Nootz made comment
- \* Hogleund made comment
- Schwarz motioned, second by Friedman
- All in favor, passes 5-0.

**B. Resolution No. 4933: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to amend the budget for fiscal year 2020-2021, by making appropriation adjustments in the amount of \$1,275,750 and revenue adjustments in the amount of \$1,663,574. (01:14:58)**

- \* Kardoes gave opening statement
- \* Paige Fetterhoff made comments
- \* Nootz made comments
- \* Hogleund made comments
- \* Schwarz made comments
- \* Friedman made motion, second by Mabie
- \* All in favor, passes 5-0.

\* 5 minute recess

**C. Resolution No. 4934: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a Professional Services Agreement with TD&H Engineering for design services for the 5th Street Sewer Capacity Project and authorizing the City Manager to execute the agreement to include the use of contingency funds as deemed necessary. (01:30:33)**

- \* Kardoes gave opening statement
- \* Shannon Holmes made comments
- \* Friedman made motion, second by Mabie
- \* All in favor, passes 5-0.

**10 Action Item: (01:38:00)****A. Discuss/Approve/Deny: Appointing member to serve on the City/County Health Board.**

- \* Kardoes gave opening statement
  - \* Stefani Lange made comment
  - \* Mabie made comment
  - \* Hogleund made comment
  - \* Nootz made comment
  - \* Schwarz made comment
- Schwarz made motion to approve Dr. Lange, second by Nootz  
All in favor, passes 5-0

**B. Discuss/Approve/Deny: CARES Act Funding options. (01:50:58)**

- \* Nootz made comments
- \* Hogleund made comment
- \* Kardoes provided update
- \* Schwarz made comment
- \* Johnathan Hettinger made comment
- \* Michael DeChellis made comment
- \* Karrie Kahle made comment
- \* Becca Frucht made comment
- \* Michelle Uberuaga made comment
- \* Joan Kresich made comment
- \* Patricia Grabow made comment
- \* Judge Happe made comment
- \* Sarah Stands made comment
- \* Amy Zanoni made comment
- \* Mabie made comment

**11 City Manager Comments: (02:38:58)**

- \* Provided update on Purple Air monitoring system 2 sensors now up and running. One inside Civic Center, other outside the Civic Center, plans to install a few more, one on the Northside Soccerfield Complex, another on the new building.
- \* Will be taking some vacation time over Christmas.

**13 City Commission Comments**

- \* Nootz: read letter received into record (02:42:11)
- \* Mabie (02:52:11)
- \* Friedman (02:54:02)
- \* Schwarz (02:54:08)
- \* Hogleund (02:57:03)

**15 Adjournment pm (03:03:48) 8:35 p.m.**

**File Attachments for Item:**

**B. RATIFY CLAIMS PAID 12/15/2020-12/22/2020.**

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>A-1 MUFFLER, INC.</b>							
2	A-1 MUFFLER, INC.	69128	BRAKES AND ROTORS	11/20/2020	476.00	476.00	12/22/2020
2	A-1 MUFFLER, INC.	69138	ALTERNATOR	11/24/2020	345.00	345.00	12/22/2020
Total A-1 MUFFLER, INC.:					821.00	821.00	
<b>ALL SERVICE TIRE &amp; ALIGNMENT</b>							
22	ALL SERVICE TIRE & ALIGNME	60649	Mount and Balance TIRES	11/23/2020	60.00	60.00	12/22/2020
22	ALL SERVICE TIRE & ALIGNME	60781	Oil Change	12/15/2020	55.00	55.00	12/22/2020
Total ALL SERVICE TIRE & ALIGNMENT:					115.00	115.00	
<b>BILLINGS CLINIC TRAINING CENTER</b>							
3069	BILLINGS CLINIC TRAINING CE	18432	BLS eCard	12/02/2020	96.00	96.00	12/16/2020
3069	BILLINGS CLINIC TRAINING CE	18436	BLS eCard	12/03/2020	96.00	96.00	12/16/2020
Total BILLINGS CLINIC TRAINING CENTER:					192.00	192.00	
<b>BLACKSTONE PUBLISHING</b>							
2219	BLACKSTONE PUBLISHING	1190661	1 Audiobook	10/10/2020	31.99	31.99	12/22/2020
2219	BLACKSTONE PUBLISHING	1191305	10 AUDIOBOOKS	10/15/2020	400.00	400.00	12/22/2020
2219	BLACKSTONE PUBLISHING	1192418	1 Audiobook	10/15/2020	40.00	40.00	12/22/2020
2219	BLACKSTONE PUBLISHING	1193003	3 Audiobooks	11/22/2020	120.00	120.00	12/22/2020
Total BLACKSTONE PUBLISHING:					591.99	591.99	
<b>BOUND TREE MEDICAL, LLC</b>							
2662	BOUND TREE MEDICAL, LLC	83872046	Patient Supplies	12/04/2020	164.27	164.27	12/16/2020
2662	BOUND TREE MEDICAL, LLC	83882977	Patient Supplies	12/14/2020	158.03	158.03	12/16/2020
Total BOUND TREE MEDICAL, LLC:					322.30	322.30	
<b>BOZEMAN DAILY CHRONICLE</b>							
377	BOZEMAN DAILY CHRONICLE	58355	REQUEST FOR PROPOSAL	12/11/2020	80.00	80.00	12/16/2020
Total BOZEMAN DAILY CHRONICLE:					80.00	80.00	
<b>CANINE DEVELOPMENT GROUP</b>							
10002	CANINE DEVELOPMENT GROU	019235	HANDLER SUBSCRIPTION	12/09/2020	100.00	100.00	12/22/2020
Total CANINE DEVELOPMENT GROUP:					100.00	100.00	
<b>CARQUEST AUTO PARTS</b>							
23	CARQUEST AUTO PARTS	1912-494251	Def	12/09/2020	170.00	170.00	12/16/2020
23	CARQUEST AUTO PARTS	1912-494283	MAINTENANE SUPPLY	12/09/2020	51.74	51.74	12/16/2020
23	CARQUEST AUTO PARTS	1912-494681	HEADLIGHTS	12/15/2020	21.67	21.67	12/22/2020
Total CARQUEST AUTO PARTS:					243.41	243.41	
<b>CENGAGE LEARNING INC</b>							
10001	CENGAGE LEARNING INC	72648186	1 BOOK	11/18/2020	26.23	26.23	12/22/2020
10001	CENGAGE LEARNING INC	72655157	1 BOOK	11/20/2020	28.69	28.69	12/22/2020
10001	CENGAGE LEARNING INC	72700267	2 BOOKS	12/03/2020	62.30	62.30	12/22/2020
Total CENGAGE LEARNING INC:					117.22	117.22	



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>CHARTER COMMUNICATIONS</b>							
3440	CHARTER COMMUNICATIONS	019544511182	Phones	11/18/2020	119.97	119.97	12/22/2020
3440	CHARTER COMMUNICATIONS	019544511182	Internet	11/18/2020	124.98	124.98	12/22/2020
Total CHARTER COMMUNICATIONS:					244.95	244.95	
<b>COMDATA</b>							
2671	COMDATA	20339312	BZR70	12/01/2020	123.69	123.69	12/22/2020
2671	COMDATA	20339715	CG73p	12/01/2020	1,882.60	1,882.60	12/16/2020
Total COMDATA:					2,006.29	2,006.29	
<b>DEMCO</b>							
199	DEMCO	6879533	OFFICE SUPPLIES	12/02/2020	127.45	127.45	12/22/2020
Total DEMCO:					127.45	127.45	
<b>DOWN TO EARTH</b>							
10002	DOWN TO EARTH	8580	IRRIGATION WINTERIZE	10/30/2020	160.00	160.00	12/22/2020
Total DOWN TO EARTH:					160.00	160.00	
<b>EBSCO INFORMATION SERVICES Inc.</b>							
2362	EBSCO INFORMATION SERVIC	0440421	Periodicals-subscriptions	12/04/2020	4,793.07	4,793.07	12/22/2020
Total EBSCO INFORMATION SERVICES Inc.:					4,793.07	4,793.07	
<b>ENCODE CORPORATION</b>							
1548	ENCODE CORPORATION	39927	Replace gaskets in hvac	11/18/2020	430.70	430.70	12/22/2020
1548	ENCODE CORPORATION	39988	Replace HVAC MOTOR	12/08/2020	.00	.00	
Total ENCODE CORPORATION:					430.70	430.70	
<b>GATEWAY OFFICE SUPPLY</b>							
54	GATEWAY OFFICE SUPPLY	50037	Office Supplies	12/17/2020	32.50	32.50	12/22/2020
Total GATEWAY OFFICE SUPPLY:					32.50	32.50	
<b>GEORGE WATSON</b>							
10000	GEORGE WATSON	0177	PSYCHOLOGICAL EVALUATION	12/17/2020	1,150.00	1,150.00	12/22/2020
Total GEORGE WATSON:					1,150.00	1,150.00	
<b>GREAT WEST ENGINEERING</b>							
10002	GREAT WEST ENGINEERING	23029	COL CO COMPOSTING FACILIT	12/21/2020	1,512.00	1,512.00	12/22/2020
Total GREAT WEST ENGINEERING:					1,512.00	1,512.00	
<b>INDUSTRIAL TOWEL</b>							
102	INDUSTRIAL TOWEL	48232	Towel Service	12/03/2020	15.23	15.23	12/22/2020
102	INDUSTRIAL TOWEL	49236	330 bennett	12/11/2020	45.50	45.50	12/16/2020
Total INDUSTRIAL TOWEL:					60.73	60.73	
<b>INGRAM LIBRARY SERVICE</b>							
1539	INGRAM LIBRARY SERVICE	443306121	3 BOOKS	03/13/2020	47.27	47.27	12/22/2020
1539	INGRAM LIBRARY SERVICE	444084191	1 Book	03/19/2020	35.04	35.04	12/22/2020

Report dates: 12/15/2020-12/23/2020

Dec 23, 2020 10:30AM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1539	INGRAM LIBRARY SERVICE	49405704	1 Book	11/13/2020	34.06	34.06	12/22/2020
1539	INGRAM LIBRARY SERVICE	49405705	1 Book	11/13/2020	34.06	34.06	12/22/2020
1539	INGRAM LIBRARY SERVICE	49431019	1 Book	11/16/2020	18.95	18.95	12/22/2020
1539	INGRAM LIBRARY SERVICE	49431020	4 Books	11/16/2020	83.70	83.70	12/22/2020
1539	INGRAM LIBRARY SERVICE	49431021	1 Book	11/16/2020	18.24	18.24	12/22/2020
1539	INGRAM LIBRARY SERVICE	49462698	3 BOOKS	11/17/2020	64.88	64.88	12/22/2020
1539	INGRAM LIBRARY SERVICE	49575579	1 Book	11/23/2020	19.01	19.01	12/22/2020
1539	INGRAM LIBRARY SERVICE	49575580	5 Books	11/23/2020	74.90	74.90	12/22/2020
1539	INGRAM LIBRARY SERVICE	49616121	3 BOOKS	11/24/2020	63.22	63.22	12/22/2020
1539	INGRAM LIBRARY SERVICE	49722643	1 Book	11/30/2020	33.49	33.49	12/22/2020
1539	INGRAM LIBRARY SERVICE	49867933	1 Book	12/04/2020	18.11	18.11	12/22/2020
1539	INGRAM LIBRARY SERVICE	49867934	1 Book	12/04/2020	25.21	25.21	12/22/2020
Total INGRAM LIBRARY SERVICE:					570.14	570.14	
<b>KENYON NOBLE</b>							
776	KENYON NOBLE	8070987	BLOCK	12/01/2020	79.75	79.75	12/22/2020
776	KENYON NOBLE	8077004	SCREEN	12/04/2020	56.64	56.64	12/22/2020
776	KENYON NOBLE	8084421	Wood	12/08/2020	74.40	74.40	12/16/2020
776	KENYON NOBLE	8086540	STATION SUPPLIES	12/09/2020	14.28	14.28	12/16/2020
776	KENYON NOBLE	8087376	WIRE	12/10/2020	28.98	28.98	12/16/2020
776	KENYON NOBLE	8088777	WEED BLOCK	12/10/2020	96.86	96.86	12/16/2020
Total KENYON NOBLE:					350.91	350.91	
<b>LIVINGSTON DAYCARE, LLC</b>							
3407	LIVINGSTON DAYCARE, LLC	2021.1	Parking Lease 1/21-3/21	12/22/2020	2,700.00	2,700.00	12/22/2020
Total LIVINGSTON DAYCARE, LLC:					2,700.00	2,700.00	
<b>LIVINGSTON HEALTH CARE</b>							
55	LIVINGSTON HEALTH CARE	4341923	Patient Supplies	12/09/2020	55.03	55.03	12/16/2020
Total LIVINGSTON HEALTH CARE:					55.03	55.03	
<b>LIVINGSTON UTILITY BILLING</b>							
147	LIVINGSTON UTILITY BILLING	2020.12.2	228 W CALLENDER-NOVEMBER	12/02/2020	81.10	81.10	12/22/2020
Total LIVINGSTON UTILITY BILLING:					81.10	81.10	
<b>MASTERCARD</b>							
3184	MASTERCARD	2020_11 JOH	Clipboard	12/01/2020	556.53	556.53	12/21/2020
3184	MASTERCARD	2020_11 FETT	Office Supplies	12/01/2020	748.69	748.69	12/21/2020
3184	MASTERCARD	2020_11 Finan	Interest	12/01/2020	135.23	135.23	12/21/2020
3184	MASTERCARD	2020_11 GRAD	postage funds added	12/01/2020	183.01	183.01	12/21/2020
3184	MASTERCARD	2020_11 HARR	Reserve Training	12/01/2020	97.05	97.05	12/21/2020
3184	MASTERCARD	2020_11 HOFF	Docking Station	12/01/2020	988.70	988.70	12/21/2020
3184	MASTERCARD	2020_11 JOHN	Office Supplies	12/01/2020	242.68	242.68	12/21/2020
3184	MASTERCARD	2020_11 KARD	Online Video Conferencing	12/01/2020	83.00	83.00	12/21/2020
3184	MASTERCARD	2020_11 KINNI	Election Night Tacos	12/01/2020	5,922.30	5,922.30	12/21/2020
3184	MASTERCARD	2020_11 LAWE	Flash Drives	12/01/2020	221.57	221.57	12/21/2020
3184	MASTERCARD	2020_11 LOW	waiting for receipts	12/01/2020	76.76	76.76	12/21/2020
3184	MASTERCARD	2020_11 MACI	Patient Supplies	12/01/2020	6,954.23	6,954.23	12/21/2020
3184	MASTERCARD	2020_11 SMIT	Filter	12/01/2020	1,540.88	1,540.88	12/21/2020
3184	MASTERCARD	2020_11 TARR	Youth Volleyballs	12/01/2020	1,535.08	1,535.08	12/21/2020
3184	MASTERCARD	2020_11 WULF	oil change	12/01/2020	88.70	88.70	12/21/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MASTERCARD:					19,374.41	19,374.41	
<b>MEYER ELECTRIC AND GROUNDS REPAIR, LLC</b>							
3812	MEYER ELECTRIC AND GROUN	470	ELECTRIC SUPPLIES	12/10/2020	4,296.01	4,296.01	12/16/2020
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					4,296.01	4,296.01	
<b>MISC</b>							
99999	MISC	ARNJA000	Overpayment: Jacquelyn Arnold	11/26/2020	1,332.79	1,332.79	12/16/2020
99999	MISC	TK2020-0399	Bond Release - J. Hoeme	12/14/2020	585.00	585.00	12/18/2020
Total MISC:					1,917.79	1,917.79	
<b>MMIA - LIABILITY PROGRAM</b>							
2727	MMIA - LIABILITY PROGRAM	DR1005033	EV2019006169	12/04/2020	181.50	181.50	12/16/2020
Total MMIA - LIABILITY PROGRAM:					181.50	181.50	
<b>MOBILE REPAIR &amp; WELDING, INC</b>							
10	MOBILE REPAIR & WELDING, IN	31758	GAUGE	12/15/2020	62.00	62.00	12/22/2020
Total MOBILE REPAIR & WELDING, INC:					62.00	62.00	
<b>MONTANA AIR CARTAGE</b>							
3808	MONTANA AIR CARTAGE	LVQ113020	Courier Service	12/01/2020	156.00	156.00	12/22/2020
Total MONTANA AIR CARTAGE:					156.00	156.00	
<b>MONTANA DEPT OF ENVIRONMENTAL</b>							
2346	MONTANA DEPT OF ENVIRONM	5J2100059	TESTING FEE	10/28/2020	140.00	140.00	12/22/2020
Total MONTANA DEPT OF ENVIRONMENTAL:					140.00	140.00	
<b>MONTANA HISTORICAL SOCIETY</b>							
10002	MONTANA HISTORICAL SOCIET	LIB 21-07	MICROFILM 2019 LIVINGSTON	08/24/2020	260.00	260.00	12/22/2020
Total MONTANA HISTORICAL SOCIETY:					260.00	260.00	
<b>MONTANA STATE - FIRE SERVICES TRAINING</b>							
2631	MONTANA STATE - FIRE SERVI	34-164	FF2 CERTIFICATION-COX	12/10/2020	95.00	95.00	12/16/2020
Total MONTANA STATE - FIRE SERVICES TRAINING:					95.00	95.00	
<b>MOUNTAIN AIR SPORTS</b>							
34	MOUNTAIN AIR SPORTS	10255	Reserve Clothing	09/01/2020	524.00	524.00	12/16/2020
34	MOUNTAIN AIR SPORTS	10433	SANTA BREAKFAST BAG	12/14/2020	750.00	750.00	12/22/2020
Total MOUNTAIN AIR SPORTS:					1,274.00	1,274.00	
<b>MOUNTAIN MOBILE AUTO GLASS</b>							
2106	MOUNTAIN MOBILE AUTO GLAS	16625	WINDSHIELD REPAIR	12/07/2020	35.00	35.00	12/16/2020
Total MOUNTAIN MOBILE AUTO GLASS:					35.00	35.00	
<b>MUNICIPAL CODE CORPORATION</b>							
3058	MUNICIPAL CODE CORPORATI	00352579	Subscription	12/14/2020	150.00	150.00	12/16/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MUNICIPAL CODE CORPORATION:					150.00	150.00	
<b>MUNICIPAL EMERGENCY SERVICES</b>							
2604	MUNICIPAL EMERGENCY SERV	IN1525631	Suspenders	12/02/2020	88.00	88.00	12/16/2020
Total MUNICIPAL EMERGENCY SERVICES:					88.00	88.00	
<b>MURDOCH'S RANCH &amp; HOME SUPPLY</b>							
3688	MURDOCH'S RANCH & HOME S	K00089/37	POST	12/02/2020	44.90	44.90	12/22/2020
3688	MURDOCH'S RANCH & HOME S	K01203/37	WORKLIGHT	12/14/2020	79.98	79.98	12/22/2020
3688	MURDOCH'S RANCH & HOME S	K01214/37	FLAGS	12/17/2020	8.69	8.69	12/22/2020
3688	MURDOCH'S RANCH & HOME S	K01220/37	Propane	12/17/2020	88.12	88.12	12/22/2020
Total MURDOCH'S RANCH & HOME SUPPLY:					221.69	221.69	
<b>NEWMAN SIGNS INC.</b>							
64	NEWMAN SIGNS INC.	TRFINV027256	SPECIAL TRAFFIC BANNERS	12/15/2020	172.20	172.20	12/22/2020
Total NEWMAN SIGNS INC.:					172.20	172.20	
<b>NICOLE SANTUCCI</b>							
10002	NICOLE SANTUCCI	121573	REIMBURSEMENT	11/20/2020	19.87	19.87	12/22/2020
10002	NICOLE SANTUCCI	123087	REIMBURSEMENT	12/09/2020	3.29	3.29	12/22/2020
Total NICOLE SANTUCCI:					23.16	23.16	
<b>NORTHWESTERN ENERGY</b>							
151	NORTHWESTERN ENERGY	2020.12.10	227 RIVER DR	12/10/2020	44.96	44.96	12/16/2020
151	NORTHWESTERN ENERGY	2020.12.8	101 STAR RD	12/08/2020	23.75	23.75	12/16/2020
151	NORTHWESTERN ENERGY	2020.12.9	110 S B	12/09/2020	372.67	372.67	12/22/2020
151	NORTHWESTERN ENERGY	2020.12.9.1	112 S B	12/09/2020	118.18	118.18	12/22/2020
151	NORTHWESTERN ENERGY	2020.12.9.2	228 W CALLENDER	12/09/2020	1,039.68	1,039.68	12/22/2020
Total NORTHWESTERN ENERGY:					1,599.24	1,599.24	
<b>OPPORTUNITY BANK OF MONTANA</b>							
3519	OPPORTUNITY BANK OF MONT	2021.1	Office Rent	12/21/2020	1,775.00	1,775.00	12/22/2020
Total OPPORTUNITY BANK OF MONTANA:					1,775.00	1,775.00	
<b>O'REILLY AUTOMOTIVE, INC</b>							
2437	O'REILLY AUTOMOTIVE, INC	1558-226533	Def	12/13/2020	33.97	33.97	12/16/2020
2437	O'REILLY AUTOMOTIVE, INC	1558-226647	Mini Bulb	12/15/2020	5.88	5.88	12/22/2020
Total O'REILLY AUTOMOTIVE, INC:					39.85	39.85	
<b>PARK HIGH SCHOOL</b>							
1376	PARK HIGH SCHOOL	20-21-003	PANCAKE MIX	12/15/2020	58.28	58.28	12/16/2020
Total PARK HIGH SCHOOL:					58.28	58.28	
<b>PURCELL,CASEY</b>							
3182	PURCELL,CASEY	2020.7.9	Reimburse CDL Exam	07/09/2020	120.00	120.00	12/16/2020
Total PURCELL,CASEY:					120.00	120.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>RIVER BEND THREADS</b>							
2299	RIVER BEND THREADS	2512	Reserve Uniform	12/02/2020	335.00	335.00	12/16/2020
Total RIVER BEND THREADS:					335.00	335.00	
<b>RIVERSIDE HARDWARE LLC</b>							
3659	RIVERSIDE HARDWARE LLC	123874	LIGHT BULBS	12/17/2020	8.06	8.06	12/22/2020
Total RIVERSIDE HARDWARE LLC:					8.06	8.06	
<b>SHIELA PHILLIPS</b>							
10002	SHIELA PHILLIPS	2020.11.28	REIMBURSE	11/28/2020	285.20	285.20	12/16/2020
Total SHIELA PHILLIPS:					285.20	285.20	
<b>SPECIAL LUBE</b>							
1814	SPECIAL LUBE	64961	Oil Change	08/04/2020	37.00	37.00	12/22/2020
1814	SPECIAL LUBE	65043	Oil Change	08/12/2020	67.00	67.00	12/22/2020
1814	SPECIAL LUBE	65318	Oil Change	09/02/2020	37.00	37.00	12/22/2020
1814	SPECIAL LUBE	66061	Oil Change	09/08/2020	37.00	37.00	12/22/2020
Total SPECIAL LUBE:					178.00	178.00	
<b>STRYKER SALES CORPORATION</b>							
2470	STRYKER SALES CORPORATIO	3081351	CO7 Maintenance	08/13/2020	123.99	123.99	12/16/2020
2470	STRYKER SALES CORPORATIO	3081352	CO7 Maintenance	07/14/2020	123.99	123.99	12/16/2020
2470	STRYKER SALES CORPORATIO	8932244 DM	PWRPRO COT	12/02/2020	19,806.33	19,806.33	12/22/2020
2470	STRYKER SALES CORPORATIO	8932256 DM	POWER LOAD	12/02/2020	41,412.50	41,412.50	12/22/2020
2470	STRYKER SALES CORPORATIO	8932977 DM	POWER LOAD	12/02/2020	21,606.17	21,606.17	12/22/2020
Total STRYKER SALES CORPORATION:					83,072.98	83,072.98	
<b>TOWN &amp; COUNTRY FOODS - LIVINGSTON</b>							
2595	TOWN & COUNTRY FOODS - LI	130	duct tape	12/03/2020	4.07	4.07	12/16/2020
2595	TOWN & COUNTRY FOODS - LI	220	Station Supplies	11/02/2020	8.13	8.13	12/16/2020
2595	TOWN & COUNTRY FOODS - LI	60	Cleaning supplies	12/10/2020	27.52	27.52	12/16/2020
Total TOWN & COUNTRY FOODS - LIVINGSTON:					39.72	39.72	
<b>TRI-COUNTY HEATING &amp; COOLING</b>							
757	TRI-COUNTY HEATING & COOLI	143971	service	12/01/2020	407.81	407.81	12/16/2020
Total TRI-COUNTY HEATING & COOLING:					407.81	407.81	
<b>US BANK EQUIPMENT FINANCE</b>							
10001	US BANK EQUIPMENT FINANCE	430547414	PRINTER SERVICE	12/04/2020	257.80	257.80	12/22/2020
Total US BANK EQUIPMENT FINANCE:					257.80	257.80	
<b>US BANK St. Paul</b>							
845	US BANK St. Paul	1682507	0039414ns	11/18/2020	10,146.88	10,146.88	12/16/2020
845	US BANK St. Paul	2020.11.17	DNRC LOAN WRF-06074	11/17/2020	10,837.50	10,837.50	12/16/2020
845	US BANK St. Paul	2020.11.17.1	DNRC LOAN SRF-06139	11/17/2020	4,975.00	4,975.00	12/16/2020
845	US BANK St. Paul	2020.11.17.2	SRF10223	11/17/2020	10,610.00	10,610.00	12/16/2020
845	US BANK St. Paul	2020.11.17.3	SRF18430	11/17/2020	154,562.50	154,562.50	12/16/2020
845	US BANK St. Paul	2020.11.17.4	DNRCLOAN WRF-06075	11/17/2020	25,237.50	25,237.50	12/16/2020
845	US BANK St. Paul	2020.11.17.5	DNRC LOAN SRF-06140	11/17/2020	12,137.50	12,137.50	12/16/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
845	US BANK St. Paul	WASTEWATE	WATEWATER IMPROVEMENTS	12/16/2020	140,547.41	140,547.41	12/16/2020
Total US BANK St. Paul:					369,054.29	369,054.29	
<b>VERIZON WIRELESS</b>							
879	VERIZON WIRELESS	9868705847	DEC 2020 CELLPHONES	12/08/2020	564.67	564.67	12/22/2020
879	VERIZON WIRELESS	9868705848	DEC 2020 CELLPHONES	12/08/2020	628.60	628.60	12/16/2020
Total VERIZON WIRELESS:					1,193.27	1,193.27	
<b>WESTERN DRUG</b>							
1396	WESTERN DRUG	304889	Patient Supplies	12/11/2020	88.49	88.49	12/16/2020
Total WESTERN DRUG:					88.49	88.49	
<b>WHISTLER TOWING, LLC</b>							
3237	WHISTLER TOWING, LLC	12577	IMPOUND	12/14/2020	85.00	85.00	12/22/2020
3237	WHISTLER TOWING, LLC	4766	M3 REPAIR	12/02/2020	887.29	887.29	12/16/2020
3237	WHISTLER TOWING, LLC	5058	M4 oil change	12/01/2020	144.39	144.39	12/16/2020
3237	WHISTLER TOWING, LLC	5098	2005 GMC	12/10/2020	559.15	559.15	12/22/2020
Total WHISTLER TOWING, LLC:					1,675.83	1,675.83	
<b>YELLOWSTONE COUNTRY</b>							
10001	YELLOWSTONE COUNTRY	2020.12.10	2020 RAM	12/10/2020	23,987.00	23,987.00	12/16/2020
Total YELLOWSTONE COUNTRY:					23,987.00	23,987.00	
Grand Totals:					529,480.37	529,480.37	

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_

**File Attachments for Item:**

**C. ACCEPT URA'S RECOMMENDATION TO FILL VACANCY.**

## Faith Kinnick

---

**From:** Faith Kinnick  
**Sent:** Monday, December 21, 2020 1:09 PM  
**To:** 'Bob Ebinger'; Karla Pettit  
**Subject:** RE: URA Secretary

Hi Bob,

This will go on as a consent item to accept recommendation, no need to attend.

Thank you for the update.

Faith

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**From:** Bob Ebinger [mailto:buffalojumppictures@gmail.com]  
**Sent:** Monday, December 21, 2020 10:41 AM  
**To:** Faith Kinnick <fkinnick@livingstonmontana.org>; Karla Pettit <pb2livingston@gmail.com>  
**Subject:** RE: URA Secretary

Faith: The URA Board voted on Allison Vicenzi as our new Board Member and she has accepted. Will this be a consent item or should I attend? Happy Holidays! Bob

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**From:** Faith Kinnick [mailto:fkinnick@livingstonmontana.org]  
**Sent:** Monday, December 21, 2020 10:33 AM  
**To:** Bob Ebinger <buffalojumppictures@gmail.com>; Karla Pettit <pb2livingston@gmail.com>  
**Subject:** RE: URA Secretary

Hi Bob and Karla,

Did the URA determine which applicant to recommend?

If so, please send me a recommendation from the board to include in the packet. An email will suffice.

Faith




**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/17/03)

**Appointed Position Seeking:** Urban Renewal Agency Committee

**Date of Application:** 10/5/20

Name: Allison Vicenzi  
Address: 416 S 7th St. Livingston MT 59047  
Telephone: daytime 203-247-9126  
Fax Number: N/A

Signed:   
after 5:00 p.m.: 203-247-9126  
e-mail address: allison@vicenzi.co

1. Are you a resident of the City of Livingston? Yes
2. Are you a registered voter? Yes
3. Will you be at least 18 years of age at the time of the appointment? Yes
4. Describe the reasons you are interested in this appointment: I moved to Livingston from NYC this

July and am now looking for opportunities where I can lend my time, energy, skills, and experience to directly benefit this unique community. Creating opportunities for sustainable development and local revitalization are among my passions. I am looking for a team environment where I can become an active contributor, and projects where we can make a difference together for the citizens and businesses of Livingston.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

- Sustainability Designer & Community Organizer, Startup Advisor & Consultant
- A. Occupation: for Strategy and Business Development
  - B. Education: Bachelor of Business Administration (Finance), University of Notre Dame
  - C. Experience: Co-Founder/Co-Organizer, Sustainable Fashion Circle of NYC (2017-2020)

Guest Lecturer and Sustainable Design Workshop Organizer at NYU, FIT, Parsons, Pratt and various schools K-12

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? \_\_\_\_\_  
This would be my first. I have served as an advisor and contributor to a range of projects  
and councils related to sustainability and community enrichment in New York City.

7. Are you currently serving on any Community Boards? None  
A. If yes, please describe those boards. N/A

8. Current Employer? Self-employed as a designer and consultant

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? None

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would communicate the concern as soon as possible to the appropriate parties and seek counsel from fellow committee members on actions required to address or clear the conflict in the best interests of the City of Livingston and its residents.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

allison  
VICENZI

(203) 247-9126 • [allison@vicenzi.co](mailto:allison@vicenzi.co) • [linkedin.com/in/allisonnyc](https://www.linkedin.com/in/allisonnyc)

**VICENZI (SUSTAINABLE APPAREL)**, New York, NY, Westport, CT & Livingston, MT

**Owner and Designer**, September 2016-Present

- Launched and manage a circular fashion label focused on sustainable design, local production and repairs
- Maximizing fashion sustainability by facilitating creative reuse and upcycling of existing goods and materials
- Hosted 54 events to teach fashion sustainability and DIY skills to participants aged 5-80 across NYC
- Project-based assignments for partners in fashion retail, consumer goods, textile recycling, and supply chain technology; work includes strategy, writing, editing, styling, photo and video shoots, customer feedback programs, educational workshops and event activations

**GRANT STONE (GOODYEAR-WELT FOOTWEAR)**, Part-Time Remote

**Marketing and Media Manager**, September 2018-November 2019

- Creative and strategic marketing support for leading men's footwear producer
- Wrote, designed, and released twice-monthly informational newsletters
- Worked on the [Grant Stone Journal](#) to share interviews, production process, and footwear care guides
- Facilitated strategic partnerships with niche online publications and values-aligned content creators

**3DOODLER (WORLD'S FIRST 3D PRINTING PEN)**, Hong Kong & New York, NY

**Head of Education**, November 2015-August 2016

- Led strategy and STEM bundle production for Chinese, Taiwanese, UK, and American education markets
- Created design thinking workshops and manuals to teach students the importance of making and experimenting
- Directed event activations and booths at top EDU industry conferences (including SXSWedu, ISTE, NYC Toy Fair)
- Redesigned and edited user manuals for the 3Doodler Create 3D Printing Pen
- Helped open first USA headquarters in New York City (hired talent, developed internal operations)

**MAKERBOT (WORLD'S FIRST DESKTOP 3D PRINTER)**, Brooklyn, NY

**Director, Education**, January 2015-October 2015

- Founded MakerBot Education, a new division focused on providing resources, content, and community support to increase accessibility and efficacy of desktop 3D printing and the maker movement at K-12 and University level
- Led go-to-market strategy to increase EDU sales and market share, 80% of MakerBot's total revenue
- Producer and editor of the first edition *MakerBot in the Classroom* educational handbook
- Created teacher advisory board to test and scale online and offline community programs with influential teachers
- Established MakerBot presence at top events and trade shows (including CES, SXSWedu, ISTE, FETC)

**Manager, Business Development**, February 2014-January 2015

**Senior Business Development Project Manager**, November 2013-February 2014

**Business Development Project Manager**, March 2013-November 2013

- Launched 20+ partnerships to align MakerBot with top brands in engineering, entertainment, homewares, media, fashion, art, design and technology industries
- Responsible for research, data analysis, contract negotiation, sales and marketing strategy, team hiring
- Led projects focused on brand awareness, retail distribution, event activations, licensing, content creation for the MakerBot 3D Printing System
- Served as liaison to CEO/co-founder Bre Pettis for top-level events, speaking engagements and executive meetings (including Milan Design Week and CES)

**INSIDER NYC (LIFESTYLE MANAGEMENT SERVICE)**, New York, NY

**Account Manager**, March 2012-March 2013

**Project Manager**, September 2011-March 2012

- Managed a wide variety of clients and their project requests for INSider's 24/7 private concierge service
- Led database redesign to track and manage flow of incoming and repeating requests from all INSider clients
- Co-created the "Midnight Madness" overnight scavenger hunt in Manhattan to benefit Good Shepherd Services

**COMMUNITIES** [Sustainable Fashion Circle NYC](#) (co-founder), Betaworks Studios, altMBA, Remade in Brooklyn

**EDUCATION** UNIVERSITY OF NOTRE DAME, *Bachelor of Business Administration (Finance, Dec '10), cum laude*

**File Attachments for Item:**

**D. ACCEPT PLANNING BOARDS RECOMMENDATION TO FILL VACANCY.**

December 21, 2020

**MEMORANDUM**

**TO:** City of Livingston Planning Board

**FROM:** Mathieu Menard, City of Livingston Planning Department

**SUBJECT:** City of Livingston Planning Board Recommendations for Board Appointments

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**Background:** Two members of the City of Livingston Planning Board terms expire January 1, 2021, Stacy Jovick and Scott Weisbeck. At this time the City has received two applications meeting the State Statute requirements for Planning Board citizen members, Stacy Jovick and Torrey Lyons (Applications provided in Attachment I). As required by the *City of Livingston Board and Committee Policies Handbook* the Planning Board met at a noticed and regularly scheduled meeting, December 16, 2020 to formulate a recommendation on the Board appointment to the City Commission. At that time the Planning Board voted to recommend that the City Commission appoint Stacy Jovick and Torrey Lyons to the Planning Board.

**Staff Recommendation:** Staff recommends that the City Commission accept the Planning Board recommendation and appoint Stacy Jovick and Torrey Lyons. As discussed by the Planning Board and her application, Ms. Jovick brings a wealth of experience and local knowledge to the Planning Board having resided in the community for over 40 years. Additionally, her reappointment would bring continuity to the Board as they continue to work through the Growth Policy recommendation process. Mr. Lyons has an impressive amount of knowledge and experience in the field of planning, as shown by his educational and professional experience and credentials. Staff believes that his deep expertise of the field and experience with planning in communities outside of Livingston will be a valuable addition to the Planning Board. Staff would also like to impress upon the Commission the importance of maintaining a complete Planning Board as the City's Growth Policy process continues.

**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/20/20)

**Appointed Position Seeking:** Planning Board County Representative

**Date of Application:** 11/6/2020

Name: Torrey Lyons

Signed: Torrey Lyons

Address: 520 S 9th St, Livingston, MT

Telephone: daytime 920-535-0369

after 5:00 p.m.: 920-535-0369

Fax Number: NA

e-mail address: torrey.lyons@gmail.com

1. Are you a resident of the City of Livingston? Yes
2. Are you a registered voter? Yes
3. Will you be at least 18 years of age at the time of the appointment? Yes
4. Describe the reasons you are interested in this appointment: I am interested in participating

in the City's planning and growth policies as I believe Livingston is a beautiful place to live, benefiting from history, architecture, transportation infrastructure, and access to natural amenities.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

- A. Occupation: Postdoctoral Scholar
- B. Education: BS- Environmental Studies; MS - Public Policy; PhD - Urban Planning
- C. Experience: I have studied and published on topics such as growth management, transportation and land use connections, and smart growth.

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? Yes

Wasatch Choice Partnering Committee (Wasatch Front Regional Council/Salt Lake City, UT)

7. Are you currently serving on any Community Boards? No
  - A. If yes, please describe those boards. \_\_\_\_\_
8. Current Employer? University of North Carolina/Metro Analytics
9. Are you available for night meetings? Yes
10. Are you available for daytime meetings? Yes
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would make the conflict known to the board and recuse myself of participating in any discussions/decisions related to such conflict.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

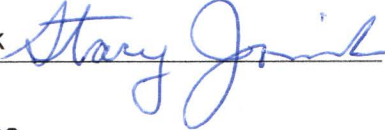
**Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.**

**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/20/20)

**Appointed Position Seeking:** City Planning Board

**Date of Application:** November 17, 2020

Name: Stacy Jovick

Signed: Stacy Jovick 

Address: 410 S. 8th

Telephone: daytime 406-223-0200

after 5:00 p.m.: same

Fax Number: NA

e-mail address: rsjovick@gmail.com

1. Are you a resident of the City of Livingston? Yes.

2. Are you a registered voter? Yes.

3. Will you be at least 18 years of age at the time of the appointment? Yes.

4. Describe the reasons you are interested in this appointment: See attached sheet.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: Self- employed property manager

B. Education: B.A. Speech Pathology and Audiology, University of Montana

C. Experience: See attached sheet.

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? \_\_\_\_\_

7. Are you currently serving on any Community Boards? No.

A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? \_\_\_\_\_

9. Are you available for night meetings? Yes.

10. Are you available for daytime meetings? Yes.

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would recuse myself from any decision where I thought there was a conflict of interest.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.

PROBATION DEPARTMENT  
STATE OF CALIFORNIA

IN RE: [Name], Defendant

[Faded text follows, including case details and legal proceedings]

Stacy Jovick  
410 S. 8<sup>th</sup>  
Livingston, MT 59047  
[rsjovick@gmail.com](mailto:rsjovick@gmail.com) ; 406-223-0200

RE: Applicant for City Planning Board  
Attached documents to my application

January 17, 2020

**4. Describe why you are interested in this appointment.**

I would like to continue the work that I have been doing on the current Planning Board. I was only appointed in February 2020 to a remaining term. Since then there has been extensive training and preparation for the review of the Burton Draft Growth Policy for Livingston. This Policy will be presented to the City Commission in January 2021 and we don't know how much more work will be required from the Planning Board, but the background has been laid with significant amount of information being processed.

There are many challenges facing Livingston and I want to be part of the solution and visioning process for the future development.

Over the past 40 years there have been numerous changes; both while raising my family, and as we have continued to live here. I bring that perspective and value to the Planning Board. I would like to protect what we have that is great and move forward into the future with where we need to go. I've always been interested in the building industry and I've followed closely with what has been happening to our community.

**5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:**

Experience: I have been managing property most of my adult life in Livingston and other communities. I am knowledgeable about property issues, rentals and dealing with trades people. I am able to see the larger picture as well as taking care of details. I have traveled out of the area and seen many different sizes and styles of cities.

I am a community leader and I was one of the founding members of the Livingston Education Foundation (LEF) and was the LEF President for the first 6 years. I have held numerous leadership positions within the Methodist Church, P.E.O. (a philanthropic education organization working on local Trade and College scholarships), the American Association of University Women, the Livingston School District and I recently completed a major house renovation project.

**6. Have you served on any previous boards or in any governmental positions in the past?**

Yes. I am completing the unfinished term of a Planning Board member that left in January, 2020.



The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the data is as accurate and reliable as possible.

The third part of the document provides a detailed breakdown of the results. It shows that there has been a significant increase in sales over the period covered. This is attributed to several factors, including improved marketing strategies and better customer service.

Finally, the document concludes with a series of recommendations for future actions. These include continuing to invest in marketing, improving operational efficiency, and maintaining a strong focus on customer satisfaction.

**File Attachments for Item:**

**E. ACCEPT CITY TREE BOARDS RECOMMENDATION TO FILL VACANCY.**

**From:** [Marshall Swearingen](#)  
**To:** [Faith Kinnick](#)  
**Subject:** Tree Board recommendation for Thomas Shands  
**Date:** Wednesday, December 23, 2020 12:42:34 PM

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Hi Faith,

We voted at our meeting today to recommend Thomas Shands as a new member of the Tree Board, filling the seat opened by the end of Mike Gomez's term. We believe Tom's writing and photography experience, his longtime local knowledge and interest in trees will be good contributions to the board.

Let me know if you need anything else on this.

Thanks, and Happy Holidays,  
Marshall

**File Attachments for Item:**

**A. RESOLUTION NO. 4935: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2020-2021, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$1,165,750 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,663,574.**

**RESOLUTION NO. 4925**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR FISCAL YEAR 2019-2020, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$2,407,206 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,073,697.**

**WHEREAS**, by Resolution No. 4862 the City of Livingston adopted its budget for Fiscal Year 2019-2020 (FY 19-20); and

**WHEREAS**, Mont. Code Ann. § 7-6-4006(4), 7-6-4031(2) and 7-6-4006(3) provide that the budget may be amended by conducting a public hearing thereon; and

**WHEREAS**, any proposed budget amendment which provides for additional appropriations must identify the fund reserves, unanticipated revenue or previously unbudgeted revenue that will fund the appropriations; and

**WHEREAS**, the budget for FY 19-20 requires a budget amendment by making appropriation adjustments in the amount of \$2,407,206 and revenue adjustments in the amount of \$1,073,697 as specified herein.

**NOW, THEREFORE**, be it resolved by the City Commission of the City of Livingston, Montana, that the budget for Fiscal year 2019-2020 is amended as follows:

**Revenue Estimate Adjustments**

<b>Fund</b>	<b>Description/Purpose</b>	<b>Account</b>	<b>Amount</b>
<b>General</b>	COVID-19/Stimulus	1000-331991	461,197
<b>Comprehensive Liability</b>	Real property taxes	2190-311010	11,000
<b>Sidewalks</b>	Sidewalk assessments	2600-363030	144,500
<b>Ambulance Services</b>	Ambulance County Contribution	5510-343010	457,000
		<b>TOTAL</b>	<u>\$ 1,073,697</u>

**Resolution No. 4923**

**Amending the budget for Fiscal Year 2019-2020 by making appropriation adjustments in the amount of \$2,407,206 and revenue adjustments in the amount of \$1,073,697.**

**Appropriation Adjustments**

<b>Fund</b>	<b>Description/Purpose</b>	<b>Account</b>	<b>Amount</b>	<b>Fund Reserves</b>	<b>Unanticipated Revenues</b>	<b>Unbudgeted Revenues</b>
<b>Comprehensive Liability</b>	Insurance premiums	2190-460-510330-510	11,237			X
<b>TIF - Downtown</b>	Professional Services	2310-400-470300-350	4,625		X	
	Phase III & IV of Downtown	2310-400-470300-640	869,800	X		
<b>Impact Fees</b>	Fire Extracation Tool	2399-441-420400-940	17,150	X		
	MRL Underpass Engineering	2399-451-430240-350	3,919	X		
	O Street Trail Connector	2399-451-430240-960	5,059	X		
<b>Sidewalks</b>	Downtown sidewalk replacement	2600-400-430240-914	184,800	X		
<b>Sewer</b>	State Share of Pension Expense	5310-803-430610-145	41,289			X
	Treatment Plant Costs	5310-803-430640-225	5,600	X		
	Treatment Plant Costs	5310-803-430640-231	7,400	X		
	Treatment Plant Costs	5310-803-430640-341	25,600	X		
	Treatment Plant Costs	5310-803-430640-355	6,300	X		
	Treatment Plant Costs	5310-803-430640-361	11,800	X		
	Depreciation	5310-803-851331-830	1,011,280	X		
<b>Solid Waste</b>	State Share of Pension Expense	5410-804-430810-145	15,500			X
	Depreciation	5410-804-510331-830	129,151	X		
<b>Ambulance</b>	Depreciation	5510-442-510331-830	55,876	X		
<b>Perpetual Cemetery</b>	Interest transfer	8010-400-521000-822	820		X	
	<b>TOTAL</b>		<u>2,407,206</u>			

Dated this 15<sup>th</sup> day of September, 2020.

**DOREL HOGLUND - Chairperson**

**ATTEST:**

**APPROVED AS TO FORM:**

**FAITH KINNICK**  
Recording Secretary

**COURTNEY LAWELLIN**  
City Attorney

**Resolution No. 4923**

**Amending the budget for Fiscal Year 2019-2020 by making appropriation adjustments in the amount of \$2,407,206 and revenue adjustments in the amount of \$1,073,697.**

**NOTICE**

A public hearing will be held by the City Commission of Livingston, Montana, on October 6<sup>th</sup>, 2020, at 5:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on **Resolution No. 4923** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND THE BUDGET FOR FISCAL YEAR 2019-2020, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$2,407,206 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,073,697 AND CALLING FOR A PUBLIC HEARING** by making amendments as follows:

**Revenue Estimate Adjustments**

Fund	Description/Purpose	Account	Amount
General	COVID-19/Stimulus	1000-331991	461,197
Comprehensive Liability	Real property taxes	2190-311010	11,000
Sidewalks	Sidewalk assessments	2600-363030	144,500
Ambulance Services	Ambulance County Contribution	5510-343010	457,000
<b>TOTAL</b>			<b>\$1,073,697</b>

**Appropriation Adjustments**

Fund	Description/Purpose	Account	Amount	Fund Reserves	Unanticipated Revenues	Unbudgeted Revenues
Comprehensive Liability	Insurance premiums	2190-460-510330-510	11,237			X
TIF - Downtown	Professional Services	2310-400-470300-350	4,625		X	
	Phase III & IV of Downtown	2310-400-470300-640	869,800	X		
Impact Fees	Fire Extracation Tool	2399-441-420400-940	17,150	X		
	MRL Underpass Engineering	2399-451-430240-350	3,919	X		
	O Street Trail Connector	2399-451-430240-960	5,059	X		
Sidewalks	Downtown sidewalk replacement	2600-400-430240-914	184,800	X		
Sewer	State Share of Pension Expense	5310-803-430610-145	41,289			X
	Treatment Plant Costs	5310-803-430640-225	5,600	X		
	Treatment Plant Costs	5310-803-430640-231	7,400	X		
	Treatment Plant Costs	5310-803-430640-341	25,600	X		
	Treatment Plant Costs	5310-803-430640-355	6,300	X		
	Treatment Plant Costs	5310-803-430640-361	11,800	X		
	Depreciation	5310-803-851331-830	1,011,280	X		
Solid Waste	State Share of Pension Expense	5410-804-430810-145	15,500			X
	Depreciation	5410-804-510331-830	129,151	X		
Ambulance	Depreciation	5510-442-510331-830	55,876	X		
Perpetual Cemetery	Interest transfer	8010-400-521000-822	820		X	
<b>TOTAL</b>			<b>2,407,206</b>			

All interested persons are invited to attend and give their comments. For additional information contact Paige Fetterhoff, Finance Officer, 110 South B Street, Livingston, MT 59047, or by phone at 823-6003. (Publish twice at least 6 days apart and the notice needs also to be posted and copies made available to the public.)

**Resolution No. 4923**

**Amending the budget for Fiscal Year 2019-2020 by making appropriation adjustments in the amount of \$2,407,206 and revenue adjustments in the amount of \$1,073,697.**

**PUBLIC NOTICE**

A public hearing will be held by the City Commission of Livingston, Montana, on January 5<sup>th</sup>, 2021, at 5:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on **Resolution No. 4933** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND THE BUDGET FOR FISCAL YEAR 2020-2021, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$1,275,750 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,663,574 AND CALLING FOR A PUBLIC HEARING** by making amendments as follows:

**Revenue Estimate Adjustments**

<b>Fund</b>	<b>Description/Purpose</b>	<b>Account</b>	<b>Amount</b>
General	COVID-19/Stimulus	1000-331991	1,636,574
General	Big Sky Economic Devel. Grant	1000-334075	27,000
<b>TOTAL</b>			<b>\$ 1,663,574</b>

**Appropriation Adjustments**

<b>Fund</b>	<b>Description/Purpose</b>	<b>Account</b>	<b>Amount</b>	<b>Fund Reserves</b>	<b>Unanticipated Revenues</b>	<b>Unbudgeted Revenues</b>
General	Building purchase and improvements	1000-421-411230-924	\$ 1,060,000		X	
	Warming Center	1000-403-410400-824	22,000		X	
	Air Quality Monitors	1000-421-411230-231	1,750		X	
	Parks & Trails Funding	1000-455-460430-940	50,000		X	
	LE Body Cameras	1000-431-420100-940	50,000		X	
	ADA Compliant Website	1000-422-411300-940	15,000		X	
	PC Housing Coalition	1000-403-410400-824	50,000		X	
	Main Hotel Grant	1000-409-460449-740	27,000		X	
<b>TOTAL</b>			<b>\$ 1,275,750</b>			

All interested persons are invited to attend and give their comments. For additional information contact Paige Fetterhoff, Finance Officer, 110 South B Street, Livingston, MT 59047, or by phone at 823-6003.

Please publish December 18, 2020 and December 31<sup>st</sup>, 2020.

Faith Kinnick  
City of Livingston  
12/09/2020



**File Attachments for Item:**

**B. RESOLUTION NO. 4936: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BOUNDARIES OF THE LIVINGSTON BUSINESS IMPROVEMENT DISTRICT AT THE REQUEST OF THE LBID AND ITS MEMBERS AS REQUIRED BY LAW.**

**RESOLUTION NO. 4936**

**A RESOLUTION OF INTENT OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BOUNDARIES OF THE LIVINGSTON BUSINESS IMPROVEMENT DISTRICT AT THE REQUEST OF THE LBID AND IT MEMBERS, AS REQUIRED BY LAW.**

\*\*\*\*\*

**WHEREAS**, the Livingston City Commission created the Livingston Business Improvement District on March 1, 2011, with Resolution 4186 under §7-12-1111 MCA, for the purpose of promoting area businesses, the health, safety, prosperity, security, and general welfare of the inhabitants of the district and of the people of this state, and to be of special benefit to the property within the boundaries of any district created pursuant to the provisions of this part; and to aid in tourism, promotion, and marketing within the district for a ten-year term; and

**WHEREAS**, prior to requesting the LBID be extended in time, the LBID has made efforts to amend the boundaries of the district to include businesses not already included, and to exclude property that was used for business purposes and is now residential property. The Original and Amended LBID boundaries are attached as Exhibit A; and

**WHEREAS**, prior to amending the boundaries the governing body shall pass a resolution of intent to do so and thereafter publish Notice as provided in §7-1-2121 MCA, of passage of the resolution with a copy of the notice mailed to every owner of real property within the proposed district or within the proposed area of expansion on the same day the notice is first published or posted.

**WHEREAS**, LBID intends to carry out its purpose for the benefit of the citizens and the businesses in its District into the future and is willing and able to do so; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Livingston Montana as follows:

A Resolution of Intent of the City of Livingston to amend the boundaries of the district for Livingston Business Improvement District was hereby approved and adopted on December 15, 2020. The City and LBID are authorized and directed to publish Notice as provided in §7-1-2121 MCA, of passage of the resolution with a copy of the notice mailed to every owner of real property within the proposed district or within the proposed area of expansion, at their taxpayer address, on the same day the notice is first published or posted. Any protest must be in writing and must be delivered to the governing body or its clerk, not later than 5 p.m. of the last day within 15 days after the date of the first publication of the notice of the resolution of intention. The date and hour of receipt of the protest shall be endorsed thereon.

**PASSED AND ADOPTED**, by the Livingston City Commission, this 5<sup>th</sup> day of January, 2021.

\_\_\_\_\_  
**DOREL HOGLUND, Chair**

**ATTEST:**

**APPROVED TO AS FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\_\_\_\_\_  
**COURTNEY JO LAWELLIN**  
**City Attorney**

**PUBLIC NOTICE**

Notice is hereby given that the City Commission will hear and pass upon all protests for Resolution No. 4932: **A RESOLUTION OF INTENT OF THE CITY OF LIVINGSTON, MONTANA, RESOLVING ITS INTENT TO AMEND THE BOUNDARIES OF THE LIVINGSTON BUSINESS IMPROVEMENT DISTRICT, AND TO EXTEND THE DURATION OF THE DISTRICT FOR TEN (10) YEARS, AT THE REQUEST OF THE LBID FOR ITS MEMBERS, AS REQUIRED BY LAW.** Any owner of real property within the LBID district may protest in writing and protest must be delivered to the governing body or its clerk, not later than 5 p.m. of the last day within 15 days after the date of the first publication of the notice of the resolution of intention. The date and hour of receipt of the protest shall be endorsed thereon. The Livingston City Commission will proceed to publicly hear and pass upon all protests so made and filed pursuant to Mont. Code Ann. § 7-12-1114, which meeting will be held on Tuesday, January 5, 2021, at 5:30 p.m. via Zoom.

Please publish 12/18/2020, 12/22/2020.

Faith Kinnick  
Dated 12/16/2020

**File Attachments for Item:**

**C. ORDINANCE NO. 2096: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AMENDING ARTICLE V. SECTION 2-73 ENTITLED EMPLOYEE HOLIDAYS TO CITY OF LIVINGSTON HOLIDAYS AND AMENDING SECTION 2-73, A,7 AMENDING THE SECOND MONDAY IN OCTOBER FROM COLUMBUS DAY, TO INDIGENOUS PEOPLES DAY.**

**ORDINANCE NO. 2096**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AMENDING ARTICLE V. SECTION 2-73 ENTITLED EMPLOYEE HOLIDAYS TO CITY OF LIVINGSTON HOLIDAYS, AND AMENDING SECTION 2-73 (A. #7) AMENDING THE SECOND MONDAY IN OCTOBER FROM COLUMBUS DAY, TO INDIGENOUS PEOPLES DAY.**

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Article V. - Employees

Sec. 2-70. - Hiring of employees.

Employees shall be hired and discharged by the City Manager. This shall include department heads.

(Ord. 1981, 12/4/06)

Sec. 2-71. - Union contracts.

The provisions of union contracts that are in effect shall determine the filling of any position vacancies in union positions.

(Ord. 1981, 12/4/06)

Sec. 2-72. - Police Officer positions.

All applications for the position of Police Officer shall be reviewed and certified by the City of Livingston Police Commission in conformity with State law prior to any action being taken upon the application.

(Ord. 1981, 12/4/06)

Sec. 2-73. - ~~Employee holidays.~~ **City of Livingston Holidays.**

A. Paid holidays for employees who are not members of a union shall be as follows:

1. January 1—New Year's Day;
2. Third Monday in January—Martin Luther King, Jr. Day;
3. Third Monday in February—as observation of both Lincoln's and Washington's Birthdays;
4. Last Monday in May—Memorial Day;
5. July 4—Independence Day;
6. First Monday in September—Labor Day;

ORDINANCE NO. 2096- AMENDING ARTICLE V. SECTION 2-73; EMPLOYEE HOLIDAYS, AND (A. 7) COLUMBUS DAY TO INDIGENOUS PEOPLES DAY.

- 7. Second Monday in October—~~Columbus Day~~ Indigenous People’s Day;
- 8. November 11—Veteran's Day;
- 9. Fourth Thursday in November—Thanksgiving Day;
- 10. December 24—Christmas Eve (Note: not a State holiday);
- 11. December 25—Christmas Day;
- 12. Every day declared a legal holiday by the City of Livingston.
- 13. State General Election Day.

B. Employees required to work on a holiday will be paid at two (2) times the regular rate of pay in addition to the regular day's pay. An employee who is scheduled for a day-off on a day which is observed as a legal holiday shall receive a different day-off for the legal holiday. If any of the above-enumerated holidays fall upon a Sunday, the Monday following is a holiday or if the holiday falls upon a Saturday, the Friday before is a holiday.

(Ord. 1981, 12/4/06)

Sec. 2-76. - Suspension, termination and promotion authority.

The department heads and the working supervisors in any department shall have the authority to generally direct the work of employees working under their supervision.

(Ord. 1981, 12/4/06)

Sec. 2-77. - Code of Ethics.

All employees shall be subject to the Code of Ethics provisions of State law that prohibit conflict between public duty and private interests. All employees of the City shall recognize that they are public employees and have a particular responsibility for serving the public without conflict between public duty and their own private interest.

(Ord. 1981, 12/4/06)

Sec. 2-78. - Employment policies.

The City Commission may adopt employment policies to aid in the management of City affairs and all employees shall follow such policies.

(Ord. 1981, 12/4/06)

Secs. - 2-79—2-89. Reserved.

**PASSED** by the City Commission of the City of Livingston, Montana on a first reading at a regular session thereof held on the 1<sup>st</sup> of December, 2020.

\_\_\_\_\_  
**DOREL HOGLUND, Chair**

**ATTEST:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\*\*\*\*\*

**PASSED, ADOPTED AND APPROVED** by the City Commission of the City of Livingston, Montana during a second reading at a regular session thereof held on the 5<sup>th</sup> of January, 2021.

\_\_\_\_\_  
**DOREL HOGLUND, Chair**

**ATTEST:**

**APPROVED TO AS FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\_\_\_\_\_  
**COURTNEY JO LAWELLIN**  
**City Attorney**



**PUBLIC NOTICE**

The public is invited to attend and comment at a public hearing to be held on January 5, 2021 at 5:30 p.m. during the second reading of **ORDINANCE NO. 2096** entitled **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE V. SECTION 2-73 ENTITLED EMPLOYEE HOLIDAYS TO CITY OF LIVINGSTON HOLIDAYS, AND AMENDING SECTION 2-73 (A. #7) AMENDING THE SECOND MONDAY IN OCTOBER FROM COLUMBUS DAY, TO INDIGENOUS PEOPLES DAY.** This meeting will be held via Zoom [join.zoom.us](https://join.zoom.us). Meeting ID: 821 0891 1861 Passcode: 391082 A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information, call the City Offices at (406) 823-6000.

Please publish December 15th and December 31, 2020.

Faith Kinnick  
City of Livingston  
November 19, 2020

**File Attachments for Item:**

**D. ORDINANCE NO. 2097: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE I, ARTICLE II, ARTICLE IV, ARTICLE V, AND ARTICLE VI, CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING, AS IT PERTAINS TO ZONING SETBACKS AND ALLOWED ENCROACHMENTS.**

**ORDINANCE NO. 2097**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE I, ARTICLE II, ARTICLE IV, ARTICLE V, AND ARTICLE VI, CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING, AS IT PERTAINS TO ZONING SETBACKS AND ALLOWED ENCROACHMENTS.**

\* \* \* \* \*

**Preamble.**

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes.

\*\*\*\*\*

**WHEREAS**, Section 30.71 of the City of Livingston Code of Ordinances authorizes the City Commission to amend the text of the officially adopted Zoning Ordinance;

**WHEREAS**, the amendments meet the criteria and guidelines for zoning regulations as required by Section 76-2-304 of Montana Code Annotated;

**WHEREAS**, the amendments meet the goals and objectives of the Growth Policy as adopted by the City of Livingston; and

**WHEREAS**, the City of Livingston Zoning Commission voted unanimously (3:0) to recommend approval of the amendments to the Zoning Ordinance to the City Commission;

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Livingston, Montana, as follows:

**SECTION 1**

That Chapter 30- Zoning Ordinance, Article I, - Title, Article II – Definitions, Article IV- District Regulations, Article V- Supplementary General Requirements, and Article VI – Non-conforming Lots, Use and Structures, be amended as follows with deletions struck-through and additions underlined as follows:

Article I. - Introductory Provisions

Sec. 30.10. - Title.

This ordinance shall be known as the Zoning Ordinance of the City of Livingston, Montana and may be referred to as the "Zoning Ordinance" and the map referred to herein is identified by the title "Official Zoning Map, Livingston, Montana" and may be known as the "Zoning Map".

Sec. 30.11. - Purpose.

The purpose of this ordinance is to promote the health, safety, and general welfare of the community by regulating the height and size of buildings and structures, the percentage of lots that may be occupied,

the size of setbacks yards and open space, the density of population and the location and use of buildings, structures and land for trade, industry, residence, or other purposes within the city limits.

Sec. 30.12. - Territorial jurisdiction.

The zoning jurisdiction of the City of Livingston shall include the land within the corporate limits of the City.

Sec. 30.13. - Incorporation of Official Zoning Map.

The "Official Zoning Map, Livingston, Montana", and all notations, references, and other information shown on the map are hereby incorporated by reference and made a part of this ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 30.13 of the Zoning Ordinance of the City of Livingston, Montana", together with the date of adoption of this ordinance.

If, in accordance with the provisions of this ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council, with an entry on the Official Zoning Map as follows: "On (date), by official action of the City Council, the following (change) changes were made in the Official Zoning Map (brief description of nature of change)," which entry shall be signed by the Mayor and attested by the City Clerk. In case of a conflict between the ordinance and the Official Zoning Map, the text of the ordinance shall govern.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance.

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City Council may by ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Zoning Ordinance of the City of Livingston, Montana." Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

Sec. 30.14. - Rules for interpretation of zoning boundaries.

The boundaries of zones as shown on the Official Map shall be interpreted according to the following rules:

- A. The boundaries indicated as appearing to follow the center lines of streets, highways or alleys shall be construed to follow such center lines.
- B. Boundaries indicated as appearing to follow platted lot lines shall be construed to follow such lot lines.
- C. Boundaries indicated as appearing to follow city limits shall be construed to follow the City limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of natural changes in the shore line, shall be construed as moving with the actual shore line boundaries indicated as approximately following the shore line of the streams, rivers, canals, lakes and other bodies of water, and in the event of natural changes in location of streams,

rivers, canals, lakes and other bodies of water, shall be construed as moving with the actual body of water and following the shore lines.

- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Map may be determined by the scale of the map.

(Zoning Map Amendments: Ord. 1482, 7/6/81; Ord. 1496, 3/15/82; Ord. 1534, 11/19/84; Ord. 1532, 11/5/84; Ord. 1545, 3/3/86; Ord. 1559, 11/3/86; Ord. 1564, 2/2/87; Ord. 1576, 7/6/87; Ord. 1586, 2/1/88; Ord. 1628, 8/7/89; Ord. 1629, 8/14/89; Ord. 1635, 11/89; Ord. 1654, 5/7/90; Ord. 1661, 6/4/90; Ord. 1662, 6/4/90; Ord. 1663, 6/18/90; Ord. 1669, 9/4/90; Ord. 1670, 9/4/90; Ord. 1671, 9/4/90; Ord. 1672, 9/4/90; Ord. 1699, 1/21/92; Ord. 1700, 1/21/92; Ord. 1723, 10/19/92; Ord. 1828, 2/5/96; Ord. 1840, 9/3/96; Ord. 1930, 11/17/03; Ord. 1936, 2/2/04; Ord. 1976, 9/18/06; Ord. 1985, 4/16/07; Ord. 1986, 4/16/07; Ord. 1987, 8/20/07; Ord. 1988, 8/20/07; Ord. 1989, 10/15/07; Ord. 1993, 12/17/07; Ord. 1994, 12/17/07; Ord. No. 2005, § 1, 8/18/08; Ord. No. 2006, § 1, 9/2/08)

Article II. - Definitions

For the purpose of the ordinance, certain terms or words used herein are defined as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; the word "shall" is mandatory, the word "may" is permissive; the words "used" or "occupied" include the words "intended," "designated," or "arranged to be used or occupied," and the word "lot" includes the words "plot" or "parcel."

"Accessory" means a use, a building or structure, part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building or structure or the use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof such accessory building shall be considered a part of the main building.

"Adult book store" means a commercial establishment having a substantial portion of its stock in trade consisting of books, magazines, photographs, films, DVD and videos which emphasize, depict or relate to nudity or sexually explicit material and whose clientele must be of at least eighteen (18) years of age.

"Adult movie theater" means a commercial establishment which presents or shows XXX-rated movies, DVDs or videos on a screen or television.

Alley: See Street.

"Alteration" means a change or rearrangement of the structural parts of existing facilities, a reduction in the size of the structure, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another.

"Bars, taverns, cocktail lounges" means an establishment where alcoholic beverages are sold and consumed on the premises even if such sales are incidental to or accessory to the principal business of such establishment.

"Bed and breakfast" means a commercial business operated in a house which is used partially or primarily for providing overnight accommodations to the public even though the owner may live on the premises. The accommodations for a bed and breakfast shall have no more than five (5) guest rooms. Breakfast is the only meal served on the premises, is included in the charge for the room, and there is no other food or beverage served upon the premises.

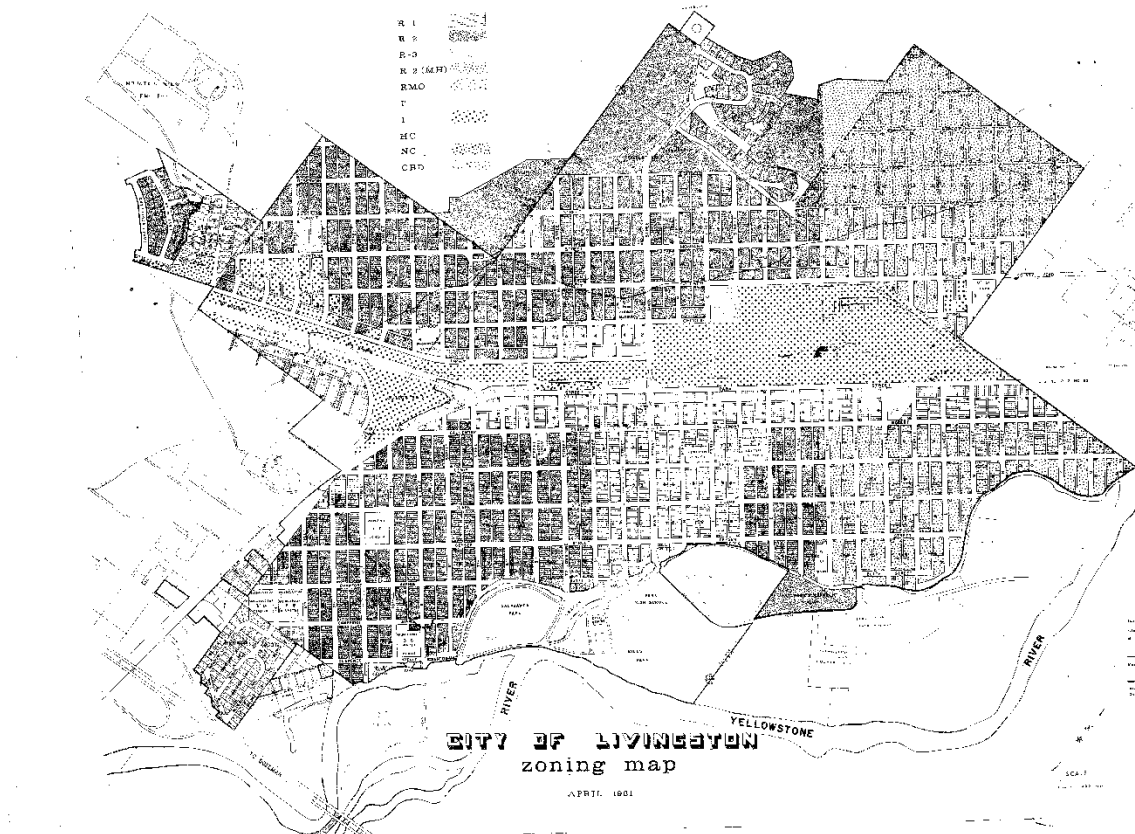
"Board" means the Board of Adjustment of the City of Livingston.

"Boarding house" means a building, other than a hotel or club, where meals are regularly served for compensation to more than six (6) persons who are not members of the family there residing.

"Building" means a structure, of more or less permanent construction, having a roof and intended to be used for sheltering people, animals, personal property or business activity.

"Building height" means height of building is the vertical distance from the "grade" to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitched or hip roof.

"Building official" means the City Building Inspector of the City of Livingston or his designated representative.



"Business and professional offices" means a structure used primarily for housing the offices of a physician, dentist, architect, engineer, attorney, musician, artist or similar professional person.

"Clinic" means a building designed and used for the medical, dental, and surgical diagnosis and treatment of patients under the care of doctors and nurses, but where no surgery other than minor emergency care is performed.

"Drive-in restaurant" means a use whose retail character is dependent upon a driveway approach and parking space for motor vehicles so as to either serve customers while in the vehicle or permit consumption of food or beverages obtained on the premises, in a vehicle.

Dwelling (types of):

- a. "Dwelling, one (1) family" means a building designed for occupancy by one (1) family and containing one (1) dwelling unit.
- b. "Dwelling, two (2) family (duplex)" means a building designed for occupancy by two (2) families living independently of each other, and containing two (2) dwelling units.

- c. "Dwelling, multiple" means a building designed primarily for occupancy by three (3) or more families living independent of each other, and containing three (3) or more dwelling units.
- d. "Dwelling, accessory" means one (1) independent dwelling unit which is smaller in area and subordinate in use to the principal one (1) family or two (2) family dwelling, or townhouse, on the same lot, whether attached or detached.

"Dwelling unit" means one (1) or more rooms designed for or occupied by one (1) family for living or sleeping purposes or for use solely by one (1) family.

All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. An efficiency apartment constitutes a dwelling unit within the meaning of this ordinance codified in this Chapter.

"Exotic entertainment" means the commercial showing or display of a living person; however, total nudity is prohibited.

"Family" means one (1) or more persons related by blood, adoption, or marriage, or not more than three (3) unrelated persons living, sleeping and usually eating on the premises as a single housekeeping unit.

"Fence" means a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space for separating parcels of land. It may include a masonry wall.

"Grade" means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

"Gross Floor Area" means the area of each floor within the external walls, not including the thickness of the external walls.

"Heavy manufacturing" means any manufacturing process which requires the storage of component materials within public view, is conducted partially or entirely outdoors or causes significant noise, odor, glare or vibration which is detectable beyond the parcel on which it is located.

"Hotel" means a building in which lodging is provided with or without meals, and open to transient guests.

"Light manufacturing" means any manufacturing process which requires no storage of component material within public view, is entirely contained indoors, and does not cause any significant noise, odor, glare or vibration detectable beyond the parcel on which it is located.

Livestock and Fowl. "Livestock" shall include all animals of the equine, bovine and swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals. "Fowl" includes chickens, geese, ducks, turkeys, peacocks and other poultry.

Lot. For the purpose of this ordinance, a "lot" is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such ~~setbacks yards~~ and other open spaces as are herein required. Such lot shall have frontage on a public street, or on an approved private street, and may consist of:

- a. A single lot of record.
- b. A portion of a lot of record.
- c. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- d. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Chapter.

"Lot coverage" means that portion of any lot upon which a structure, as herein defined, is located.

~~"Lot frontage" means the side of a lot boundary which is nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage.~~

~~"Lot of record" means a lot which is part of a subdivision recorded in the office of the County Clerk and Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.~~

~~Lot types. The diagram (Figure 1) which follows on page 166 illustrates terminology used in this Ordinance with reference to corner lots, interior lots, reversed frontage lots and through lots.~~

~~In the diagram, A = corner lot, defined as a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lots line to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees. See lots marked A(1) in the diagram.~~

~~B = interior lot, defined as a lot other than a corner lot with only one (1) frontage on a street.~~

~~C = through lot, defined as a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.~~

~~D = reversed frontage lot, defined as a lot on which the frontage is at a right angle or approximately right angles (interior angle less than one hundred thirty-five (135) degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), an interior lot (B-D) or a through lot (D-D).~~

"Manufactured housing" means a single-family dwelling, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least one thousand (1,000) square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with applicable prevailing standards of the United States Department of Housing and Urban Development at the time of its production. A manufactured home does not include a mobile home.

"Material" means a book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, record, recording tape, DVD, or videotape (except a motion picture, DVD or videotape rated G, PG, PG-13 or R by the motion picture association of America).

"Medical marijuana facility" means an establishment where a Montana licensed "care giver" grows, cultivates, processes or sells medical marijuana for use by State approved qualifying patient card holders.

Mobile Home. "Mobile home" means a trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode, or sleeping place and is equipped as a dwelling place, living abode, or sleeping place and is equipped for movement on streets or highways and exceeds twenty-five (25) feet in length exclusive of trailer hitch.

"Mobile home park" means any lot, tract or parcel of land used, maintained or intended to be used, leased or rented for occupancy by two (2) or more mobile homes. This definition shall not include trailer sales lots on which unoccupied mobile homes are parked for the purpose of inspection and sales.

"Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, or to a common corridor and where a garage is attached to or a parking space is conveniently located at each unit, all for the temporary use by automobile tourist or transient, and such word shall include tourist courts, motor courts, automobile courts, and motor lodges.

"Personal care center" means a facility which provides services and care to residents needing some assistance in performing the activities of daily living. Includes assisted living facilities and nursing homes.

"Planning board" means the Livingston City Planning Board.

"Public recreation facility" means a facility which is available for use by the public for recreational or civic purposes. A fee may be charged, but the facility may not be owned and/or operated for profit. Uses which are covered by this definition shall include, but are not limited to, a Civic Center, swimming pool, fishing access, and park.



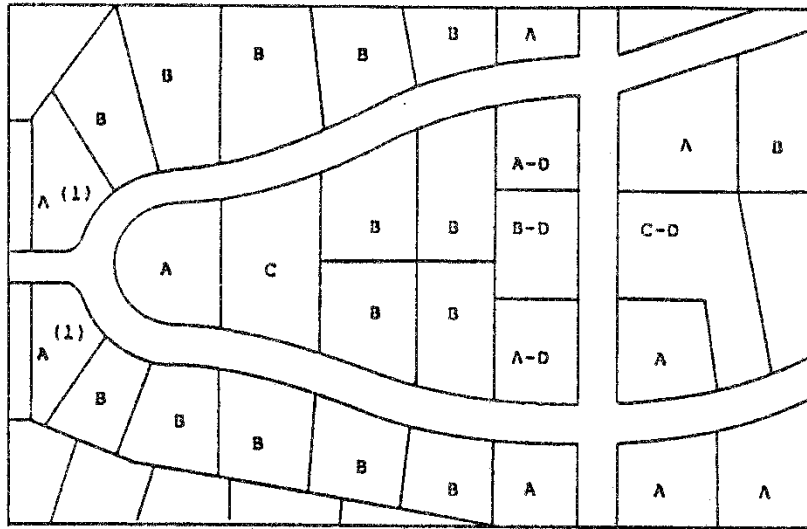


Figure 1  
Lot Types

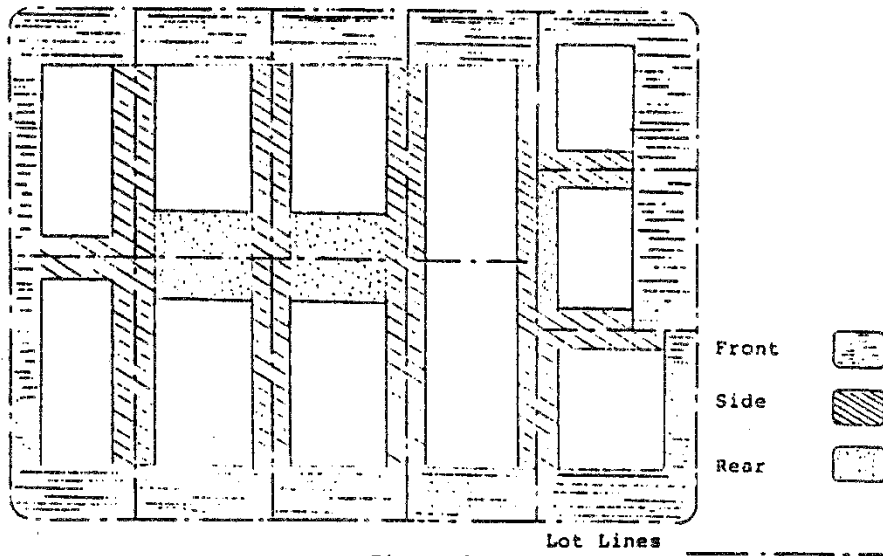


Figure 2  
Location of yards on lots

"Restaurant" means a commercial establishment whose primary function is providing prepared meals to customers for consumption within the structure.

"Right-of-way" means a strip of land dedicated or acquired for use as a public way.

"School, elementary, junior or senior high" means an institution of learning, either public, parochial or private, which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education.

"School, commercial" means a building where instruction is given to pupils and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation and not providing instruction for trades.

"School, trade" means a building where primary instruction is given to students in industrial crafts such as auto mechanics, welding and carpentry.

"Setback" means the distance from the corresponding lot line, as defined herein, to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the lot line. A required setback refers to a space on a lot which is open, unoccupied, and unobstructed by any structure or portion of a structure; provided, however, that allowed encroachments as listed in Section 30.42, fences, walks, poles, small accessory use structures as defined herein, posts, other customary yard accessories, sidewalks, terraces, and swimming pools may be permitted in any setback subject to height limitations and requirements limiting obstruction of visibility in Section 30.52 of Article V.

"Sexually oriented business" means a commercial establishment which operates as an adult book store, adult theater, or features, allows, employs, promotes or sponsors exotic entertainment.

"Special exceptions" means a special exception to the terms of this ordinance to permit uses other than those specifically permitted in each district in appropriate cases and subject to appropriate conditions.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement cellar or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered as a story.

Street:

- a. "Street" is a public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or otherwise designated which has been dedicated to or acquired for public use and extends the full width between right-of-way lines, or any dedicated public way as recorded by the County Clerk and Recorder whenever any portion is open to vehicular traffic.
- b. "Alley" is a minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
- c. "Arterial street" is a fast or heavy traffic street used primarily as a traffic artery for intercommunication among large areas.
- d. "Local street" is a street used primarily for access to the abutting properties.
- e. "Collector street" is a street which carries traffic from local streets to arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development.

"Street, front" means a street abutting the predominantly narrow sides of the lot within a block. This is the street that homes within a block shall face and shall be the street that addresses are assigned to.

"Street, side" means a street paralleling or nearly paralleling the predominantly long sides of the lots within a block and intersecting at right angles or nearly right angles the front street. ~~Addresses are not normally assigned along a side street.~~

"Structure" means a building or anything constructed in the ground or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground, but not including fences six (6) feet or less in height, paved areas, or small accessory use structures such as

storage sheds, which would not require a building permit to be erected under any building code adopted by the City of Livingston, however, in no case will such accessory building be allowed to violate the line of sight restrictions for street and alley or private drive approaches as specified in Section 30.52(B) of this code, or the height limitations of the applicable zoning district.

"Townhouses" means two (2) or more self-contained dwelling units situated on their own lots and having one (1) or more common wall(s) where no side setback exists.

"Trailer" or "mobile homes" means a factory-assembled structure, equipped with the necessary service connections and constructed to be readily moveable as a unit or units on its own chassis and designed to be used as a dwelling unit.

"Variance" means an adjustment in the application of the specific regulations of this Chapter pursuant to Section 30.74.

"XXX-rated movies and sexually explicit materials" are those materials which depict or show human genitalia in a state of sexual stimulation or arousal, acts of sexual intercourse, masturbation, cunnilingus, fellatio, anal intercourse or bestiality.

~~"Yard" means a space on the same lot with a principal building, open, unoccupied, and unobstructed by any structure or portion of a structure; provided, however, that fences, walks, poles, small accessory use structures as defined herein, posts, other customary yard accessories, sidewalks, terraces, and swimming pools may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility in Section 30.52 of Article V. See Figure 2 for illustration of yard types defined below.~~

~~Yard, Front. "Front yard" means a yard extending between side lot lines across the front of a lot adjoining a public street. The front yard shall extend from the front property line to the front of the building located on the lot. In the case of corner lots where one (1) of the front yards that would normally be required is not in keeping with the prevailing yard pattern, the Zoning Coordinator may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall exceed the average of the yards provided on abutting lots.~~

~~Yard, Side. "Side yard" means a yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after front yards have been established shall be considered side yards.~~

~~Yard, Rear. "Rear yard" means a yard extending across the rear of the lot line between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.~~

"Zoning Coordinator" means the planner for the Livingston City-County Planning Board, or such other official as the City Commission, by motion, may designate.

(Ord. 1798, 12/19/94; Ord. 1810, 7/3/95; Ord. 1868, 2/2/98; Ord. 1894 § 1, 3/6/2000; Ord. 1949, 10/18/04; Ord. No. 2011, § 1, 4/6/09; Ord. No. 2022, § 1, 9/7/10)

Article IV. - District Regulations

Sec. 30.40. - List of uses.

Table 30.40 designates a list of uses permitted within a zoning district. Designated uses shall be permitted only in the zones indicated.

**Table 30.40**

**List of Uses**

A = Acceptable S = Special Exception Permit Required N = Not Accepted

	R-I	R-II	RII-MH	R-III	RMO	NC <sup>2</sup>	CBD <sub>1</sub>	HC	LI	I	P
One (1) Family Dwellings*	A	A	A	A	A	N	A	A	N	N	N
Two (2) Family Dwellings	N	A	A	A	N	N	A	A	N	N	N
Multifamily Dwellings	N	N	N	A	N	N	A	A	N	N	N
Accessory Dwellings	A	A	A	A	A	N	N	A	N	N	N
Townhouses	N	A	A	A	N	N	A	A	N	N	N
Accessory Buildings	A	A	A	A	A	A	A	A	A	A	A
Mobile Homes	N	N	A	N	A	N	N	N	N	N	N
Churches	S	S	S	A	N	A	N	A	N	N	N
Schools, Public and Commercial	A	A	A	A	A	A	N	N	N	N	A
Schools, Trade	N	N	N	N	N	S	A	A	A	A	N
Hospitals	N	N	N	A	N	A	N	N	A	N	N
Clinics	N	N	N	A	N	A	A	A	A	A	N
Adult Foster Care Center <sup>3</sup>	N	A	A	A	N	N	N	N	A	N	N
Personal Care Center	N	A	A	A	N	A	A	A	N	N	N
Child Care Center	A	A	A	A	A	A	A	A	A	N	N
Veterinarian Clinics	N	N	N	N	N	N	N	A	A	A	N
Kennels and Catterys	N	N	N	N	N	N	N	A	N	A	N
Self-Service Laundry	N	N	N	N	A	A	A	A	N	N	N
Bed and Breakfasts	A	A	N	A	N	A	A	A	N	N	N
Motels/Hotels	N	N	N	N	N	N	A	A	A	N	N

Travel Trailer Parks	N	N	N	N	N	N	N	A	N	N	N
Business and Professional Offices	N	N	N	S	N	A	A	A	A	A	S
Retail Stores	N	N	N	N	N	A	A	A	A	S	N
Barber Shop and Beauty Parlors	N	N	N	N	N	A	A	A	A	S	N
Restaurants	N	N	N	N	N	A	A	A	A	A	N
Bars	N	N	N	N	N	N	A	A	A	A	N
Drive-In Restaurants	N	N	N	N	N	N	N	A	A	A	N
Banks	N	N	N	N	N	A	A	A	A	A	N
Mortuary	N	N	N	N	N	S	A	A	A	A	N
Wholesale Businesses	N	N	N	N	N	S	A	A	A	A	N
Commercial Greenhouses	N	N	N	N	N	A	N	A	A	A	N
Gasoline Service Stations	N	N	N	N	N	N	N	A	N	A	N
Auto Repair Garage	N	N	N	N	N	N	S	A	N	A	N
Automobile Dealerships	N	N	N	N	N	N	A	A	A	A	N
Auto Salvage and Storage	N	N	N	N	N	N	N	S	N	A	N
Warehouse and Enclosed Storage	N	N	N	N	N	S	S	A	A	A	S
Machine Shop	N	N	N	N	N	N	N	A	S	A	N
Light Manufacturing	N	N	N	N	N	N	A	A	A	A	N
Heavy Manufacturing	N	N	N	N	N	N	N	N	N	A	N
Lumberyards	N	N	N	N	N	N	N	A	A	N	N
Transportation Terminals	N	N	N	N	N	N	A	A	N	N	N

Utility Substations	S	S	S	S	S	S	S	S	N	S	S
Armory	N	N	N	N	N	N	N	N	N	N	A
Cemetery	N	N	N	N	N	N	N	N	N	N	A
Government Offices	N	N	N	N	N	A	A	A	N	N	A
Public Recreation Facility	A	A	A	A	N	N	N	N	N	N	A
Medical Marijuana Facility	N	N	N	N	N	N	N	N	A	A	N

1. C.B.D.—Any number of apartment units may be established in an existing commercial building. No new residential structures may be built unless they meet the definition of "High Density Residential."

2. NC-A single residential unit may be established within a commercial building to allow living space for a business owner.

3. Adult Foster Care Center.

- a. No more than four (4) residents;
- b. Staff member must be on board twenty-four (24) hours a day.

\* This includes manufactured homes as defined by Ordinance 1813.

(Ord. 1506, 11/16/82; Ord. 1516, 8/2/83; Ord. 1517, 10/18/83; Ord. 1529, 7/16/84; Ord. 1538, 11/20/85; Ord. 1544, 2/4/86; Ord. 1556, 9/16/86; Ord. 1799, 12/19/94; Ord. 1810, 7/3/95; Ord. 1813, 8/21/95; Ord. 1891, 9/7/99; Ord. 1949, 10/18/04; Ord. 1977, 9/18/06; Ord. 2000, 4/7/08; Ord. No. 2022, § 2(Exh. A), 9/7/10; Ord. No. 2029, § 1(Exh. A), 4/19/11; Ord. No. [2046](#), § 1(Exh. A), 9/17/13)

Sec. 30.41. - Residential density requirements.

Residential density requirements are set out in Table 30.41.

Table 30.41							
Residential Density Requirements							
<u>Zoning Classification District</u>	<table border="1"> <tr> <td>Low Density R-I</td> <td>Med. Density R-II</td> <td>High Density R-III</td> <td>Mobile Homes (A) RMO</td> <td>Public (P)</td> <td>Med. Density R-II(MH)</td> </tr> </table>	Low Density R-I	Med. Density R-II	High Density R-III	Mobile Homes (A) RMO	Public (P)	Med. Density R-II(MH)
Low Density R-I	Med. Density R-II	High Density R-III	Mobile Homes (A) RMO	Public (P)	Med. Density R-II(MH)		

Min. Lot Area per Dwelling Unit in Square Feet <sup>1</sup>						
One Unit	9,600	3,500	3,500	6,000		3,500
Two Units	N/A	7,000	6,000	12,000		7,000
Three Units	N/A	N/A	7,500	18,000		N/A
Four Units	N/A	N/A	9,000	24,000	N/A	N/A
Five Units	N/A	N/A	10,500	6,000 ft. <sup>2</sup>		N/A
Six Units	N/A	N/A	12,000 1,500 ft. <sup>2</sup> for each add. unit	for ea. add. unit		N/A
Min. <del>Yard-Setback</del> Requirements						
Front <del>Street</del>	25'	25'	20'	20'	20'	25'
Side	15' <del>or B) or C)</del>	5' <del>or B) or C)</del>	5' <del>or B) or C)</del>	10' <del>or C)</del>	5' <del>or C)</del>	5' <del>or B) or C)</del>
Rear	5'	5'	5'	5'	15'	15'
Side <del>adj. to s</del> Street	15'	10'	10'	10'	10'	10'
Max. Height for all Bldgs.	27'	27'	45'	15'	27'	27'
Off-Street Parking Requirements	2 per one (1) family dwelling 1 per accessory dwelling	2 per dwelling unit in one (1) family and two (2) family dwellings 1 per accessory dwelling	2 per dwelling unit for first 6 units in one (1) family, two (2) family, and multifamily dwellings and then 1.5 for each	2 per dwelling unit for first 6 units in one (1) family, two (2) family, and multifamily dwellings and then 1.5 for each	Refer to Art. V Sec. 30.51	2 per dwelling unit in one (1) family and two (2) family dwellings 1 per accessory dwelling

			additional unit 1 per accessory dwelling	additional unit 1 per accessory dwelling		
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1. In all residential zoning districts in which accessory dwellings are permitted the number of accessory dwellings allowed is equivalent to the number of dwelling units allowed on the lot as show in Table 30.41 above. The total number of dwelling units allowed on any lot is the allowed density of the lot in Table 30.41 above plus the equivalent number of accessory dwellings. E.g.: a 7,000 square foot lot in the R-II zoning district allows two (2) dwelling units *and* two (2) accessory dwellings.

A) Applicable to Mobile Home Subdivisions only.

BC) Side setback required for approved townhouse development.

C) Any side setback that is directly adjacent to, and generally in line with, an adjoining rear setback within the same Zoning Classification District shall have the same setback as the adjoining rear setback.

(Ord. 1728, 12/7/92; Ord. 1798, 12/19/94; Ord. 1861, 6/16/97)

Sec. 30.42. - Commercial density requirements.

Commercial density requirements are set out in Table 30.42.

Table 30.42					
Commercial Density Requirements					
Zoning Classification District					
	Neighborhood Commercial	Highway Commercial	Industrial	Light Industrial	Central Business District
Min. Lot Requirements in Square Feet	N/A	6,000	6,000	6,000	N/A
Minimum <del>Yard</del> <u>Setback</u> Requirements					
Front <u>Street</u>	20'	20'	20'	0' with boulevard	N/A



				10' without boulevard	
Side	0' <u>or A)</u>	0' <u>or A)</u>	0' <u>or A)</u>	10' <u>or A)</u>	N/A
Side <del>Adj. to</del> Street	10'	10'	10'	10'	N/A
Rear	0'	0'	0'	20'	N/A
Maximum Height for all Buildings	27'	45'	N/A	33'	N/A
Parking Requirements	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51
Loading Space Required	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51	Refer to Article V Sec. 30.51

A) Any side setback that is directly adjacent to, and generally in line with, an adjoining rear setback within the same Zoning Classification District shall have the same setback as the adjoining rear setback.

(Ord. 1949, 10/18/04)

30.42. – Allowable Encroachments into Setbacks.

- A. Entranceway awnings and roof eaves may extend up to 18 inches into any setback. The maximum height for an entranceway awning that encroaches into the setback shall be 12 feet.
- B. Entranceway steps and ramps may extend up to five (5) feet into the front street or side street setback. Entranceway steps and ramps that encroach into the setback may only access the ground floor of the attached building.
- C. Ground floor covered or uncovered porches may extend up to five (5) feet into the front street or side street setback. The deck of any first floor porch that extends into the setback shall be no higher than the ground floor level of the attached building. The maximum height for the roof of any ground floor covered porch that encroaches into the setback shall be 12 feet.
- D. Window-wells and below-grade stairwells may project 36 inches into any setback. Window-well projecting beyond 18 inches shall be covered in such a way that is consistent with adopted building codes and such that an individual is prevented from falling into the window-well.

Sec. 30.43 – Accessory dwellings.

- A. Accessory dwellings are subject to all applicable regulations listed in this ordinance, including but not limited to: setbacks, maximum building heights, parking, and building design standards.
- B. Detached accessory dwellings shall not be located in the front yard, but may be located in the side or rear yard so long as the required setbacks listed in Table 30.41 are met.
- C. Accessory dwellings shall not exceed 800 square feet of gross floor area and must be smaller in gross floor area than the primary dwelling on the property. If an accessory dwelling is attached to

another building only the gross floor area of the accessory dwelling shall be calculated towards the maximum gross floor area. Accessory dwellings attached to existing, primary dwelling units are not subject to the gross floor area limitations, but must be wholly contained within the existing building. Any attached accessory dwelling that increases or modifies the footprint or profile of the primary dwelling unit in any way, whether above or below ground, shall not exceed 800 square feet of gross floor area.

- D. All detached accessory dwellings shall maintain a 6-foot separation, measured from the external walls of the dwelling unit, to all other buildings on site.
- E. Accessory dwellings shall be on the same lot as the primary dwelling.
- F. Accessory dwellings shall not be subdivided or sold separately from the primary dwelling on the lot. If an accessory dwelling is subdivided from the primary dwelling unit, the accessory dwelling is no longer an accessory dwelling and must meet all density requirements listed in Table 30.41. Prior to use of the accessory dwelling, the property owner must record a deed restriction provided by the City Attorney's Office stating that the accessory dwelling shall not be sold separately from the primary dwelling, and provide a copy of the recorded deed restriction to the Department of Building and Planning prior to the issuance of a Certificate of Occupancy. Accessory dwellings may be rented.
- G. Accessory Dwellings are encouraged to be combined with other buildings to preserve open space on the lot.

Sec. 30.44.. - Bed and breakfasts.

- A. "Bed and breakfast" means a commercial business operated in a house which is used partially or primarily for providing overnight accommodations to the public.
- B. The goal of this section is to establish the allowable locations and operations of bed and breakfast facilities.
- C. A bed and breakfast shall be allowed in the following zoning districts: Low Density (R-I), Medium Density Residential (R-II), High Density Residential (R-III), Neighborhood Commercial (N.C.), Highway Commercial (H.C.), and the Central Business District (C.B.D.).
- D. Reserved.
- E. The accommodations for a bed and breakfast shall have no more than five (5) guest rooms. Breakfast shall be the only meal served on the premises, and is included in the charge for the room. No other food or beverage served upon the premises.
- F. Off-street parking shall be provided by all bed and breakfast facilities. There shall be two (2) off-street parking spaces, plus one (1) for each guest room. Off-street parking shall be required to be used by guests.
- G. No bed and breakfast shall be located on a lot closer than two hundred (200) feet in a straight line distance from any other lot containing a bed and breakfast. The owner shall live on the premises.
- H. Signage shall be limited to that allowed for home occupations (twelve (12) inches by twenty-four (24) inches non-illuminated, flush mounted).
- I. Rates shall be charged for single-night occupancy only, weekly or monthly rates will not be allowed.
- J. A bed and breakfast already in existence at the time of this section's effective date shall have ninety (90) days to conform with the provisions of this section except existing establishments shall be grandfathered as to the requirements of subsection (G) of this section.
- K. Any property receiving a special exception for a bed and breakfast shall have ninety (90) days from the date of the final City Commission action to meet any specified conditions and obtain a City business license. If a City business license is not obtained in that time period, the special exception shall be automatically rescinded as of that date. If a license for a bed and breakfast is not renewed within ninety

(90) days after January 1 of any calendar year, the special exception for that bed and breakfast shall be automatically rescinded.

- L. Any application for a bed and breakfast shall be accompanied by a detailed plan, drawn to scale, showing all aspects of the physical layout for the property, including the off-street parking provisions.
- M. The table of uses (Table 30.40) is amended to comply with subsection (C) of this section.

(Ord. 1702, 7/20/92; Ord. 1868, 2/2/98; Ord. 1894, 3/6/2000; Ord. No. 2029, § 2, 4/19/11)

Sec. 30.45. - Uses in the Preservation Zoning District.

Uses in the Preservation Zoning District may be reduced or expanded from the uses allowed in the areas surrounding the Preservation Zoning District. Allowable uses will be set forth in the plan adopted for each Preservation Zoning District.

(Ord. 1954, 5/16/05)

Sec. 30.45.1. - Preservation Zoning District Plan.

The Livingston City Zoning Commission shall make a recommendation to the City Commission for a Preservation Zoning District Plan which shall take into consideration the following:

- A. Delineation of the boundaries of each special use zoning district;
- B. Identification of the structure(s) and/or natural features which contributed to the creation of the Preservation Zoning District;
- C. Identification of the uses and development standards or guidelines intended to preserve the structure(s) and/or natural features which may vary from Preservation Zoning District to Preservation Zoning District, but shall take into consideration:
  - 1. Setbacks,
  - 2. Landscaping standards,
  - 3. Signage standards,
  - 4. Parking standards,
  - 5. A list of uses to be allowed,
  - 6. Any other standard that would serve the purpose of preserving historic or architectural structure(s) or natural features in each Preservation Zoning District.

(Ord. 1954, 5/16/05)

Sec. 30.46. - Building design standards.

- A. This Section provides policies and standards for the design of buildings in the Design Review Overlay Zone. In general, they focus on promoting buildings that will be compatible in scale and appear to "fit" in the community by using materials and forms that are a part of Livingston's design traditions. As such, they address only broad-scale topics and do not dictate specific architectural styles or building details.
- B. Objectives for Building Design.

1. Achieve High Quality Design. Buildings in the overlay zone shall convey a high quality of design, in terms of their materials and details, as well as through a consistent organization of forms and elements. This quality shall establish a standard for design throughout the community.
  2. Reflect the Design Traditions of Livingston. Buildings shall reflect the design traditions of the region, in terms of building and roof forms. Distinctive roof forms are a key part of this tradition. Sloping roofs, in gable, hip and shed varieties are historical precedents to promote and they also help reduce the apparent bulk of larger buildings and help to shed snowfall. Flat roofs with varied parapet lines and cornices are also a part of the City's design traditions and shall be encouraged. Buildings that appear to be in scale with those seen traditionally also shall be encouraged. Where a new building would be larger than those existing in the area, it shall establish a transition in scale, to reduce the impact of building scale on the adjacent property, as well as on the neighborhood.
  3. Promote Buildings that Fit with the Natural Setting. Structures shall be sited to fit with the land and incorporate colors seen in the natural setting.
  4. Promote Buildings that Reflect Pedestrian Scale. Human scale shall be an integral part of all buildings. Large, flat, windowless block buildings do not reflect human scale or the design traditions of Livingston. Thoughtful use of landscaping, color, building materials and architectural details bring human scale to buildings.
- C. Building and Topography.
1. Policy. A building shall respect the natural topography of the site.
  2. Standards. Step a building foundation to follow the slope of the site when feasible. In general, an exposed building foundation shall not exceed three (3) feet in height.
- D. Building Character.
1. Policy. Buildings shall reflect the regional urban character.
  2. Guideline.
    - a. Designs that draw upon regional design traditions are preferred. Standardized "franchise" style architecture will be strongly discouraged by following these standards.
    - b. The primary entrance to a building shall have a human scale. Provide a one (1) story element at the building entrance to help establish a sense of scale.
    - c. Where no windows or other obvious indication exists, express the position of each floor in the external skin design of a building to establish a human scale.
      - i. Use belt courses or other horizontal trim bands of contrasting color and materials to define floor lines.
      - ii. Articulate structural elements, or change materials as a method of defining floors.
    - d. Use building materials that help establish a human scale.
      - i. For example, use brick in a standard module to express a human scale.
      - ii. Avoid using large surfaces of panelized products or featureless materials.
      - iii. A large surface of stucco or similar material that lacks articulation or detailing shall be avoided.
    - e. New construction shall relate to adjacent residential and historic resources. Where a new project abuts a residential neighborhood or a historic structure, step the building down at the property edge to minimize abrupt changes in scale, or increase side yards to reduce the impact.
- E. Primary Building Entrance.

1. Policy. The primary entrance of a structure shall orient to a street, major sidewalk, pedestrian way, plaza, courtyard or other outdoor public space.
2. Standards.
  - a. Design the main entrance to be clearly identifiable.
    - i. Provide a sheltering element such as a canopy, awning, arcade or portico to signify the primary entrance to a building.
    - ii. Where more than one (1) user shares a structure, each individual entrance shall be identified.
  - b. Orient the primary entrance of a building to face a street, plaza or pedestrian way.
    - i. Focusing an entrance toward a parking lot without also addressing the street is inappropriate.
    - ii. Consider using a "double-fronted" design where the entrance to parking and to the street is required. That is, provide a door to the street and another to the parking lot.
    - iii. Consider locating a pedestrian plaza at the entrance; this may be enhanced with landscaping and streetscape furnishings.

F. Street Level Interest.

1. Policy. When a building is located close to a street or walkway, it shall be designed to provide interest to pedestrians. For example, commercial buildings with storefronts are of interest to passersby. Such features encourage pedestrian activity and shall be used whenever feasible. The overall mass of a building shall appear to be in scale with buildings seen traditionally. This will help new structures fit with the Livingston context. At the same time, newer structures may be larger than those seen before; they shall simply be articulated in their form and materials such that they convey proportions that are similar to those seen traditionally.
2. Standards.
  - a. Develop the street level of a building to provide visual interest to pedestrians. All sides of a building shall include interesting details and materials to avoid presenting a "back side" to neighboring properties. For example, the sides of restaurants and specialty stores shall incorporate windows and display cases over at least a third of the facade area. A large expanse of blank wall is inappropriate on any street-oriented facade.

G. Building Mass and Scale.

1. Policy. A building shall appear to have a "human scale." In general, this can be accomplished by using familiar forms and elements that can be interpreted in human dimensions, as noted throughout this Chapter, e.g., "small details/visible to pedestrians."
2. Standards. In order to reduce building scale, each major building project shall provide all of the following:
  - a. Divide a building into visual modules that express dimensions of structures seen traditionally.
    - i. Buildings shall employ all of the following design techniques:
      - (A) Change material or color with each building module to reduce the perceived mass;
      - (B) Change the height of a wall plane or building module;
      - (C) Change roof form to help express the different modules of the building mass; and
      - (D) Change the arrangement of windows and other facade articulation features, such as columns or strap work that divide large wall planes into smaller components.
    - ii. Express facade components in ways that will help to establish a human scale (details oriented towards pedestrians).

- (A) Establish a pattern and rhythm on exterior walls to establish a human scale;
- (B) Windows, columns and other architectural treatments used repetitively can create this effect;
- (C) Using windows and doors that are similar in scale to those seen traditionally also can help establish a human scale;
- (D) Also, recess these elements, even if slightly, and articulate them with headers, sills, columns and/or mullions.

H. Roof Form.

- 1. Policy. The primary roof form of a structure shall help reduce the perceived scale of the building. For that reason, sloping roofs shall be used in most contexts. These also will help the building fit into the mountain backdrop. Varied roof forms in the appropriate context are also encouraged.
- 2. Standards.
  - a. Using sloping roof forms to reduce the perceived scale of a building is encouraged.
    - i. Varying roof forms is encouraged.
    - ii. Providing variety in ridgeline height is encouraged.
  - b. All roof forms shall have no less than two (2) of the following features:
    - i. A flat roof with parapet;
    - ii. A cornice or molding to define the top of a parapet;
    - iii. Overhanging eaves;
    - iv. Sloping roofs with a minimum pitch of 6:12;
    - v. Multiple roof planes.

I. Signage.

- 1. Policy. Signage shall be sensitive to the natural surroundings and shall not detract from the overall visual design of the site. Because signage can easily become the focal point of a development, it will be important within this overlay zone to keep signage as minimal and unobtrusive as possible.
- 2. Standards.
  - a. Free standing and monument signs will be constructed of materials and contain details which match those of the building being advertised.
    - i. Use brick, wood or stone facades on signage structures to help them blend into and match the site;
    - ii. Simulate architectural details of the building, such as colors, textures, and geometric forms, in designing sign structures.
  - b. Signs that detract from the site design of a development shall be avoided. The use of internally backlit signs will not be allowed. Spotlighting or other lighting methods shall be explored.

J. Design Standards Administration. The building design standards and review procedures contained herein shall apply to all nonresidential property annexed into the City and falling within the Gateway Overlay Zoning District, which has been mapped and amended to the City's Growth Policy. These design standards will be applied through the use of an overlay zone that will add the provisions of this Section to the underlying zoning designation. Within the Design Review Overlay Zone, all new construction, exterior remodels and additions to existing buildings will be subject to the following application and review process:

1. Application. A completed application form along with a site plan and other detailed drawings, including, but not limited to, building elevations indicating exterior materials, colors and necessary architectural details required to determine compliance with this Section, shall be submitted to the Planning Department along with the required application fee. Once accepted by the Planning Department, the applicant will be notified as to whether or not the plans submitted comply with adopted City standards. This notification will occur as soon as the review is completed but in any case shall not be later than thirty (30) days from the date the application was accepted by the Planning Department. Failure of the City to complete a review and notify the applicant within the allotted thirty (30) day period will constitute approval of the application.

If a plan is rejected for noncompliance, it will be returned to the applicant with an explanation as to how the plan fails to comply with City standards and/or this Section. The applicant will then be allowed to resubmit the application, with no additional application fee, provided the City receives the revised application within sixty (60) days from the original rejection.

2. Review Fees. The fee for design review shall be established by separate resolution.

(Ord. 1974, 9/5/07)

Article V. - Supplementary General Requirements

Sec. 30.50. - Signs.

- A. Intent. The intent of this Section is to provide standards for erection, design and placement of all signs and sign structures. Design standards are established to achieve the proper relationship of signs to their environment, enhance the outward appearance of the community as a whole, secure pedestrian and vehicular safety, preserve the historic aspects of the City of Livingston and promote the conservation of energy by regulating lighted signs.
- B. Definitions.
  1. "Animated sign" means a sign with action or motion, flashing or intermittent lights and/or color changes requiring electrical energy, electronic or manufactured sources of activation, but not including wind-activated elements such as flags and banners.
  2. "Awning signs" means a sign which is an integral part of a window awning assembly, to include the printing or painting of words onto awning material.
  3. "Billboard signs" means any standard outdoor advertising sign larger than two hundred (200) square feet in area which is designed to advertise products, services or businesses not located on the premises on which the sign is located.
  4. "Free standing signs" means a sign which is supported by one (1) or more columns, uprights, or braces and is permanently fixed in the ground.
  5. "Monument sign" means a sign, single- or double-sided mounted, flush with the surface of the grade upon which sets the business, industry, or other commercial enterprise which the sign advertises. A monument sign must be landscaped with grass, shrubs or other plants or other landscape material in an area not less than three (3) feet surrounding such sign in all directions.
  6. "Revolving sign" means a sign which revolves three hundred sixty (360) degrees.
  7. "Menu board" means a sign specifically designed to advise customers of the menu of food available in the establishment by which the menu board is owned.
  8. "Reader board" means a sign designed to allow the letters on the sign to be altered, removed and added.
  9. "Marquee sign" means a specific type of reader board but restricted to use by active movie theaters.

10. "Temporary sign" means a sign made of paper, or some other limited life-span material advertising a short-term event, like a sale. Temporary signs are not subject to inclusion in a business' sign square footage measurement. Temporary signs shall be removed within twenty-four (24) hours after the completion of the advertised event.
11. "Projecting sign" means a sign installed on the facade of a building which is attached to such building in a perpendicular manner or at an angle to the building wall.
12. "Sandwich board sign" means a sign painted on both of the outside of two (2) boards fastened together at the top with a hinge-like device, designed to be placed on the sidewalk area in front of an establishment.
13. "Sign" means any device designed to inform or attract the attention of persons not on the premises on which the sign is located, including, but not limited to, signs described in subsections (B)(1) through (B)(12) of this Section. For the purpose of determining number of signs, a sign will be considered to be a single display device with not more than two (2) display surfaces (back-to-back) or display device containing elements organized, related and composed to form a unit. For measurement purposes, the square footage of a sign which employs back-to-back display surfaces will only be considered as the square footage of one (1) side of that sign. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element will be considered a separate sign.
14. Square Footage. The square footage of a sign shall be measured as the product of the total linear foot measurement multiplied by the total height measurement. The linear measurement shall be attained by measuring from the leftmost edge of the sign, continually measured to the rightmost edge of the sign. Any mounting material shall be part of the measurement.
15. "Actual business premises" means the owned or leased real property from which the primary business is actively transacted.
16. "Off-premises sign" means a sign located on property other than the actual business premises.
17. "Banner signs" means a strip of cloth, plastic or other material displaying advertising or other information.
18. "Portable sign" means any sign designed to be easily moved or transported whether by carrying, by mounted wheels, by trailer or otherwise.
19. "Voluntary modification" means any modification to an existing sign which reflects a conscious business or personal decision. This may include a change in corporate color scheme, change of logo, or any other change which would require the replacement of existing sign faces. It does not include the replacement or repair of sign faces with new, identical faces as part of normal maintenance or due to damage by wind, fire or other hazard.

C. General.

1. Nothing in this Section shall be interpreted as prohibiting or excluding such signs as are required by law. This includes legal notices and advertisements prescribed by law or posted by any lawful officer or agent.
2. Any sign which is readily visible from the public right-of-way in an exterior window of a building, whether on the external or internal side of the window, shall be regulated by the provisions of this Section. Temporary sale signs are excluded, however, no single temporary sign shall exceed six (6) square feet in size, and the total of all such temporary signs shall not exceed fifty (50) percent of the transparency of the window in which they are visible.
3. All signs as permitted by this Section shall be maintained by the owner and kept in good repair and shall be painted and repaired at reasonable intervals. The surface of the ground under and about any sign shall be kept clear of weeds, rubbish and flammable waste material.
4. All signs shall be designed and constructed in accordance with the Uniform Sign Code.



5. A permit must be obtained from the Building Official by the person who is erecting the sign prior to the construction of any sign, except for those signs listed in subsection E of this Section.
6. Signs not in use by reason of change of occupancy or use by vacation of the building shall be removed within thirty (30) days of such change by the owner of the sign, or the owner of the property. The City has the option of removing such sign at the end of the thirty (30) day period after giving fifteen (15) days' written notice by certified mail to the owner, and upon such removal, the full charges of removal shall constitute a mechanic's lien against the real property enforceable pursuant to State law.
7. All existing signs that have been constructed pursuant to City sign permits and variances through the official date of the ordinance codified in this Section (Ord. 1749 effective date, October 20, 1993) shall be grandfathered and do not have to conform as to the height, size or prohibited signs subsections of this Section. Other provisions of this Section shall apply to existing signs. Grandfathered signs which are voluntarily modified must meet all requirements of this Section. Signs which have previously been granted variances may continue to exist within the parameters of those variances.
8. The Building Official shall be responsible for the enforcement of this sign ordinance.
9. All buildings with more than one (1) business occupant must submit to the Board of Adjustment a master signage plan which identifies the number and location of all potential signs on the property before any sign permits may be issued. For properties located in the Downtown Historic District, this master plan will be submitted to the Historic Preservation Commission. Any deviation from an approved master plan must be approved by the appropriate body prior to permit issuance.
10. Pre-existing multi-occupant buildings will not be issued any new sign permits until a master plan is approved by the appropriate body.
11. Any sign variance issued to multi-occupant property shall constitute an amendment to that property's signage master plan.
12. All signs located in the Historic Preservation District must comply with the requirements of the Historic District Overlay Zoning.

D. Prohibited Signs.

1. No animated signs shall be erected in any zoning district, except time and temperature signs which may be erected in the Central Business District only and existing lighted signs in the Downtown Historic Preservation District which flash, chase, move, revolve, rotate, blink, flicker or vary in intensity or color; however, such lights must be turned off when the business is closed.
2. No revolving sign may be permitted in any district.
3. No billboard sign shall be erected in any zoning district.
4. In the Central Business District Zone, no backlit signs are allowed.
5. Visibility at Corners, Alleys and Driveway Approaches. On the street side of all lots where an alley or driveway enters the street right-of-way, and on all corner lots, a triangular clear vision zone shall be maintained. The zone shall measure ten (10) feet into the lot, as measured from the edge of the sidewalk nearest the property line, and twenty (20) feet parallel to the street measured from the edge of any alley, driveway or street corner along the edge of the sidewalk nearest the property line. No structure of any kind over three (3) feet in height shall be erected or maintained within the above defined clear vision zone. If no sidewalk exists, the point of reference for all measurements shall be determined by the Building Official.
6. Notwithstanding any other provisions contained in this Section, no free standing sign shall be erected or maintained upon any spire, chimney, cupola, water tank, water tower, radio aerial or television antenna.
7. No sign shall be erected on any property without the express permission of the occupant, owner, lessee or any authorized agent thereof.

8. No sign shall be erected in such a manner that a portion of the sign or their supports are attached to or will interfere with the free use of any fire escape, exit, or standpipe, or obstruct any required stairway, door, ventilator or window.
  9. No sign shall be attached to any tree.
  10. Menu boards are not permitted on any property other than that occupied by a restaurant-type business.
  11. No portable and/or trailer-mounted signs shall be allowed.
  12. No sign not in conformance with this Code shall be allowed.
- E. Signs Permitted in All Districts Without a Permit. The following signs are permitted in all zoning districts and will not require a permit:
1. Signs advertising the sale, lease or rental of the premises upon which the sign is located, which do not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not be more than six (6) square feet. Only two (2) such signs shall be allowed on any one (1) property;
  2. Signs bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial promotion;
  3. Flags and insignia of the government except when displayed in connection with commercial promotion;
  4. Legal notices: identification, information or directional signs erected or required by governmental bodies;
  5. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;
  6. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
  7. Detached bulletin boards for churches, schools, or other public, religious or educational institutions provided such sign is located not less than ten (10) feet from the established right-of-way line of any street or highway and does not obstruct traffic visibility at street or highway intersections;
  8. Construction information signs, providing the signs are removed immediately following final completion of construction;
  9. Non-illuminated home occupation signs on any residence which is the site of a home occupation in accordance with Section 30.55. Such signs shall not exceed two (2) square feet;
  10. Signs advertising a candidate for political office. Such signs shall not exceed sixteen (16) square feet and shall be removed within seven (7) days after any election;
  11. Signs advertising yard/garage sales, and the like. Such signs shall not exceed two (2) square feet and must be removed by the owner within forty-eight (48) hours of the completion of the sale.
- F. Signs in a Residential District. Within a residential district only, the following signs shall be permitted:
1. Signs listed in subsection E of this Section which do not require a permit; and
  2. Signs advertising a permitted or existing commercial use within a residential district. Such signs require a permit from the Building Official, and shall be permitted only under the following conditions:
    - a. Only one (1) on-premises sign will be allowed for each business.
    - b. The maximum allowable size for each sign shall be twelve (12) square feet.
    - c. Illuminated signs shall be illuminated only as long as the advertised business is open.

d. No sign shall be erected or placed closer than five (5) feet to the lot line adjacent to the street.

G. Signs in Commercial and Industrial Districts Requiring a Permit.

1. Setback. Free standing and monument signs shall be located a minimum of five (5) feet inside all private property lines.
2. Lighting. All lighting shall comply with the requirements of Ordinance No. 1967 commonly referred to as the Night Sky Protection Ordinance. In no event may an illuminated sign or lighting device be placed or directed so the beams constitute a traffic hazard or nuisance. All wiring, fitting and material used in construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the Uniform Electric Code.
3. Number of Signs. In Commercial and Industrial Zoning Districts, each use is limited to two (2) wall signs. In addition, one (1) monument sign or one (1) free standing sign is permitted for each building, regardless of the number of businesses or industrial uses conducted in any one (1) building.
4. Height.
  - a. No monument sign shall exceed five (5) feet in height.
  - b. No free standing sign shall exceed thirty (30) feet in height.
5. Permitted Surface Area.
  - a. Wall Signs. The total surface area of all wall signs is limited to one hundred (100) square feet in the Central Business District and otherwise to two (2) square feet of sign for each lineal foot of frontage width of the business, provided that the maximum total surface area for all wall signs does not exceed three hundred (300) square feet.
  - b. Monument Signs. Monument signs shall not exceed one hundred (100) square feet in total surface area.
  - c. Free Standing Signs. Free standing signs shall not exceed one hundred fifty (150) square feet in total surface area.
6. Roof-Mounted Signs. Any sign located on the roof of a building shall not exceed twenty-four (24) inches in height and shall not exceed the top of the roof line. The square footage of roof-mounted signs shall be counted as a portion of the limitation on wall-mounted signs, i.e., the total surface area of wall-mounted signs added to any roof-mounted signs may not exceed three hundred (300) square feet maximum, or less if the linear front footage of the building is less than one hundred fifty (150) feet.
7. Off-Premises Signs. A business may have up to four (4) off-premises signs; however, the total square footage of these off-premises signs may not exceed one hundred fifty (150) square feet. No other off-premises signs shall be allowed. Excepted from this provision are:
  - a. Garage sale or hobby show signs no greater than two (2) square feet in area on the date only of the activity;
  - b. Auction and special event signs no greater than nine (9) square feet in area for no longer than three (3) days (seventy-two (72) hours);
  - c. Directional signs for public facilities and museums;
  - d. Banner signs for public performances not exceeding one hundred twenty (120) square feet to be posted for no more than twenty (20) days.
    - i. No signs in the public right-of-way or in any required right-of-way shall be allowed except for governmental traffic control signs (unless a business premises is on the railroad right-of-way). Properly permitted sandwich board signs not to exceed six (6) square feet per side are excepted from this provision provided that they shall be limited to one (1) per twenty-five (25) feet of building frontage and may only be located in front of the

business being advertised. The City Commission, upon request from a property owner in front of whose property a sign is to be located, may, where deemed in the public interest, allow a sandwich board sign to be placed other than in front of the business being advertised.

- 8. Banner Signs. Temporary banner-type signs shall be allowed for a period of no more than sixty (60) days, limited to no more than seventy-five (75) square feet, and used by any business or entity no more than once per year.
- H. Variance Parameters for Signs. Variances may be granted only if there is undue hardship from the application of these sign regulations due to the particular location and site characteristics of the applicant that are different from those cited generally.
- I. Damaged Signs. Any existing sign not in conformity with this Section that is damaged in either surface area of the sign or in the structure by more than fifty (50) percent shall be removed and any new sign shall meet all requirements of this Section.
- J. Complaint and Notice of Violation Procedure. The City Code Enforcement Officer shall issue a notice of violation in person to the offending property owner, business owner or agent, as the case may be, specifying the violation and steps necessary for correction. If the violation is not brought into compliance within fifteen (15) working days from the personal delivery of the notice of violation, the City shall file a civil complaint against the offending person. Failure to provide the written notice identified herein shall not preclude the filing of a complaint in City Court.
- K. Violation and Civil Penalty. It shall be a civil infraction for any person to violate any provision of this Section. Any violation of any provision of this Section is a civil infraction punishable by a civil fine not to exceed Three Hundred Dollars (\$300.00).

(Ord. 1738, 3/2/93; Ord. 1749, 9/20/93; Ord. 1819, 10/16/95; Ord. 1820, 10/16/95; Ord. 1860, 6/16/97; Ord. 1873, 5/18/98; Ord. 1883, 2/1/99; Ord. 1975, 9/5/06)

Sec. 30.51. - Off street parking and loading zones.

- A. General. Each off-street parking space shall have a net area of not less than one hundred eighty (180) square feet exclusive of driveways or aisles and shall be of usable shape and condition.
- B. Location. Off-street parking facilities shall be located as hereafter specified: any distance specified shall be in walking distance measured from the nearest point of the parking facility to the nearest point of the lot that such facility is required to serve:
  - 1. For one (1) family, two (2)family, and accessory dwellings: Off-street parking is required on the same lot or an adjoining lot with the building they are required to serve.
  - 2. For multiple dwellings and townhouses: Off-street parking is required within a walking distance of one hundred (100) feet.
  - 3. For hospitals, sanitariums, convalescent homes, nursing homes, rest homes, homes for the aged, asylums, retirement homes, rooming and boarding houses: Off-street parking is required within six hundred (600) feet.
  - 4. For uses other than those specified above: Off-street parking within five hundred (500) feet is required.
- C. Expansion or Enlargement. Whenever any building is enlarged in gross floor area by more than ten (10) percent, off-street parking shall be provided for the expansion or enlargement portion only in accordance with the requirements of this article. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building previously existing before enlargements or for existing buildings that undergo a change in use.
- D. Non-Conforming Use. Voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings, even though non-conforming, is allowed and encouraged.

- E. **Mixed Occupancies.** In the case of mixed uses, the total requirements for the various uses shall be computed separately. Off-street parking facilities for one use shall not be considered as a substitute or for joint use.
- F. **Use Not Specified.** In the case of a use not specifically mentioned in a zone, the requirements for off-street parking facilities shall be determined by the City Superintendent or his authorized representative. Such determination shall be based upon the requirements for the most comparable use listed.
- G. **Joint Use.** The Building Official or his authorized representative may authorize the joint use of parking facilities for the following uses or activities under conditions specified:
  - 1. Up to fifty percent of the parking facilities required for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses may be supplied by certain other types of buildings or uses herein referred to as "day time" uses such as banks, offices, retail, personal-service shops, clothing, food, furniture, manufacturing or wholesale and related uses.
  - 2. Up to one hundred percent of the parking facilities required for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses primarily of a day time nature.
- H. **Conditions Required for Joint Use.** The building for which application is being made to jointly utilize the off-street parking facilities provided by another building shall be located within 500 feet of such parking facilities.

The applicant must show that there is no substantial conflict in the principal operating hours at the two buildings or uses for which joint use of off-street parking facilities as is proposed.

The applicant must also present a legal agreement executed by the parties concerned for joint use of off-street parking facilities.

- I. **Central Business District.** In the Central Business District Zone any commercial enterprise that is required to meet the minimum standards for off-street parking, shall be required to have only fifty (50) percent of the parking space requirements in the Table of Minimum Standards. Apartment units in the Central Business District shall meet the full parking space requirements.
- J. **Table of Minimum Standards — Off-Street Parking.** Parking spaces shall be required as set forth in the following table, and where alternatives or conflicting standards are indicated, the greater requirements shall apply: Where the total quota results in a fraction, the next highest full unit shall be provided; and in case of a use not specifically mentioned, the requirements of the most similar mentioned use shall apply.

USE	SPACE REQUIRED
Bowling alleys.	Five per alley.
Medical and dental clinic.	One per 200 square feet of gross floor area.
Banks, business and professional offices with on-site customer service.	One per 400 square feet of gross floor area.
Offices not providing on-site customer services.	One per 4 employees or one per 800 sq. ft. of gross floor area, whichever is greater.
Mortuaries.	One per 5 seats in the principal auditorium.

Manufacturing uses, research testing, and processing, assembling, all industries.	One per 2 employees on maximum shift but not less than one per each 800 square feet of gross floor area.
Libraries and museums.	One per 500 square feet of gross floor area.
Schools, elementary and junior high, public, private or parochial.	One per each employee.
School, high school, public or private.	One per each employee and one per 5 students.
Service stations and drive-in restaurants.	One per 80 sq. ft. gross floor area, with 10 spaces minimum requirement.
Residential, single-family.	2 per dwelling unit.
Residential, duplex or multi-family.	2 per dwelling unit for first 4 dwelling units, then 1.5 for each dwelling unit thereafter.
Boarding houses and similar uses.	One per dwelling unit or lodging unit.
Convalescent homes, nursing homes, rest homes	One per 6 beds plus one per each staff member on duty on a maximum shift.
Warehouses, storage and wholesale business and freight terminals.	10 spaces for the first 20,000 square feet of gross floor area* and one space for each additional 10,000 square feet.
Food or beverage places with sale and consumption on premises.	One per 100 sq. ft. of gross floor area for the first 4,000 sq. ft. with 10 spaces minimum requirement and one space for each additional 300 square feet.
Furniture, appliance, hardware, clothing, shoe, personal-service stores.	One per 600 square feet of gross floor space.
Motor vehicle, machinery, plumbing, heating, ventilating, building material supplies, sales and service.	One per 1,000 sq. ft. of gross floor area plus one per three employees.
Retail stores or service businesses not otherwise named.	One per 500 square feet of gross floor area.
Retirement homes, housing projects for senior citizens.	1-6 dwelling units 0.5 per dwelling unit; 7-18 dwelling units 0.33 per dwelling unit; over 18 dwelling units 0.25 per dwelling unit; minimum of 5 spaces.

Motels, hotels and motor courts.	One per sleeping room.
Hospitals and institutions.	One per 3 beds plus one per 3 employees.
Theaters.	One per 10 seats.
Churches, auditoriums and similar open assemblies.	One per 5 seats or one per 100 linear inches of pew or one per 65 sq. ft. of gross floor area used for assembly purposes, whichever is greater.
Stadiums, sport arenas and similar open assemblies.	One per 8 fixed seats plus one per 100 sq. ft. of assembly space without fixed seats.
*In calculating minimum required parking, gross floor area shall not include car ports and garage areas.	

- K. Traffic Control Devices. All traffic control devices such as parking stripes designating stalls, directional arrows, rails, curbs and other developments shall be installed and completed as shown on the approved plans. Hard-surfaced parking areas shall use paint to delineate stalls and directional arrows.
- L. Screening Required. Screening in the form of walls, architectural fences or dense coniferous hedges shall be required where the parking lot has a common boundary with any residentially zoned property. Such screening shall be located no closer than three feet from the property line and shall be properly maintained.
- M. Lighting Restrictions. Lighting of areas to be provided for off-street parking shall be so arranged to not constitute a nuisance or hazard to passing traffic, and where the lot joins any residentially zoned property, the illuminating devices shall be so shaded and directed to play away from residentially classified property.
- N. Maintenance. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, repair and maintenance of drains and repair of traffic control devices, signs, light standards, fences, walls, surfacing materials, curbs and railings.
- O. Off-Street Loading Warehouse and Wholesale. Off-street loading space for warehouse, wholesale shipping and similar facilities shall be determined by the Building Official or his authorized representative.
- P. Off-Street Loading, Retail and Commercial. In any building or part thereof having a gross floor area of 10,000 square feet or more, which is to be occupied by a use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional loading space for each 20,000 square feet or major fraction thereof of twenty (20) feet in width, thirty-five (35) feet in length and fourteen (14) feet in height.

Sec. 30.52. - Fences and hedges.

- A. Heights. Fences, walls and hedges may be erected or maintained in any residential zoning district provided that no fence, wall or hedge over four (4) feet in height shall be erected or maintained in any front street or side streetyard, or the side yard extending from the foremost edge of the house to the point where the side yard line intersects the front street or side street lot line. Fences and walls located

along side yards from the foremost edge of the house to the rear lot line ~~or rear yard~~, and along the rear lot line, shall not exceed a height of six (6) feet.

Height, for the purpose of this section, shall be defined as the vertical distance from the top rail, board, wire, or top of hedge to the ground directly below.

- B. Visibility at Alley and Private Drive Approaches. On the street side of all lots where an alley or driveway enters the street right-of-way, a triangular clear vision zone shall be maintained. Said zone shall measure ten (10) feet into the lot as measured from the edge of the sidewalk nearest the property line, and twenty (20) feet parallel to the street measured from the edge of any alley or driveway, along the edge of the sidewalk nearest the property line. No fence, wall, hedge, or shrub over three (3) feet in height shall be erected or maintained within the above defined clear-vision zone. If no sidewalk exists, the point of reference for all measurements shall be determined by the Building Official.

Regardless of other provisions of this section, no fences, wall, or hedge which materially impedes vision of vehicles entering an abutting street shall be erected or maintained ~~in any yard which materially impedes vision of vehicles entering an abutting street.~~

- C. Prohibited Fences. No electric fences shall be permitted in any zoning district. No barbed wire fence shall be permitted in any residential zoning district.
- D. Prohibited Locations. No fence, wall or hedge shall be erected or maintained in a public street or right-of-way.
- E. Prohibited Materials. All fences shall be constructed from approved fencing materials and shall not be constructed from railroad ties, rubble or salvage.

Sec. 30.53. - Animals.

Prohibited Animals. No livestock or fowl as defined in Article II of this ordinance, may be kept or maintained in any zoning district in the city, except for licensed veterinarian services, and except for those kept pursuant to permit obtained pursuant to Section 4-2 through the office of the Sanitarian.

Sec. 30.54. - Motor vehicles or parts.

All inoperable motor vehicles or any parts thereof parked or stored in the open on any property for a period exceeding five (5) days will not be allowed and will be deemed a public nuisance. Any vehicle that is judged to be abandoned will be removed in accordance with the Livingston City Ordinances.

Sec. 30.55. - Home occupations.

A. General.

- 1. It is the intent of this ordinance to permit home occupations that meet the following criteria in any residential district. No other home occupations except those meeting this criteria will be allowed. Nonconforming home occupations shall meet the criteria within one year from the effective date of this ordinance.
- 2. The purpose of this ordinance is to protect the residential characteristic of the neighborhoods in Livingston. It is to ensure that the home occupations which are allowed to operate will not impose any burdens on the neighboring landowners.

B. Definitions.

- 1. A home occupation is defined as any business or commercial activity that is conducted or petitioned to be conducted from a property which is zoned for residential use and which meets the conditions set forth in Section 30.55.C and Section 30.55.E.1. However, a medical marijuana facility is hereby specifically excluded from consideration as a home occupation.
- 2. A home occupation permit is a permit issued for a home occupation that is authorized by Section 30.55.E without hearing.



3. A home occupation conditional use permit is a permit authorized by the City Board of Adjustment only after a public hearing by the Board.
- C. Criteria. Home occupations must fit all of the following criteria:
1. No person shall be employed other than the residents of said dwelling.
  2. The occupation shall be conducted wholly within the dwelling or within an accessory building located on the property.
  3. The gross floor area devoted to the occupation shall not exceed fifteen (15) percent of the total gross floor area of the dwelling unit plus accessory buildings on the property.
  4. The occupation shall not impose upon adjacent residences unreasonable burdens due to noise, vibration, glare, fumes, odors, hours of operation, traffic, or electrical interference. The above shall not be detectable by normal sensory perception beyond the dwelling or accessory building in which the business is located.
  5. Direct sales of products off display shelves or racks is not allowed, but a person may pick up an order which was placed earlier by telephone or at a sales party.
  6. There shall be no signs erected other than those allowed by this ordinance in residential districts.
  7. A minimum of one off-street parking space for each business related vehicle shall be provided on the property. Each parking space shall meet minimum standards for off-street parking established elsewhere in this code.
  8. Commercial deliveries shall not restrict regular traffic. Deliveries made by tractor trailer vehicles to home occupations are prohibited in a residential area.
  9. There shall be no display or evidence apparent from the exterior of the lot that the premises are being used for any purpose other than that of a dwelling, except for the permitted sign.
  10. Outdoor storage of materials for the home occupation is prohibited.
  11. No toxic, flammable, hazardous, or explosive industrial substances shall be used or stored on the premises unless registered with the Local Emergency Planning Committee. Said premises shall be subject to regular fire inspections.
  12. No home occupation shall be permitted without the prior issuance of a home occupation permit or home occupation conditional use permit.
- D. Enforcement.
1. The permit shall be valid only for the proposed business as operated by the applicant. The permit shall be non-transferable either to another property or to another owner or operator. It may be revoked upon sufficient showing that a permit holder is violating the terms of the permit.
  2. The business shall be subject to regular inspections by the City Fire Marshal and/or the City Building Inspector. The inspections shall be done during regular business hours.
  3. The Building Official shall be responsible for enforcing this section of this ordinance, and shall report any violations to the Livingston City Attorney.
- E. Compliance. It is the intent of this subsection to provide the Building Official with the means to enforce the Home Occupation section of this ordinance.
1. Businesses shall be divided into two categories based on the expected impact they will have on the residential neighborhood they are proposed for.
    - a. A Major Home Occupation is one which can be expected to have some impact on the neighborhood it is proposed for. It is one which has some visible evidence of the occupation and shall accommodate both the residential and business related parking needs on the property. Additional characteristics include:
      - (1) The business may have a sign; or

- (2) The business may create some additional traffic for deliveries and customers.
- b. A Minor Home Occupation is one which has no visible exterior evidence of the conduct of the occupation, which does not generate additional traffic, and in which no equipment other than that normally used in household, domestic, or general office use. Additional characteristics may include:
  - (1) The business shall not have a sign.
  - (2) No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
  - (3) No hazardous, flammable, explosive or toxic industrial substances may be used in a minor home occupation.
- 2. All Home Occupations in existence at the time of the adoption of this Ordinance and all new home occupations which fit the criteria of a minor home occupation shall be required to get a Home Occupation Permit.
  - a. The purpose of the Home Occupation Permit is to ensure compliance with this section of the Ordinance.
  - b. The Home Occupation Permit may be issued by the Building Inspector upon application by the owner of a Home Occupation.
  - c. The application shall be accompanied by a floor plan for the residence with the area to be used for the business clearly marked.
  - d. The application shall be accompanied with a fee of twenty dollars (\$20.00) to cover processing.
- 3. All new Major Home Occupations shall be required to be reviewed by the City Board of Adjustment for a Home Occupation Conditional Use Permit.
  - a. The Home Occupation Conditional Use Permit process shall be initiated by application to the City Zoning Administrator.
  - b. The Zoning Administrator shall review the application for completeness and prepare it for review by the City Board of Adjustment.
  - c. The Zoning Administrator shall schedule a public hearing, advertise it two (2) times beginning at least fifteen (15) and not more than thirty (30) days prior to the public hearing date.
  - d. The Zoning Administrator shall notify the adjoining landowners within three hundred (300) feet of the proposed Home Occupation location, on the proposed business, and the date of the public hearing by mail at least fifteen (15) days prior to the date of the public hearing. The request shall be posted on the property at least ten (10) days prior to the public hearing.
  - e. The City Board of Adjustment shall conduct the public hearing and decide on the application.
  - f. The City Board of Adjustment shall have the power to require any mitigating measures it deems necessary to protect the public health, safety and welfare.
  - g. The Special Review shall have a fee of fifty dollars (\$50.00).

(Ord. No. 2022, § 3, 9/7/10)

Sec. 30.56. - Mobile homes.

- A. Residential Mobile Homes. Mobile homes are permitted in approved mobile home (RMO) parks and R-II (MH) districts only. No mobile homes shall be placed in other zoning districts except those specified in Section 30.56B.

Any mobile home or replacement of any existing mobile home moved onto a site in one of the approved zoning districts must contain a minimum of eight hundred (800) square feet, and must meet all of the following requirements before a Certificate of Occupancy can be issued by the Building Official:

- A) All mobile homes must be completely skirted.
- B) All mobile homes must be securely anchored at all four corners.
- C) The running gear must be removed.
- D) The tongue must be removed.
- E) All mobile homes must be placed on a permanent foundation. For the purpose of this part, a permanent foundation means a foundation system which has been designed and certified by a professional engineer or architect, or which has been specified by the mobile home manufacturer.

B. Commercial Use. Mobile homes shall not be utilized for any commercial use, other than an on-premises office in connection with a mobile home sales business or as a temporary job shack located on a construction site. Such job shack must be removed within ten (10) days after completion of construction.

(Ord. 1813, 8/21/95)

Sec. 30.56.1. - Manufactured homes.

- A. Manufactured homes are permitted in all residential zoning districts. Any manufactured home or replacement of any existing manufactured home must contain a minimum of one thousand (1,000) square feet.
- B. All manufactured homes must be placed on a permanent foundation. For the purpose of this part a permanent foundation means a standard footing-type, perimeter foundation built to frost depth, with or without a basement.

(Ord. 1813, 8/21/95)

Sec. 30.57. - Commercial buildings in residential districts.

Whenever a commercial building is permitted in a residential district, either as a matter of right or by special use permit, that building must meet the density requirements of the residential zone in which it is located, except for the off-street parking requirements. The minimum off-street parking requirement will be established by the Building Official in accordance with Section 50.51.

Sec. 30.58. - Townhouses.

- A. Townhouses are permitted in RII, RII(MH) and RIII districts only.
- B. All townhouse development must comply with the density and setback requirements set forth in Table 30.41, the off-street parking requirements found in Section 30.51, and all other applicable regulations.

(Ord. 1798, 12/19/94)

Sec. 30.59. - Landscaping regulations.

- A. Purpose. The purpose of the ordinance codified in this section is to set forth minimum landscaping requirements for new or altered commercial, industrial, R-III and RMO Zones in order to minimize the visual impact upon public rights-of-way and incompatible uses in said zones and adjacent or abutting

R-I or R-II Zones as well as establishing minimum buffering requirements between new or altered commercial, industrial, R-III and RMO Zones and existing incompatible uses and abutting or adjacent R-I or R-II zones and to lessen the impact of lighting.

- B. Definitions. For the purposes of this section, the following definitions shall apply:
  - 1. "Ornamental tree" means any variety of tree which is not expected, at maturity, to reach a height of fifteen (15) or more feet nor be a substantial provider of shade.
  - 2. "Shade tree" means any variety of tree which is expected, at maturity, to be in excess of twenty-five (25) feet in height and sufficiently full in form to provide substantial shading effects.
  - 3. "DBH" means diameter at breast height.
- C. Prohibition. No land shall be used or occupied and no structure shall be designed, erected, used, occupied or altered where a building permit is required, nor shall any variance or special exception be granted, except in conformity with the regulations established in this section.
- D. General Landscaping Requirements. Landscaping shall be required as follows:
  - 1. Parking or Storage Areas. Screening, in the form of trees, hedges or other vegetation shall be required between commercial, industrial and multi-family parking and/or storage areas and any public right-of-way. Such screening shall be entirely on private property, shall be a minimum of four (4) feet in height, and shall not constitute a safety hazard for vehicular or pedestrian movement as defined in Section 30.52 of the Livingston Municipal Code. Decorative walls or fencing or earthen berms may also be used in combination with vegetative screening subject to review and approval of the City.
  - 2. Requirements for the Interior of Parking Areas.
    - a. Option #1. Parking areas will be designed so that parking rows will consist of not more than ten (10) automobiles. Any parking area which has a capacity of twenty (20) or more automobiles will be required to provide landscaped islands between parking rows. The island(s) will be at least five (5) feet wide and shall consist of vegetation or other landscape treatment as well as a minimum of one (1) shade tree per every ten (10) parking spaces or portion thereof. The island(s) will be separated from the parking surface by a curb of at least six (6) inches in height.
    - b. Option #2. In the alternative, where parking rows are to consist of more than ten (10) parking spaces, landscaped islands will be provided in accordance with an approved landscape plan. The plan will provide for landscaped area equal to a minimum of five (5) percent of the gross parking space area. (i.e., 1 parking space = 180 square feet. Landscape requirement = 5% x 180 x number of spaces.) When using this option at least two (2) islands will be required and each island must be a minimum size of fifty (50) square feet. Each island will contain vegetation or other landscape treatment as well as a minimum of one (1) shade tree per every ten (10) parking spaces or portion thereof.
  - 3. Buffering Required Between Different Land Uses. Where commercial, industrial, multi-family or mobile home park land uses abut or are adjacent to lower density residential land uses or zones, either directly or when separated by an alley or street right-of-way or other natural or manmade structure, the commercial, industrial, multi-family or mobile home park use will provide a landscaped buffer zone screening itself from the lower density residential use.
    - a. Buffer Zone. The buffer zone shall be a minimum of five (5) feet in width with an additional five (5) feet required for each story of the commercial, industrial or multi-family use above one (1) story, not to exceed twenty-five (25) feet in width.
    - b. Screening. Screening shall be installed within the buffer zone which shall consist of vegetation or vegetation and a combination of berm, fencing or masonry walls to a minimum height of six (6) feet in a manner which does not create a safety hazard for vehicular or pedestrian movement or interfere with the requirements of Section 30-52(B) of the Livingston Municipal Code.

- c. Shade Trees. In addition, a minimum of one (1) shade tree within each two hundred fifty (250) square feet of buffer zone shall be required. Shade trees required hereunder shall be a minimum of two and one-half (2 ½) inches, DBH, in size at the time of planting.
- E. Purpose of Lighting Restrictions. The goal in regulating exterior illumination is to direct, to the maximum extent possible, all artificial light onto the property from which it originates. This section does not apply to street lighting provided by a governmental agency.
  - 1. Parking or Storage Area. In any area required to buffer itself from adjacent land uses, all exterior lighting shall be limited in height to no more than sixteen (16) feet and will be required to be of a design which directs light downward through the use of a directional shade.
  - 2. Signs and Decorative Lighting. In commercial and industrial areas adjacent to any land use from which it must be buffered, the following lighting regulations shall apply:
    - a. Internally Illuminated Signs. Internally illuminated signs shall not exceed sixteen (16) feet in height. Internally illuminated canopies or structural panels are prohibited. Alternately, spot-lit signs, canopies or panels may be approved at standard heights if they will not adversely effect neighboring property which determination rests with the discretion of the city planning office, subject to appeal to the Board of Adjustment.
- F. Penalty. A violation of this section is a misdemeanor punishable by fine not to exceed five hundred dollars (\$500.00). Each day that a violation is allowed to continue shall be deemed a separate and punishable offense.

(Ord. 1852, 4/21/97)

Section 30.60.- Sexually oriented businesses.

No sexually oriented business shall be operated or maintained within the corporate limits of the City of Livingston except within the Industrial Zone with the further limitation that no sexually oriented business shall be front on Park Street and shall be set back from Bennett Street a minimum distance of two hundred fifty (250) feet. No sexually oriented business shall be operated or maintained within six hundred (600) feet of either a City or County residential zone, a church, an elementary or high school, a State-licensed day care facilities, public libraries, parks or playgrounds, or another sexually oriented business. The distance limitation in this section shall be measured in a straight line from the main public entrance of said sexually oriented business to the property line of properties in residentially zoned districts, churches, elementary or high schools, State-licensed day care facilities, public libraries, parks or playgrounds, or another sexually oriented business.

Sec. 30.61. - Wind powered generators.

- A. Definitions.
  - 1. "Wind Powered Generator(s)" or "WPG" means any device, such as a wind charger, wind mill, or wind turbine, and associated facilities including the support structure of the system, such as a tower, that covers wind energy to electrical energy which has been certified to conform to applicable industry standards by a nationally recognized certifying organization such as Underwriters Laboratories or similar certifying organization.
  - 2. "Wind powered generator height" means the height of a freestanding WPG shall be measured from the ground level to the highest point on the WPG, including the vertical length of any extensions of the WPG, such as the blade.
  - 3. "Tower", as used herein, includes the support structure and all components of the WPG.
- B. Special Exception. Wind-powered generators (WPG), as defined herein, are permitted upon the issuance of a Special Exception permit within any zone, provided the following standards, and any

related conditions imposed by the Board of Adjustment, are satisfied. No WPG, or modification thereto, shall be constructed within the City of Livingston, unless a permit has been issued by the City.

1. The permit application shall be accompanied with a non-refundable fee in the amount of one hundred dollars (\$100.00).
  2. The permit application shall contain a narrative describing the proposed project, the project location, the approximate generating capacity of the facility, a site plan, a photograph of the same type of wind powered generator being proposed and whether the system will be standalone or interconnected to a public utility under the provisions of 69-8-601 et seq. Montana Code Annotated.
- C. Maximum Height. The maximum height of a freestanding WPG, on any parcel, or combination of parcels thereof, having a total square footage of one (1) acre or less is limited to sixty (60) feet in height. The maximum height of a freestanding WPG, on any parcel, or combination of parcels thereof, having a total square footage of one (1) acre or more is limited to one hundred (100) feet in height.
1. The Board of Adjustment may increase the height of freestanding WPG, provided that in the residential and commercial, districts such increase shall not exceed the maximum height by more than fifty (50) percent. The applicant shall demonstrate, to the Board of Adjustment's satisfaction, that the surrounding topography, structures, vegetation, and other factors make a tower that complies with the height restrictions impractical.
  2. Notwithstanding the height limitations of the zoning district, building mounted WPG shall be permitted in all zoning districts, subject to approval by the Board of Adjustment, and shall comply with the following standards:
    - a. Building mounted WPG shall not exceed fifteen (15) feet in height.
    - b. Building mounted WPG shall be prohibited on residential structures less than four (4) stories and forty-two (42) feet in height.
    - c. On nonresidential buildings less than four (4) stories and forty-two (42) feet in height, building mounted WPG shall be setback at least ten (10) feet from the front, side, and rear exterior walls of the structure on which it will be mounted.
    - d. Building mounted WPG shall be installed on the top story.
    - e. The structure upon which the proposed WPG is to be mounted shall have the structural integrity to carry the weight and wind loads of the WPG and have minimal vibration impacts on the structure, as determined by a structural engineer.
  3. Minimum ground clearance. The blade tip of any WPG shall, at its lowest point, have ground clearance of no less than fifteen (15) feet.
- D. Minimum Setback. Minimum setback from any property line shall be one hundred (100) percent of the total tower height, as defined herein and no guy wire may extend closer than thirty (30) feet from any property line. No part of the wind generator shall extend over, or across, any part of a public right-of-way.
- E. Noise Standard, Shadow Flicker and Signal Interference:
1. Any noise produced by a WPG, permitted under this Section, shall be less than sixty (60) db as measured from the closest neighboring occupied building; and it is incumbent upon the applicant to demonstrate compliance prior to the issuance of any permits by the Board of Adjustment.
  2. The facility owner and operator shall make reasonable efforts to minimize shadow flicker to any occupied building not on the property upon which the WPG is located.
  3. The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the wind powered generators.
- F. Fencing Requirement and Warnings. All WPG installations, other than single-pole towers, shall be enclosed by a fence with locking gate, or incorporate other effective measures to discourage

unauthorized climbing of the tower. Towers shall not be climbable up to fifteen (15) feet above ground surface. A visible warning sign concerning voltage must be placed at the base of all towers. Reflective and brightly colored tubing shall be placed on guy wires up to a height of ten (10) feet from the ground.

- G. Control and Brakes. All wind powered generators shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- H. Liability insurance: Construction Phase. There shall be maintained a current general liability policy covering bodily injury and property damage with limits of at least one million dollars (\$1,000,000.00) per occurrence and one million dollars (\$1,000,000.00) in the aggregate. Certificates of insurance shall be filed with the City of Livingston who will also be named as an additional insured.
- I. Aesthetics. WPG colors shall be of neutral subdued tones such as each tones or green or brown. Gray, including darkening galvanized gray, is also acceptable. If constructed on top of structure and visible from the ground, the WPG colors shall be a shade of sky blue. WPG shall not be finished in bright or vivid colors intended to draw attention to the structure or property. WPG shall not be illuminated by artificial means, except where required by the Federal Aviation Administration, or other federal, state, or local law.
  - 1. All permitted WPG shall be placed in a reasonably available location that will minimize the visual impact on the surrounding area, and allow the facility to function in accordance with the standards established by this Section, and all other federal, state, and local law.
  - 2. Wind towers shall not display any advertising, except for reasonable identification of the manufacturer and facility owner/operator, not to exceed one (1) square foot in size.
- J. Building, Electrical, Other Permits. All WPG shall comply with all applicable building, electrical, mechanical, and other permits required and issued by the City of Livingston, the State of Montana and/or federal regulations. This is to include any approvals required from the Historic Preservation Commission, or other local entity.
- K. Technological Obsolescence. If an applicant can demonstrate, to the satisfaction of the Board of Adjustment, that improvements in WPG technology have made some parts of this Section, and requirements, obsolete or unnecessary, the Board of Adjustment may waive those requirements while still satisfying the original intent and application of this Section. Once every two (2) years, the City shall review existing WPG technology for comparison to this Section, to be sure technological improvements are addressed.
- L. Requirements for Removal. Any WPG that is abandoned, damaged, inoperable, or unused for power generation shall be removed within twelve (12) months of the cessation of operations, unless an extension is approved by the Board of Adjustment. If such an extension is not approved, such WPG shall be deemed a nuisance and require its removal at the property owner's expense. After the WPG removal, the owner of the site shall restore the site to its original, or an improved, condition.
- M. Application of Nuisance Law. If, after a Special Exception permit is issued, by the Board of Adjustment for a WPG, and the same WPG fails to comply with any part of this Section, it may deemed a nuisance and all applicable nuisance laws and regulations may be utilized for mitigation.

(Ord. No. 2002, § 1, 8/4/08)

**Editor's note**— Ord. No. 2002, § 1, adopted Aug. 4, 2008, amended Ch. 30 with the addition of a new, unnumbered section. Said section has been numbered § 30.61 at the discretion of the editor.

Article VI. - Non-conforming Lots, Uses and Structures

Sec. 30.62. - Intent.

Within the districts established by this chapter or amendments that may later be adopted there exists:

- A. Lots,
- B. Structures, and
- C. Uses of land and structures which were lawful before this chapter was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendment. It is the intent of this chapter to permit these non-conformities to continue until they are removed, but not to encourage their survival. Further, the intent of this chapter is that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction or preparatory excavation or demolition was lawfully begun prior to the effective date of adoption or amendment of this chapter.

It is the specific intention of this ordinance to bring nonconforming signs into compliance with the terms of this ordinance within five (5) years after the adoption of this ordinance, and to bring non-conforming home occupations into compliance with the terms of this ordinance within one (1) year after the adoption of this ordinance, and therefore the terms of this section shall not apply in those instances.

Sec. 30.63. - Non-conforming lots of record.

In any district the authorized uses may be continued on any single lot of record at the effective date of adoption or amendment of this ordinance, even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district and provided that yard-lot dimensions for the district can be met. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. Variance of yard-lot requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combination of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if any of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this ordinance.

Sec. 30.64. - Non-conforming uses of land and structure.

Where, at the time of passage of this ordinance a lawful use of land or a structure exists which would not be permitted by the regulations imposed by this ordinance, the use may be continued where it remains otherwise lawful, provided:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land or structure than was occupied at the effective date of adoption or amendment of this ordinance.
2. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this ordinance.
3. If any such non-conforming use ceases for any reason for a period of more than one (1) year, any subsequent use of such land or structure shall conform to the regulations specified by this chapter for the district in which such land is located. If a building used for commercial purposes is not open to the public for a period of one (1) year, its use shall subsequently conform to the regulations of this chapter. This subsection shall not apply to structures which come into the possession of financial institutions or other lien holders to include the Veterans Administration, Federal Housing Administration, and Farmer's Home Administration through the process of foreclosure or default.
4. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such non-conforming use of land or structure.



5. One (1) non-conforming use may not be converted to another non-conforming use.

(Ord. 1763, 4/4/94)

Sec. 30.65. - Non-conforming structures.

Where a lawful structure exists at the effective date of adoption or amendment of the ordinance codified in this chapter that could not be built under the terms of this chapter by reason of restrictions on area, lot coverage, height, yard setbacks, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
2. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more than seventy (70) percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.

Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Sec. 30.66. - Exemption for non-conforming residential structures.

The reconstruction of existing non-conforming residential dwelling units is allowed, in compliance with applicable fire and building codes, including expansion of up to twenty (20) percent of the existing dwelling unit, as long as the number of dwelling units on the parcel is not increased.

Further, it is the intent of this section to allow non-conforming residential dwelling units to be reconstructed even though the lot or parcel on which they exist fails to meet the size requirements for that zone type. The lot dimension and setback requirements for the district in which the piece of land is located may be reduced by the smallest amount that will permit reconstruction or the allowed twenty (20) percent expansion. Such reduction shall be determined by the Board of Adjustment.

(Ord. 1782, 9/6/94; Ord. 1814, 9/18/95)

**SECTION 2**

**Effective date:**

This ordinance will become effective 30 days after the second reading and final adoption.

**PASSED** by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the 1st day of December, 2020.

\_\_\_\_\_  
**DOREL HOGLUND – Chair**

**ATTEST:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\*\*\*\*\*

**PASSED ADOPTED, AND APPROVED** by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the 5th day of January, 2021.

\_\_\_\_\_  
**DOREL HOGLUND – Chair**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\_\_\_\_\_  
**COURTNEY JO LAWELLIN**  
**City Attorney**

**LEGAL**  
**NOTICE OF PUBLIC HEARING**

A public hearing before the Livingston City Commission will be held at 5:30 p.m. on Tuesday, January 5, 2021 virtually via Zoom (details below).

**Setbacks Zoning Text Amendment:** The Purpose of this hearing is to receive public comment regarding the 2<sup>nd</sup> reading of a Zone Text Amendment from the provisions of Chapter 30 of the Livingston Municipal Code. The proposed amendment is to define and clarify the required zoning setbacks for structures within the City of Livingston. The proposed Amendments were heard at the December 1, 2020, City of Livingston City Commission public meeting. The City Commission voted unanimously (5:0) to approve the first reading of the proposed amendments.

For further information, please contact the City Planning Office at (406)222-4903 or [planning@livingstonmontana.org](mailto:planning@livingstonmontana.org).

To attend via Zoom please use the link or call the phone number below, the passcode listed will be required to join the meeting:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82108911861?pwd=WXpLQ1pLV2lVblpyZTdia3cya2djQT09>

Meeting ID: 821 0891 1861

Passcode: 391082

Call in: (669) 900-6833

Mathieu Menard  
City Planner

**PLEASE PUBLISH ON MONDAY, DECEMBER 21, 2020**

**File Attachments for Item:**

**A. DISCUSS/APPROVE/DENY: ACCEPTING 2021 CITY COMMISSION MEETING SCHEDULE.**

# 2021

## Commissioners Meeting Calender

MUNICIPAL PRIMARY AND GENERAL ELECTION YEAR

January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	1	2	3	4	5	6		
3	4	5	6	7	8	9	7	8	9	10	11	12	13	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28							28	29	30	31			
31																				

April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3						1			1	2	3	4	5	
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30			
							30	31												

July							August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25
25	26	27	28	29	30	31	29	30	31					26	27	28	29	30		

October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6			1	2	3	4	
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
24	25	26	27	28	29	30	28	29	30	31				26	27	28	29	30	31	
31																				

- Holidays
- Regular Commission Meetings
- Commissioner Listening Session
- April 22 Municipal candidate filing opens – 8:00am MCA 13-10-201(7)
- June 21 Candidate filing closes 5:00 pm DEADLINE MCA 13-10-201 (7)
- September 14, Municipal Primary Election MCA 13-1-107 (2)
- November 2, Municipal General Election Day

**File Attachments for Item:**

**C. DISCUSS: CITY ATTORNEY'S NEWSLETTER AND STATE OF MONTANA MUNICIPAL RECORDS RETENTION SCHEDULE.**



# CITY ATTORNEY

Counsel for the City of Livingston, Montana

Ad hoc, sine qua non.

JANUARY 2021

For this purpose, essential,

## IT TAKES A TEAM EFFORT

There are dozens of people and organizations which provide resources and services that assist our law enforcement officers with the execution of their duties, both enforcement and community caretaker duties. We want you to visualize the fluid, engaged, multiplicity of resources that are tapped and tasked to manage all but the truly unmanageable. Included is a resource and intervention flow chart that shows how many of those resources are utilized, with some standards that apply.

Secondarily, we have a statutory obligation to manage and analyze our government records, inventory records, review and establish records retention schedules and train employees on an ongoing basis for records management. §2-6-1103 MCA. See attached retention schedule. Before we resolve to adopt the Secretary of State’s guidelines formally, I would ask you to consider how we are going to manage these records.

## WE CANNOT LOSE OUR SENSE OF HUMOR



Covid-19 has created different hurdles for everyone, and the judicial system has certainly felt its impact. We recently learned that of the three local courts, only City Court has had criminal trials since CoVid. While this virus has certainly interrupted life and its routine for many, it has also provided some much needed humor during court efforts to conduct necessary trials in a safer, socially distanced kind of way. Because the Municipal Court is a small room and would not allow for social distancing, the court moved its formal proceedings to the Community Room. To preface this story, it’s important to remember that this room is used for public meetings, and to allow for more citizens to attend these public meetings, while adhering to social distancing standards, speakers in the hallways were activated. The speakers would help create an even larger space for maintaining social distancing while also allowing for hallway attendees to still engage. Now back to the story. It’s trial time on a case involving a defendant “exercising his first amendment right “ to create a disturbance in the Court House. The jury (venire) arrives prior to trial, seated and social distanced. It is imperative that jurors who might have biases be allowed to express them without affecting the neutrality of other jurors, so individually they come to the judge. This is usually done “in chambers” outside the presence of other jurors. But, we need the space of the community room to accommodate CoVid restrictions. As the venire gathered in the basement foyer, the defendant confronted the Judge about “his rights” in a loud voice, then, one by one, the court called 4 who believed they had conflicts into the “courtroom”, dismissing those with conflicts. After hearing from two of four jurors, the Court was notified by the 3rd juror that, “...the speakers are on in the hallway and the other jurors can hear everything that is being said..”. Social distancing was a win, but the jury was improperly influenced and the defendant got a second trial, this time, with the speakers double checked to be in the off position. Ultimately, justice was served and a verdict was rendered.



## Protect and Serve, Collaborating WITH LIVINGSTON POLICE DEPARTMENT

Law Enforcement’s job has never been easy, but this past year as officers serve within their communities, LPD administration managed resources and reviewed policies working to look for improvements that can be made to better the relationship between community and law enforcement. Issues such as “extraordinary discovery” that requires *in camera* review by the judge, balancing the value of due process rights with CoVid delay, as well as managing trials and hearings, are just some examples of the collaboration between LPD and the City Attorney to ensure the community is served judiciously.



## LEGAL HUMOR CORNER

“Love the self-deprecating humor. It’s refreshing to laugh at you to your face instead of behind your back.”

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Schedule No. 8

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Montana Local Government  
Records Committee

# Municipal Records Schedules

Prepared and Published by the  
Montana Local Government Records Committee

LAST REVISED –May 2019



### Local Government Records Management

Per the duties and responsibilities set forth in 2-6-1202 MCA, the [Local Government Records Committee](#) (LGRC), has approved this records retention schedule to assist you in managing your records. If you have questions or comments about the schedule, procedures or want to request a change to the retention schedule, please contact us:

**Local Government Records Committee**

Local Government Services Bureau

P.O. Box 200547

Helena MT 59620-0547

[SOSLocalGovtRecCom@mt.gov](mailto:SOSLocalGovtRecCom@mt.gov)

### About retention periods

Retention periods assigned to records are minimums. Local governments are not required to destroy or otherwise dispose of records at the end of the minimum time frame outlined in a retention schedule. If a retention period in a record schedule refers to a fiscal year, the records retention clock begins the month the local government receives the final fiscal year audit report relating to those records.

### Disposition & Destruction of Public Records

By state law (7-5-4124 MCA) All requests to dispose municipal records must be approved by the governing body. Cities and towns may dispose of records that have met their retention requirements provided they are:

- not subject to a legal or regulatory hold
- the disposal is carried out in accordance with federal/state/local laws and a retention schedule approved by the LGRC (2-6-1202 MCA,) and/or
- a court order

Cities and towns should follow best practices and document the disposal of their public records. There are two different legal procedures that must be followed before disposing public records. The first relates to records under ten years old and records that contain confidential information. The second process relates to public records that are over ten years old. State law (2-6-1205 MCA) requires that non-confidential records must first be offered on a central registry in case entities like the Montana Historical Society-State Archives, colleges/universities, historical museums, genealogy societies, and the general public want to claim them. Follow the priority order listed in the statute if you get multiple requests for the records.

Retention schedule says: *(Disposal form RM88\*)*

Applicable to: Records **under** ten years old and to records **that contain** confidential information

1. Complete Form RM 88\* listing each record series to be disposed.
2. Present the form to your governing body for approval.
3. Dispose the records, sign and date the bottom of Form RM 88\* and note the means by which the records have been disposed. Retain the completed Form RM88\* for 30 years.

Retention schedule says: *(Disposal form RM60\*)*

Applicable to: Records **over** ten years old that **do not contain** confidential information.

1. Completed Form 60 listing each record series to be disposed.
2. Present the form to your governing body for approval.
3. Email the form to the LGRC at [SOSLocalGovtRecCom@mt.gov](mailto:SOSLocalGovtRecCom@mt.gov).
4. The LGRC will review and route the form for approval by:
  - a. Local Government Services Bureau
  - b. Montana Historical Society
  - c. Local Government representative
5. The form is forwarded to the Secretary of State's Records and Information Management (RIM) division to post on the [local government records listserv](#). They note the date the records were placed on Form RM60 for the 60-day notice period required by 2-6-1205.
6. Form RM60 will be returned to you, and you can dispose of the records 60 days after the date listed by the State RIM Division on the form if the records haven't been claimed.
7. Dispose the records, sign and date the bottom of Form RM60 and note the means by which the records have been disposed. Retain the completed Form RM60 for 30 years.

### Confidential records

The local government unit bears responsibility to determine if records are confidential and should note which records are confidential on each request for disposal. If you have questions, please see the Montana Constitution,

Schedule 8 Municipal Retention Schedule  
Article II, [Section 9](#) and [Section 10](#), Title II statutes at [2-17-553, MCA](#), and consult legal counsel.

**Legal and regulatory records holds**

Local government units should not dispose of records subject to litigation, a legal proceeding, an audit and/or a formal investigation, even if the records have met their retention requirements.

**Electronic records and recordkeeping systems**

The Local Government Records Committee has adopted the Association of Records Managers & Administrators (ARMA) International's Generally Accepted Recordkeeping Principles® for local governments using electronic systems to store long-term records, ©2014 ARMA International, [www.arma.org](http://www.arma.org). Local governments should use them as the framework to design, implement, operate, and decommission the systems and to manage the records and data within the systems. Planning should include preservation considerations to ensure records are trustworthy, complete, accessible, and durable over time. Best practices for electronic records preservation include the creation and routine maintenance of a preservation plan. Samples and guidance can be requested from LGRC. If you digitize your paper or microfilm records, the LGRC recommends that your city/town take official action through an official adopted policy or resolution declaring your electronic records as the official records. Use the procedures above under “Disposition & Destruction of Public Records” to document the disposal of the paper or microfilm.

**Microfilm/Microfiche**

If a local government unit uses archival-quality microfilm or microfiche, as the official storage medium, the unit should carefully review the microfilm before disposing the original paper records to ensure readability. Microfilm or microfiche may be considered as a long-term or permanent, low-cost, storage medium for public records, provided that the filming process, development, and storage of the film master meets certain national standards. To verify whether your film meets these standards, contact the Secretary of State Records and Information Management Division by email or by phone at (406) 444-9000. If you microfilm your paper records, the LGRC recommends that your city/town take official action declaring your microfilm records as the official records. Procedures above under “Disposition & Destruction of Public Records” should be used to document the disposal of the paper records.

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<b>Administration/City Manager</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ADVISORY BOARDS AND COMMISSIONS: APPLICATIONS Applications/requests to serves as an advisory board or commission member, letters of appointment, and letters of thanks.</p>	<p>Retain length of term + 1 year; destroy (Disposal form RM88*)</p>	<p>Consider creating a master list of all appointments for historical reference.</p>
<p>2 CORRESPONDENCE</p> <p>a Permanent Program and Policy Correspondence Incoming and outgoing letters, memoranda, and e-mail pertaining to the formulation, planning, and implementation of the mission, policies, programs, operations, and projects are prime candidates for permanent retention. Records with permanent value include, but are not limited to: records documenting municipal policy; records documenting the policy process; records that document how the municipality is organized and how it functions; its pattern of action and decision-making; its policies, procedures, and achievements; and that serve to substantiate accountability.</p> <p>b Non-Permanent Correspondence: Routine Incoming and outgoing letters, memoranda, and e-mail pertaining to the normal and routine administrative functions. Consists of correspondence providing general information and requests for information, referring inquiries elsewhere, forwarding materials, acknowledging incoming letters, making arrangement for routine meetings or other events, and similar matters of minor administrative character which contain no substantive information.</p> <p><i>Continued on next page.</i></p>	<p>a Permanent</p> <p>b Retain 3 years; destroy (Disposal form RM88*)</p>	<p>Recommend keep-ing the most recent 3 years in the office; after that may be transferred to a permanent storage facility.</p>

<b>Administration/City Manager</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>2 CORRESPONDENCE (cont.)</p> <p>c Non-Permanent Correspondence: Transitory Incoming and outgoing letters, memoranda, and e-mail that, while part of municipal business, are purely informational with a very short time-value. Examples include routine correspondence for which a record is needed only for a limited time, such as incoming or outgoing transmittal/cover messages that do not add information to that contained in the smitted material (“enclosed please find...”); routine questions and answers that require no administrative action, no policy decision, and no special compilation or research for reply (“out address is...,” “the deadline is...,” “please send 10 copies of...”); thank-yous, acknowledgments, congratulations; information copies of correspondence on which no documented administrative action was taken.</p> <p>d Non-Record Correspondence: Destroy at Will The following materials are not records and may be destroyed/deleted at any time, unless they become part of some official record as a result of special circumstances: correspond- ence and memoranda generated by another entity and kept by your office for reference purposes; unofficial employee activities (parties, softball games, etc.); internal office announcements (“Ms. Jones is here to see you,” “Joe Smith called,” “is this afternoon’s meeting still on?”) quasi-official notices (Notices of holidays, charity appeals, etc.); junk mail; listserv messages, other than those you post in your official capacity.</p>	<p>c Retain for at least 30 days, then destroy if no longer needed for administrative purposes. <i>(Disposal form RM88*)</i></p> <p>d Destroy/delete at will. <i>(Disposal form RM88*)</i></p>	
<p>3 GENERAL ADMINISTRATIVE FILES</p> <p>Memoranda, letters from other governments, copies of Commission/Council action memo-randa, and commendations. “Record” copy is in the Municipal Clerk’s Office.</p> <p>a Commission/Council Action Support Materials</p> <p>b Correspondence, Memoranda, Related Materials</p>	<p>a Permanent</p> <p>b Retain 5 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p>4 LEGISLATIVE FILES</p> <p>Records documenting interest in state legislation/issues.</p> <p>a Copies of Proposed State Legislation</p> <p>b Correspondence</p> <p>Correspondence with state legislators, other governmental units, lobbyists, and organizations; responses to proposed legislation; and staff comments.</p>	<p>a Retain until the legislature takes action and a bill becomes law; then destroy <i>(Disposal form RM88*)</i></p> <p>b Retain 5 years; destroy. <i>(Disposal form RM88*)</i></p>	

<b>Administration/City Manager</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>5 PROCLAMATIONS "Record" copy is in the Municipal Clerk's Office.</p>	<p>Retain the "record" copy for 2 years after the end of the mayor's term; destroy. (Disposal form RM88*). SEE COMMENTS</p>	<p>Some proclamations may have historical value and should be retained permanently.</p>
<p>6 SUBJECT FILES Files arranged by subject, relating to projects, administrations, and procedures. "Record" copy is in the Municipal Clerk's office.</p> <p>a. Organizational and Project Files May contain administrative directives, policy studies and reports, formal memoranda, reports of special advisory committees and task forces, and similar records documenting the formulation and implementation of projects, policies, programs, and operations of departments.</p> <p>b. Housekeeping Files Administrative announcements, routine correspondence, statements, reports, and other records pertaining to office procedures.</p>	<p>a "Record" copy is permanent.</p> <p>b Retain 5 years or until superseded; destroy (Disposal form RM88*)</p>	

<b>Animal Control Department Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CASH RECEIPTS Cash register receipts and cash receipt summaries for financial transactions at the shelter. Receipts cover license sales, trap rentals, impound and boarding fees, euthanasia fees, and release fees.	Retain for 5 years after the end of the fiscal year to which the records relate; destroy. If the receipt constitutes a "contract," retain for the term of the contract + 8 years; destroy. ( <i>Disposal form RM88*</i> )	
2 DONATION AND FUNDRAISING RECORDS Shelter Donation Receipts Copies of checks, thank-you letters, and lists of donors for financial contributions to the shelter. b Fundraising Records	Retain "record" copy for 5 years after the end of the fiscal year to which the records relate; destroy. If the document constitutes a "contract," retain for the term of the contract + 8 years; destroy. Retain all other copies as needed for reference; destroy. ( <i>Disposal form RM88*</i> )	
3 TRAP RENTAL CONTRACTS Rental loan contracts signed by renter agreeing to notify shelter of any animal caught by trap and to use trap humanely.	Retain 8 years after the contract expires; destroy. ( <i>Disposal form RM88*</i> )	



<b>Animal Control Department Animal Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ADOPTION CONTRACTS Contracts signed by adopters outlining terms of adoption, spay/neuter requirements, and free veterinary exam.	Retain 8 years after the contract expires; destroy. (Disposal form RM88*)	
2 ANIMAL CONTROL BOARD FILES Minutes of meetings.	Permanent	
3 ANIMAL IMPOUND REPORTS Reports of all animals received by the shelter. Reports contain descriptions of the animal, source, pet profiles, shot records, releases, and final disposition.	Retain 3 years; destroy. (Disposal form RM88*)	
4 DEAD ANIMAL PICKUP RECEIPTS Receipts, invoices, and records documenting the collection of dead animals from veterinarians.	Retain for 5 years after the end of the fiscal year to which the records relate; destroy. If the receipt constitutes a "contract," retain for the term of the contract + 8 years; destroy. (Disposal form RM88*)	
5 EUTHANASIA RECORDS Reports documenting drug usage for humane animal euthanasia. Lists the bottle number and amount, and identifying characteristics of the animal.	Retain 4 years; destroy. (Disposal form RM88*)	
6 INCIDENT RECORDS a Cruelty to Animals b First Incident Records relating to the first reported incident of a potentially-dangerous animal.	Retain 5 years after the last activity; destroy. (Disposal form RM88*) Retain for the life of the animal, if known, or 15 years; destroy. (Disposal form RM60*)	45-8-211, MCA
7 LICENSES AND PERMITS Annual report of all dog and cat licenses issued during the year. Report provides owner's name and pet vaccination information.	Retain 3 years; destroy. (Disposal form RM88*)	
8 LOST AND FOUND CARDS Cards completed by pet owners to help match lost pets with animals in the shelter. Cards include the owner's name and address, and a description of the pet.	Retain 1 year; destroy (Disposal form RM88*)	

<b>Animal Control Department Animal Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>9 MONTANA STATE RABIES SUBMISSION NOTIFICATION RECORDS Copy of officer's activity report of animal biting incidents and letter of notification from the State of Montana indicating results of rabies testing of the animal involved in the incident. Also includes any notification to the bite victim.</p>	<p>Retain 6 years after notification; destroy. (Disposal form RM88*)</p>	
<p>10 OFFICER ACTIVITY RECORDS Reports documenting daily activities of animal control officers. Files include original complaints, investigations, disposition of complaints, animal license numbers, citations issued, photographs, police and medical reports, and a record of the amount of time spent working on the case.</p>	<p>Retain 2 years; destroy. (Disposal form RM88*)</p>	
<p>11 QUARANTINE RECORDS Forms with quarantine instructions, signed by pet owners, acknowledging receipt after the sighting of a rabid animal or report of biting by unvaccinated animal.</p>	<p>Retain 1 year after quarantine is lifted; destroy. (Disposal form RM88*)</p>	50-23-103, MCA

<b>Building Department</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>ABATEMENT RECORDS</b>  <i>Also called: Demolition Notice and Inspection Records.</i>                      Legal notices to property owners, photographs, Dangerous Building Code Investigations, Requests for Recovery of Costs of Demolition of Dangerous Buildings, copies of minutes authorizing demolition of buildings, correspondence and memoranda documenting the inspection of buildings unfit for occupancy to determine whether to secure or demolish and notification to property owners regarding the same.</p> <p>a Commission/Council Action                      1 Municipal Clerk                      2 All other copies</p> <p>b Related documents including correspondence, legal notices, photographs and other documents.                      1 Municipal Clerk                      2 All other copies</p>	<p>a Commission/Council Action                      Permanent.                      Retain 5 years after demolition; destroy.  <i>(Disposal form RM88*)</i></p> <p>b Related documents including correspondence, legal notices, photographs and other documents.                      Permanent.                      Retain 5 years after demolition; destroy.  <i>(Disposal form RM88*)</i></p>	
<p><b>BUILDING PERMITS: APPLICATIONS AND PERMITS</b>                      Applications for and permits granted for building new or temporary structures, altering or demolishing existing structures, house moving, and mobile home park establishment. Records may include permits, permit applications, zoning compliance applications and permits, blueline drawings, site plan checklists, plan review checklists, waivers of protest, performance bonds, certificates of occupancy, receipts, project specifications, site plan review comments, calculation worksheets, inspection reports, correction notices, staff memoranda, and correspondence.</p> <p>a Applications: City-owned Buildings                      Applications, background documentation..</p> <p>b Applications: Not City-owned Buildings,                      Applications, background documentation.</p> <p>c Permits: Granted</p> <p>d Permits: Denied</p>	<p>a Permanent</p> <p>b Permanent</p> <p>c Permanent</p> <p>d Permanent</p>	<p>a-c Maybe transferred to an archives or local historical society for preservation and better public access.</p>
<p><b>3 BUILDING PERMITS: FEE RECEIPTS</b>                      Receipts for payment of permit fee.</p>	<p>Retain 5 years after audit; destroy.  <i>(Disposal form RM88*)</i></p>	
<p><b>4 BUILDING, MECHANICAL, ELECTRICAL, PLUMBING, AND LOW VOLTAGE PERMITS: LEDGERS</b>                      Master ledgers, journals and/or lists of building, mechanical, electric, plumbing, and low voltage permits issued.</p>	<p>Permanent</p>	<p>This record series could be a good candidate for PDF/A, COM or microfilm</p>

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>Building Department</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>5 BUILDING PERMITS: LOGS</b></p> <p>a Applications StatusRecords indicating the status of applications for permits; may include date received, legal description, owner, address, and status of permit.</p> <p>b Log Sheets Checklist sheets pertaining to applications for building permits which have been completed. Logs provide date the application was received, legal description, owner, and address.</p>	<p>a Retain 1 year after the permit is granted or denied; destroy. (Disposal form RM88*)</p> <p>b Retain 1 year after the permit is granted or denied; destroy. (Disposal form RM88*)</p>	
<p><b>6 BUILDING PERMITS: SITE PLANS</b></p> <p>Copies of site plans for current building projects used for reference and review until projects are completed.</p>	Permanent	
<p><b>7 BUILDING PLANS</b></p> <p>a Government or Public Buildings Including public schools or colleges, federal or state-owned buildings, parking facilities, and city hall building or remodeling projects.</p> <p>b Large Commercial Buildings Including hospitals, large office buildings, hotels, large retail stores, churches, malls, and significant historic buildings.</p> <p>c Smaller Commercial Buildings Including small businesses, single-owner or small retail stores, restaurants.</p> <p>d Residential Structures</p>	<p>Permanent</p> <p>Retain for life of structure; destroy. (Disposal form RM88*)</p> <p>Retain 1 year after file is closed; destroy. (Disposal form RM88*)</p> <p>Retain 1 year after file is closed; destroy. (Disposal form RM88*)</p>	NOTE: This record series may be transferred to an archives or local historical society for preservation and better public access. Cities/towns are encouraged to preserve in accordance with ARM 44-14-202 that will be retained long term or permanently..
<p><b>8 BUILDING REPORTS</b></p> <p>a Annual Reports</p> <p>b Monthly Reports</p>	<p>a Permanent</p> <p>b Retain until annual report is compiled; destroy. (Disposal form RM88*)</p>	
<p><b>9 MECHANICAL, ELECTRICAL, PLUMBING AND LOW VOLTAGE PERMITS</b></p> <p>Applications for and permits granted for mechanical, electrical and plumbing permits. Records may include permits. Record series may include applications, drawings, checklists, receipts, project specifications, inspection reports, correction notices, staff memoranda, and correspondence.</p> <p>a. Completed permits</p> <p>b. Expired permits</p>	<p>a. 15 years after the permit is finalized. (Disposal form RM60*)</p> <p>b. 6 months after application is filed. (Disposal form RM88*)</p>	27-2-208 MCA

<b>Building Department</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>10 VARIANCES                      Records documenting requests by citizens for variances from setback, side-yard, lot coverage, and sign provisions. The original application ("record" copy) must be forwarded to the Municipal Clerk's Office.</p> <p>a Original application                      1 Municipal Clerk                      2 All other copies</p> <p>b All other records</p>	<p>a Original application                      1 Permanent.                      Retain 10 years after issuance of variance; destroy.  <i>(Disposal form RM88*)</i></p> <p>b Retain 10 years after issuance of variance; destroy.  <i>(Disposal form RM88*)</i></p>	

<b>Cemetery Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CONTRACTS FOR PLOT PURCHASE BY INSTALLMENT Series contains contracts relating to the purchase of cemetery plots by installment.	Retain for the term of the contract + 8 years; destroy. (Disposal form RM88*)	
2 DISINTERMENT PERMITS The "record" copy is located either in a county office and/or in a state agency.	Cemetery's copy is retained permanently.	May be transferred to an archives
3 GRAVE BUY-BACK RECORDS Series documents the buy-back of cemetery plots by the municipal cemetery from original plot owners. Includes deed books or copies of deeds of plot ownership, including comparable records relating to deed transfers.	Permanent	May be transferred to an archives
4 INTERMENT RECORDS a Books, Ledgers, and Databases Containing interment information for individuals, such as name of the deceased, plot purchase documentation, date of interment, and section and plot location. b Interment Sheets Completed work orders detailing location, type of interment, name of deceased, and other information necessary to complete interment.	a Permanent b Permanent	7-35-4109, MCA This is a vital record; may be transferred to an archives. b May be transferred to an archives.
5 PERMISSION FOR GRAVE USE Letters of permission from plot owners granting use of the plot to a particular individual.	Permanent	May be transferred to an archives.
6 PLOT AND SECTION LISTS a Listings of Grave Sites Listings of all grave sites in the cemetery with section and plot information. b Listings of Lots Listings of lots which have been sold but are not currently being used.	Permanent Permanent	May be transferred to an archives. Revise as necessary; may be transferred to an archives.
7 SECTION MAPS Maps, each showing a particular section of the cemetery.	Permanent	May be transferred to an archives.

**City Court Records**

***See Courts of Limited Jurisdiction Records Retention Schedule #10***

<b>Clerk's Office Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 AFFIDAVITS OF MAILING Affidavits and mailing lists certifying that certain material was distributed to a particular group of citizens.	File with related project file and dispose of accordingly.	
2 LEGAL NOTICES Legal notices include notices of public hearings, invitations to bid, requests for proposal, and affidavits of publication. Contains notarized certificates and newspaper clippings attesting to the publication of legal notices.	Publication of Ordinances: Permanent. All Other Legal Notices: File with related project files and dispose of accordingly.	
3 OATHS OF OFFICE Oaths of office of elected and appointed officials.	Permanent	
4 PETITIONS From Citizens Petitions from citizens to the Commission/Council that are not part of supporting documentation in a matter of litigation, or the passage of ordinances and resolutions. Relating to Ordinances Zoning	Retain 5 years after the subject of the petition has been decided; destroy. (Disposal form RM88*) Retain 25 years after the ordinance is passed; destroy. (Disposal form RM60*) Retain 10 years after the subject of the petition has been decided; destroy. (Disposal form RM88*)	
5 PROMISSORY NOTES Signed notes agreeing to the repayment of money borrowed from or by the city. a Industrial Revenue Notes Promissory notes pertaining to industrial revenue, tax increment, and Community Development Block Grant (CDBG) loans. b All Other Notes	a Permanent  b Retain 3 years after repayment of the loan; destroy. (Disposal form RM88*)	This is a vital record until the loan is paid
RECORDS RETENTION AND DISPOSITION SCHEDULES Records retention and disposition schedules of the city.	Permanent (1 copy of the original, plus 1 copy of each revision)	
7 SURVEYS OF CITIZENS Periodic surveys conducted to gather information from city/town residents about municipal services. a Results b Survey forms/responses	a Permanent b Dispose on the results are tallied. (Disposal form RM88*)	



<b>Clerk's Office Agreements</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 <b>FRANCHISE AGREEMENTS</b> Agreements with private utility companies, including electric, gas, and cable television.	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active.
2 <b>GRANT AGREEMENTS</b> Agreements for grant monies from federal agencies. This series may include Airport Improvement Projects (AIP) and Community Development Block Grant (CDBG) agreements.	Retain 3 years after the close-out of funds; destroy; If any litigation, claim, negotiation, audit, or other action has started before the expiration of the 3-year period after close-out, however, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the 3-year period, whichever is later. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active. 24 CFR 570.490 Part 92.508 Sec. (c)(1)-(2) [HUD citation]; 49 CFR 18.42 and 7 CFR 3016.42 [Transit citation]
3 <b>INTERGOVERNMENTAL AGREEMENTS</b> Agreements with other government agencies, such as signal light maintenance, street and traffic control maintenance, state route maintenance, construction, railroad grade crossing signal agreements, landfill use, or agreements or contracts with other government agencies for services and mutual aid.	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active.
<b>PUBLIC DEFENDER AGREEMENTS</b>	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active.
5 <b>SERVICE AGENCY AGREEMENTS</b> Agreements with service agencies for services such as cleaning, snow removal, and litter pickup.	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active.
6 <b>SISTER CITY AGREEMENTS</b> Agreements with other cities/towns to exchange cultural and economic resources and ideas.	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	
7 <b>UNION CONTRACTS</b> Labor contracts negotiated with police, fire, and teamsters unions.	Retain 8 years after expiration, termination, or cancellation of the agreement; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the agreement is active.

<b>Clerk's Office Boards, Commissions, Task Forces Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 AD HOC COMMITTEE/TASK FORCE RECORDS Minutes and reports of ad hoc special committees and task forces.	Permanent	2-3-212, MCA
2 ADVISORY BOARD/COMMISSION RECORDS Commission/Council memoranda recommending persons for appointment to boards and commissions.	Retain length of term + 1 year; destroy. (Disposal form RM88*)	NOTE: Consider creating a master list of all appointments for historical reference.
3 BOARD/COMMISSION RECORDS Minutes, agendas, and reports of boards and commissions not affiliated with a department for which the Municipal Clerk is the office of record. May also include Commission/Council recommendations for appointments. a Minutes and Reports b Agenda and Affidavits of Publication c Appointment Recommendations	a Permanent. b Retain 2 years; destroy. (Disposal form RM88*) c Retain 5 years; destroy. (Disposal form RM88*)	
4 LOCAL GOVERNMENT REVIEW COMMISSION RECORDS Statutorily-created commission, authorized by the Montana State Constitution. May contain meeting agendas and minutes, affidavits of publication, interim findings, final and supplemental reports, and audiotapes of meetings. a Minutes and Reports b Agenda and Affidavits of Publication c Sound Recordings	a Permanent. b Retain 2 years after dissolution of commission; destroy. (Disposal form RM88*) c Retain until minutes are transcribed and approved; then may be destroyed or recorded over. (Disposal form RM88*)	NOTE: Municipalities must have the capability of producing copies of all records, including sound and video tapes, if that is the record medium chosen for the "record" copy 7-1-4141, MCA.

<b>Clerk's Office Charter Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 City Charter and Amendments	Permanent	This is a vital record.
2 City Code a Codified City Ordinances b Supplements Most current version of the ordinances	a Permanent b Retain until superseded; destroy ( <i>Disposal form RM88*</i> )	
3 City Ordinances and Index Original, unsupplemented city ordinances and index to same.	Permanent	

Schedule 8 Municipal Retention Schedule

<b>Clerk's Office Commission/Council Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 COMMISSION/COUNCIL MEETINGS: AGENDAS</b>                      Agendas and notices for meetings of the Commission/ Council and advisory boards.                      a Meeting Agendas                      Agendas for regularly scheduled meetings.                      b Marked Meeting Agendas                      Agendas marked with summary actions; used for reference purposes.</p>	<p>Retain 2 years; destroy. (<i>Disposal form RM88*</i>)                       Retain 10 years; destroy. (<i>Disposal form RM88*</i>)</p>	<p>2-3-212, MCA</p>
<p><b>COMMISSION/COUNCIL MEETINGS: MINUTES</b>                      Written minutes of Commission/Council meetings and Commission/Council committee meetings.</p>	<p>Permanent</p>	<p>2-3-212, MCA                      This is a vital record.</p>
<p><b>3 COMMISSION/COUNCIL MEETINGS: PACKETS</b>                      Material assembled and distributed to Commission/Council members containing documents pertaining to a Commission/Council meeting, as well as informational/background materials.</p>	<p>Retain 25 years; destroy. (<i>Disposal form RM60*</i>)</p>	
<p><b>4 COMMISSION/COUNCIL MEETINGS: SOUND RECORDINGS AND/OR VIDEO RECORDINGS</b>                      Sound recordings and videotape recordings of Commission/Council meetings or Commission/Council committee meetings; meetings of municipal boards, commissions, and advisory bodies; or speeches by municipal officials.                      Proceedings of Meetings                      Speeches and Any Other Recordings</p>	<p>Retain 1 year after written minutes are completed and approved or the proceedings are completely transcribed, whichever is appropriate. (<i>Disposal form RM88*</i>)                      Retain as long as administratively valuable. (<i>Disposal form RM88*</i>)</p>	<p>NOTE: Municipalities must have the capability of producing copies of all records, including sound and video tapes, if that is the record medium chosen for the "record" copy 7-1-4141, MCA</p>
<p><b>REPORTS AND STUDIES: ADMINISTRATIVE</b>                      Reports and studies outlining issues to be covered during each Commission/Council meeting.</p>	<p>Retain 25 years; destroy. (<i>Disposal form RM60*</i>)</p>	
<p><b>6 REPORTS AND STUDIES: COMMISSIONED</b>                      Record copy of reports and studies commissioned by the municipality and funded with public monies, pertaining to public facilities, operations, and services.</p>	<p>Permanent (one copy).</p>	

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<b>Clerk's Office Commission/Council Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
7 REPORTS AND STUDIES: MASTER/COMPREHENSIVE PLANS Master plans and comprehensive plans developed by departments.	Permanent	
8 VARIANCES Applications for variances from code provisions. May contain original applications, both granted and denied, reports, maps and plans, staff memoranda, and variance analysis. a Application Packet and Action Memoranda b Photographs, Drawings, Background Information	a Retain the "record" copy permanently; retain departmental copy 10 years after issuance of the variance; destroy. ( <i>Disposal form RM88*</i> ) b Retain 10 years after issuance of the variance; destroy. ( <i>Disposal form RM88*</i> )	

<b>Clerk's Office Election Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CERTIFIED ELECTION RESULTS Official record of returns in municipal elections including precinct breakdowns, for each candidate, issue, or proposition.	Permanent	
2 REDISTRICTING FILES OF WARDS Files documenting redistricting of city wards.	Retain 10 years. (Disposal form RM88*)	NOTE: Before disposing of files, review for continuing administrative and historical value. Documents pertaining to significant decisions and actions should be retained permanently.

<b>Clerk's Office Financial Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ANNUAL CITY AUDIT Record copy	Permanent (1 copy)	
2 ANNUAL CITY BUDGET Record copy	Permanent	Current budget is a vital record.
3 ANNUAL FINANCIAL REPORT "Record" copy of annual financial report sent to the Montana Department of Administration. Some cities/towns may use the CAFR (Comprehensive Annual Finance Report) to satisfy the requirements of the annual audit and the annual financial report.	Permanent	
4 BOND ADMINISTRATION FILE Documents relating to the financing of capital improvement projects, including closing documents, correspondence, legal opinions, and prospectuses.	Permanent	
5 CLAIMS Copies of memoranda pertaining to claims for payment, damages, or other redress presented to the Commission/Council.	"Record" copy: retain for 5 years after the end of the fiscal year to which the records relate; if the claim constitutes a contract, retain for the term of the contract plus 8 years; clerk's copy retain 1 year, destroy. <i>(Disposal form RM88*)</i>	
6 INDUSTRIAL DEVELOPMENT REVENUE BONDS Bond issues administered by a trustee for a private corporation. Files contain transcripts of bond sale proceedings, closing documents, and correspondence. Includes bond purchase agreement, indemnity letter, loan agreement, official statement, certification of action, corporate documents, deeds of trust, and financing statements.	Retain 2 years after the retirement of the issue as a whole; destroy. <i>(Disposal form RM88*)</i>	Records are vital during the issuance of the bond.

<b>Clerk's Office Financial Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>7 TAX INCREMENT REDEVELOPMENT PROJECTS</b>                      "Record" copy of start-up documents for redevelopment projects funded by tax increment monies.</p> <p>a Correspondence, staff memoranda, contracts, bid awards, legal notices, maps, agreements, proposals, project status reports, and other related documents.</p> <p>b Tax Increment Loans. Records documenting loans for small businesses funded by tax increment funds for capital improvement projects and rehabilitation and replacement projects. Contains deeds of trust, promissory notes, reconveyance, business plans, agreements, liens, insurance certificates, declarations, staff memoranda, contracts, specifications, and bankruptcy notices.</p>	<p>a Permanent</p> <p>b Permanent</p>	<p>Records are vital during term of the loan.</p>



<b>Clerk's Office Planning And Development Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ANNEXATIONS: ANNEXATION RECORDS Records of annexations of parcels of land into the municipality, including plats, studies, resolutions, correspondence, legal notices, staff memoranda, applications/petitions, title reports, ownership reports, consent letters, and protests.</p>	<p>Clerk's copy: Permanent</p> <p>Other copies: Retain 10 years, then transfer to the Municipal Clerk for Incorporation into permanent file. (Disposal form RM88*)</p>	<p>This is a vital record</p>
<p>2 ANNEXATIONS: WAIVERS Waivers granted.</p>	<p>Permanent</p>	<p>This is a vital record</p>
<p>3 PLANNED UNIT DEVELOPMENT (PUD) RECORDS "Record" copy of documentation regarding each Planned Unit Development project that has been completed.</p> <p>a Agreements, staff memoranda, correspondence, reports, studies, plats, site plans, conceptual plans, original petitions, easements, Commission/Council action memoranda, and description of the type, quantity, and time schedule of the development.</p> <p>b Copies of affidavits of publication, proposals, deeds, site analysis, and working materials regarding annual review of Planned Unit Development projects.</p>	<p>a Permanent</p> <p>b Copies of affidavits... Clerk's copy: Permanent. 2. Other copies: Retain 5 years; destroy. (Disposal form RM88*)</p>	
<p>4 SPECIAL REVIEWS Copies of application forms, maps, site plans, memoranda, minutes of the Zoning Commission, petitions, photographs, etc., submitted by members of the public at the Commission/Council meeting.</p>	<p>Clerk's copy: Permanent.</p> <p>Other copies: Retain 5 years; destroy. (Disposal form RM88*)</p>	
<p>5 SUBDIVISION RECORDS</p> <p>a Subdivision Improvement Agreements</p> <p>b Plats for Subdivisions</p>	<p>a Clerk's copy: Permanent. Other copies: Retain for life of the subdivision or as long as needed for reference, whichever is longer; destroy. (Disposal form RM88*)</p> <p>b Preliminary plat: Permanent. Final plat: Permanent.</p>	

<b>Clerk's Office Planning And Development Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>6 URBAN PLANNING AREA EXPANSIONS</p> <p>a Commission/Council Action Memoranda and Final Study</p> <p>b Copies of affidavits of publications, site analysis, agendas of planning and zoning meetings, and other materials regarding expansion of urban planning areas</p>	<p>a Clerk's copy: Permanent.</p> <p>b Retain 10 years or as needed for reference, whichever is sooner; destroy. <i>(Disposal form RM88*)</i></p>	
<p>7 URBAN PLANNING AND ZONING STUDIES</p> <p>Documentation of urban planning studies, zoning studies, corridor studies, and neighborhood plans.</p>	Permanent	
<p>8 ZONE CHANGES</p> <p>Records concerning areas annexed for specific uses. Contains documentation pertaining to zoning in the newly annexed area, with correspondence and final decisions. Also includes applications for zone changes on areas already in municipal boundaries, with supporting documentation.</p>	Permanent	

<b>Clerk's Office Policy And Procedure Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ADMINISTRATIVE ORDERS a Master Set b Copies of operating policies and procedures used for reference.	a Permanent  b Retain until superseded; destroy. <i>(Disposal form RM88*)</i>	This is a vital record.
2 OFFICE PROCEDURES FILES Documents internal office procedures.	Retain until superseded; destroy. <i>(Disposal form RM88*)</i>	

<b>Clerk's Office Procurement Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 <b>BID BONDS</b> Bonds filed at the time of the bid protecting the municipality in the event the bidder refuses to enter into a contract after award or withdraws before award.	Return to bidder after award of bid or contract and upon receiving payment and performance bonds or delivery of equipment. <i>(Disposal form RM88*)</i>	
2 <b>CONDOMINIUM OWNERSHIP AGREEMENTS</b> Agreements documenting ownership of a condominium filed for record in the city and the county.	Retain 5 years; destroy. <i>(Disposal form RM88*)</i>	
3 <b>CONTRACTOR BONDS</b> Surety bonds required of contractors applying for licenses and permits to perform various types of work. The types of work include electrical, excavation, demolition, relocation, landscaping, plumbing and heating, auctioneering, temporary use of sites, and roofing	Retain 4 years after bond expiration, termination, or cancellation; destroy. <i>(Disposal form RM88*)</i>	
4 <b>DEEDS</b> Warranty deeds, quit-claim deeds, deeds of bargain and sale, deeds transferring property and interests, partial and whole.	Permanent	This is a vital record.
5 <b>EASEMENTS AND ENCROACHMENT OF RIGHT-OF-WAY FILES</b> Documentation relating to the granting of access and right-of-way to and by the city.	Permanent	This is a vital record.
6 <b>LAND ACQUISITION RECORDS</b> Closing documents, deeds, certificates of title, trust indentures, insurance papers, maps, and similar records evidencing municipal ownership of real property.	Permanent	Records are vital as long as the city holds title to the land.
7 <b>LEASES</b> Leases and agreements pertaining to real property and equipment leased.	Retain 8 years after expiration or termination of the lease; destroy. <i>(Disposal form RM88*)</i>	

<b>Clerk's Office Procurement Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>8 SPECIAL IMPROVEMENT DISTRICT (SID) RECORDS</p> <p>Special Improvement Districts (SIDs) are groups of properties that become a legal entity in order to construct public improvements, such as street paving, curb and gutter, water main, sewer main, and storm drain, in a designated area. Improvement costs are borne by the property owners with the SID. The Municipal Clerk is the office of record for documentation pertaining to the creation of a SID. Files should contain petitions, resolutions of intent to create, staff memoranda, public hearing notices, ownership lists, the resolution creating the district, and other related documents.</p>	Permanent	Records are vital during the term of assessment.
<p>9 SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT (SILMD) RECORDS</p> <p>Special Improvement Lighting Maintenance Districts (SILMDs) are groups of properties that become a legal entity in order to install street lighting in a designated area. Improvement costs are borne by the property owners with the SILMD. The Municipal Clerk is the office of record for documentation pertaining to the creation of a SILMD. Files should contain petitions, resolutions of intent to create, staff memoranda, public hearing notices, ownership lists, the resolution creating the district, and other related documents.</p>	Permanent	Vital records during the term of assessment.
<p>10 VACATIONS OF LAND</p> <p>Records documenting vacations of municipal-owned land to private ownership. Records include requests to vacate, land appraisals, correspondence, staff memoranda, deeds, maps, petitions, plats, title reports, public hearing notices, and Commission/Council resolutions.</p>	Permanent	
<p>11 VEHICLE TITLES AND REGISTRATIONS</p> <p>Title papers and registrations for vehicles currently owned by the municipality</p>	"Record" copy retained as long as the vehicle remains in City ownership; (Disposal form RM88*)	Current records are a vital record.

<b>Clerk's Office Obsolete Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ABSTRACTS OF TITLE Title abstracts from local mortgage companies for various private property in the municipality and the county.	Permanent	May offer to local historical society, etc.
2 ANNUAL FINANCIAL STATEMENTS OF THE MUNICIPAL CLERK	Permanent	
3 CANDIDATE EXPENSE STATEMENTS	Retain 2 years after term of office expires; destroy. <i>(Disposal form RM88*)</i>	
4 TALLY SHEETS: BALLOT COPIES	Retain 60 days from the date of the election; destroy. <i>(Disposal form RM88*)</i>	
5 WARRANT LISTS Lists of obligations to the municipality to fund improvements.	Retain 5 years; destroy. <i>(Disposal form RM88*)</i>	

<b>Community Development/Housing Authority Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FILES Records document the administration of Community Development Block Grant Program funds received from the U.S. Department of Housing and Urban Development (HUD).</p> <p>a Start-up files Records contain start-up files for each year's administration of the program which include citizen complaints, budget amendments and other records documenting citizen participation, pre-planning activities, and general administration of the program.</p> <p>b CDBG Project Files Purchase orders for funds, request for payment, project progress reports, requests for reimbursement from grantee, copies of grantee receipts, memoranda, correspondence, block grant agreement, copies of grantee unemployment registration, and a summary sheet for each program. Records also contain CDBG drawdown and federal cash transaction reports.</p> <p>c CDBG Ledgers CDBG drawdown and federal cash transaction reports and accounting ledgers.</p>	<p>a Retain 3 years after closeout of the funds; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 3 years after closeout of the funds; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. <i>(Disposal form RM88*)</i></p> <p>c Retain 3 years after closeout of the funds; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. <i>(Disposal form RM88*)</i></p>	<p>Active project files are vital records.</p> <p>24 Code of Federal Regulations (CFR) Part 92.508 Sec. (c)(1)-(2); 24CFR 570.490)</p> <p>24 Code of Federal Regulations (CFR) Part 92.508 Sec. (c)(1)-(2); 24 CFR 570.490)</p> <p>24 Code of Federal Regulations (CFR) Part 92.508 Sec. (c)(1)-(2); 24 CFR 570.490)</p>

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>Community Development/Housing Authority Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>2 CONSOLIDATED PLAN A 5-year strategic plan and application required by HUD to obtain federal funds. The plan serves as the application and long term plan for the use of CDBG and HOME resources.</p> <p>a Five-Year Consolidated Plan and supporting documentation b Annual Action Plan and Supporting Documentation</p>	<p>a Retain 10 years after submission; destroy. (Disposal form RM88*) b Retain 5 years after submission; destroy. (Disposal form RM88*)</p>	
<p>3 COMMUNITY HOUSING AFFORDABILITY STRATEGY (CHAS) Records satisfy HUD requirements to provide a strategic plan for the use of CDBG federal resources from 1992 through 1995. Records include annual performance reports, updates, annual plans, background information, correspondence and memoranda.</p>	<p>Retain 3 years after closeout of the funds; destroy. (Disposal form RM88*)</p>	<p>24 Code of Federal Regulations (CFR) 570.490</p>
<p>4 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION PROGRAM RECORDS Records document grants from Community Development Block Grant Funds to private, nonprofit organizations in community. Contains program guidelines, applications, correspondence, minutes, recipient agreements, request for proposals and proposals submitted by applicants.</p>	<p>Retain 3 years after closeout of the funds, however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. (Disposal form RM88*)</p>	<p>Active project files are vital records</p> <p>24 Code of Federal Regulations (CFR) Part 92.508 Sec. (c)(1)-(2); CFR 570.490</p>
<p>5 FIRST TIME HOME BUYER PROGRAM RECORDS Applications, eligibility statements of applicants, statements of work, and original closing documents, which document loans from grant funds provided by HUD to support activities pertaining to housing for low income households.</p> <p>a Approved Loans b Denied Application</p>	<p>a Retain 3 years after the settlement of the loan; destroy. (Disposal form RM88*) b Retain 3 years after application denied; destroy. (Disposal form RM88*)</p>	<p>Vital record until loan is settled.</p>



<b>Community Development/Housing Authority Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
6 GRANTEE PERFORMANCE REPORTS Annual report to HUD which provide statistics on grantee performance programs, and dispensing of funds. Also contains background documentation for report, correspondence, and memoranda.	Permanent	
7 HISTORIC PRESERVATION RECORDS Records document projects and programs foster historic preservation. Projects and programs include administering regulations for the Historic District and overseeing nominations to the National Register of Historic Places. a National Register nomination and supporting material. 1 National Park Service 2 State Historic Preservation Office 3 Municipality 4 Other entities (if the municipality has not kept the records, e.g. local library, local historical society, etc.) b All other records including surveys of historic sites, historic district status reports, historic district review applications, maps, photographs, copies of building permits, and correspondence. 1 Municipality 2 Other entities	a National Register nomination and supporting material. 1 Permanent 2 Permanent 3 Permanent 4 Permanent  b All Other Records.  1 Permanent 2 Permanent	
8 HOUSING REHABILITATION RECORDS Records document loans from CDBG fund for housing rehabilitation loans to low income families.	Retain 3 years after settlement of the loan; destroy. (Disposal form RM88*)	Vital record until loan is settled.
9 HOPE III PROJECT RECORDS Records document a defunct loan program to low income city residents to purchase homes. Includes loan applications, eligibility statements, applicant checks, deeds of trust, promissory notes, and closing documents.	Retain 3 years after settlement of the loan; destroy. (Disposal form RM88*)	Vital record until loan is settled.
10 MINOR HOME REPAIR RECORDS Records document grants from CDBG funds for minor home repairs to low income families.	Retain 3 years after approval of grant. (Disposal form RM88*)	

<b>Community Development/Housing Authority Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>11 NEIGHBORHOOD PROJECT APPLICATION RECORDS Applications for monies from CDBG funds for painting, tree removal, and waterline replacement projects. Records consist of program guidelines, correspondence, grant applications, and letters approving or denying grant request.</p>	<p>Retain 3 years after closeout of the funds; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period after closeout, the records must be retained until completion of the option and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. <i>(Disposal form RM88*)</i></p>	<p>24 CFR Part 92.508 Sec. (c)(1)-(2); 24 CFR 570.490</p>
<p>12 RENTAL REHABILITATION RECORDS Records document grant program from CDBG funds for rehabilitation of low income rental housing.</p>	<p>Retain 3 years after closeout of the grant funds; destroy. <i>(Disposal form RM88*)</i></p>	<p>24 CFR 51 1</p>
<p>13 SIGN PERMITS Records document the application and granting of sign permits a Approved Applications Applications approved for sign installation by commercial property owners. Also includes diagrams, blueprints, and maps as backup documentation. b Denied Applications c Permits. Disposition</p>	<p>a Retain 1 year after completion of work; destroy. <i>(Disposal form RM88*)</i> b Retain 2 years; destroy. <i>(Disposal form RM88*)</i> c Retain 10 years after completion of work or 6 months after original issuance if sign is not installed. <i>(Disposal form RM88*)</i></p>	
<p>14 TAX INCREMENT LOAN RECORDS Records document the use of tax increment monies to acquire land, provide loans for purchase and development of property demolition and removal of structures, historic revolving loans, and relocation of occupants to promote development in the downtown Urban Renewal/Tax increment area Land Acquisition Records Records include original deeds of trust, insurance certificates, trust indentures, reports, photographs, correspondence, and memoranda.</p>	<p><i>Transfer originals to Municipal Clerk's Office who maintains the "record" copy.</i></p>	<p>Vital record during term of loan.</p>

<b>Community Development/Housing Authority Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>14 TAX INCREMENT LOAN RECORDS-cont.            "Record" copy is in the Municipal Clerk's Office.</p> <p>a Land Acquisition Records            b Loan Records</p> <p>Records include loan application, loan closing documents, report of payment schedule, correspondence, and memoranda.</p>	<p>a "Record" copy is permanent, all other copies retain 5 years after acquisition of land, or as needed for reference.  <i>(Disposal form RM88*)</i></p> <p>b Retain 8 years after settlement of loan; destroy.  <i>(Disposal form RM88*)</i></p>	
<p>15 URBAN HOMESTEAD RECORDS</p> <p>Records document a defunct program for low income households to purchase a house for \$1; city holds title on property for 5-year period until resident owner improves house and obtains mortgage financing.</p>	<p>Retain 8 years after title is no longer held by the municipality; destroy.  <i>(Disposal form RM88*)</i></p>	<p>This is a vital record while title is held by the municipality.</p>

<b>Engineering Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 TECHNICAL ADVISORY COMMITTEE RECORDS Meeting minutes and background materials pertaining to the Technical Advisory Committee.	Permanent	
2 ENGINEERING STAFF WORKING FILES Working files consisting of drafts, notes, transitory reference materials, and other records of short-range value which have been accumulated by staff members to assist with a particular project. Records in this series are not part of the official project files and are not listed elsewhere in this schedule.	Purge annually. Retain until 5 years old or at the end of the project to which they pertain, whichever is sooner; destroy. <i>(Disposal form RM88*)</i>	

<b>Engineering Flood Control/Stormwater Management Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 FLOOD CONTROL RECORDS Documentation concerning the involvement with flood control regulations.</p> <p>a Historical flood information, maps, and technical reports concerning floodplain areas.</p> <p>b Working files, including correspondence, flood control policies and regulations.</p>	<p>a Permanent</p> <p>b Retain until superseded or obsolete or when no longer needed for reference, whichever is sooner; purge annually and destroy. <i>(Disposal form RM88*)</i></p>	
<b>Engineering Maps, Plats, Photographs, Survey Data</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 AERIAL PHOTOGRAPHS</p>	<p>Permanent</p>	
<p>2 STATISTICS AND STREET CLASSIFICATIONS Annual statistics on area and infrastructure, such as total miles of streets, alleys, highways and interstates, street footage added within the past year; and statistics on miles of street by street type, i.e. gravel, concrete, asphalt. This information is currently submitted to the State of Montana and used in calculating the allocation of State Gas Taxes.</p> <p>a Summary information and supporting documentation (spreadsheets) which is submitted to the State of Montana.</p> <p>b All other information.</p>	<p>a Permanent</p> <p>b Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, retain 7 years after the end of the official year to which the records relates; destroy. <i>(Disposal form RM88*)</i></p>	<p>Current information is a vital record.</p>

<b>Engineering Reviews</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 PERMITS</b>                      Applications for permits and correspondence concerning permits for encroachments on right-of-way and construction involving excavation, concrete placement, and stormwater connections. Records created document infrastructure improvements made in public right-of-way and involve plans, inspection reports, and other background information.</p> <p>a Permits authorized for construction</p> <p>1 Storm drain connections                      2 Excavation and concrete.</p> <p>b Encroachment permits</p> <p>c Permits that have not been authorized</p>	<p>a Permits authorized for construction                      Permanent.                      2 Retain 7 years after work is completed.  <i>(Disposal form RM88*)</i></p> <p>b Permanent, or until 8 years after the permit is revoked.</p> <p>c Retain 3 years after denial; destroy.  <i>(Disposal form RM88*)</i></p>	
<p><b>2 PLANNED UNIT DEVELOPMENT (PUD) REVIEWS</b>                      Records created in the review of the plans for Planned Unit Development (PUDS) projects submitted by land developers. Documents often included are environmental impact assessments, correspondence, and notes containing comments from staff pertaining to traffic and other impact evaluations.</p>	<p>Retain review working files 5 years after completion of the review; destroy.  <i>(Disposal form RM88*)</i></p>	
<p><b>3 PRIVATE CONTRACTS</b>                      Records in this series relate to the review of contracts proposed and entirely funded by private developers for installing improvements in the public right-of-way. Records in this series include general correspondence, designs, plans, and specifications.</p> <p>a As-builts and correspondence documenting the final product.</p> <p>b Working files of all other pertinent information.</p>	<p>a Permanent                      b Retain 7 years, or when information is no longer needed; destroy.  <i>(Disposal form RM88*)</i></p>	<p>This is a vital record.</p>

<b>Engineering Reviews</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>4 SITE PLAN REVIEWS FOR BUILDING PERMITS</b> Series documents the review of plans and other information for building permits</p> <p>a Departmental copy of the review and approved site plan documents b Working files and background information not yet approved for construction</p>	<p>a Permanent</p> <p>b Review annually, retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>5 SUBDIVISION STUDIES AND REVIEWS</b> Records created in review of preliminary and final subdivision plats submitted for land development. Documents in this record series could include: subdivision improvement agreements, correspondence, closure calculations, and notes containing comments from staff pertaining to traffic and other impact evaluations.</p> <p>a Review working files for preliminary plats b Review documentation concerning final plan and copy of improvement agreements</p>	<p>a Retain working files 3 years after completion of the review; destroy. <i>(Disposal form RM88*)</i></p> <p>b Permanent</p>	
<p><b>6 VACATIONS OF LAND</b> Records in this series document the transfer of rights-of-way on public property to private ownership. Original documents should be transferred to Municipal Clerk for incorporation into permanent file.</p> <p>a Commission/Council Approval of Vacation 1 Municipal Clerk. 2 All other copies. b Supporting documents, including maps, diagrams, ownership reports, and other supporting documentation. 1 Municipal Clerk 2 All other copies</p>	<p>a Commission/Council Approval 1 Permanent. 2 Retain 5 years; destroy. <i>(Disposal form RM88*)</i></p> <p>b Supporting documents 1 Permanent. 2 Retain 5 years; destroy. <i>(Disposal form RM88*)</i></p>	

<b>Engineering Street And Traffic Management Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 HAZARD ELIMINATION SAFETY PROGRAM</b> This series contains records analyzing hazard levels at various locations. Records provide supporting information for annual submission to the Montana Department of Transportation to obtain funding for improvement of these locations under the Federal Hazard Elimination Safety Program.</p> <p>a The original document is submitted to the Montana Department of Transportation. b Municipality</p>	<p>a Retain 20 years; destroy. (Disposal form RM60*)</p> <p>b Retain information concerning a particular location until information is superseded or when information is no longer needed for follow-up studies, whichever is later; destroy. (Disposal form RM88*)</p>	
<p><b>2 STREET AND INTERSECTION LOCATION FILES</b> These files document studies, problems, repairs and improvements of public works structures and streets and intersections. Record types can include correspondence and citizen petitions, land acquisition documentation, traffic and pedestrian studies, school crossing studies, vehicle volume summaries, accident data, boundary maps, and speed surveys.</p> <p>a Records documenting problems and citizen complaints, and their resolution; records documenting projects or improvements requiring future action, and records containing background information which will support these activities. b Land acquisition documents. Transfer originals to Municipal Clerk, who maintains record copy. "Record" copy is in the Municipal Clerk's Office.</p>	<p>a Retain for life of the structure, or when information become obsolete. (Disposal form RM60*)</p> <p>b "Record" copy is permanent; all other copies retain 5 years, or as needed for reference; destroy. (Disposal form RM88*)</p>	
<p><b>3 TRAFFIC ACCIDENT DIAGRAMS</b> Series documents the occurrence of accidents at various locations. Information is annually summarized into collision diagrams.</p>	Permanent	
<p><b>4 TRAFFIC ENGINEERING PLANS</b> Plans for a variety of traffic engineering projects. Plans pertain to completed, current, and proposed projects. Subjects include intersections, signalization, street lighting, and plans of proposed projects.</p> <p>a Plans of completed projects b Plans of proposed projects</p>	<p>a Permanent b Retain until completion of the project or discard when project is abandoned. (Disposal form RM88*)</p>	



<b>Engineering Street And Traffic Management Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>5 TRAFFIC ENGINEERING STUDIES AND SURVEYS This series consists of traffic surveys, accessibility studies, and analyses.</p> <ul style="list-style-type: none"> <li>a Traffic Counts</li> <li>b Surveys</li> <li>c Traffic Studies and Analyses</li> <li>d Accident Report</li> </ul>	<ul style="list-style-type: none"> <li>a Retain 15 years; destroy. <i>(Disposal form RM60*)</i></li> <li>b Final report is a permanent record; all backup data not included in the final report retain 2 years after completion of the survey; destroy. <i>(Disposal form RM88*)</i></li> <li>c Final report is a permanent record; all backup documentation discard 2 years after completion of study or analysis. <i>(Disposal form RM88*)</i></li> <li>d Final report is a permanent record; all other summaries retain 7 years; destroy. <i>(Disposal form RM88*)</i></li> </ul>	

<b>Engineering Street Lighting Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 STREET LIGHTING PROJECT RECORDS</b>                      Documentation of projects concerning existing lighting districts within public rights-of-way, along with projects of new district construction. Included are correspondence, general district information, product specifications, and working records concerning street light conversions, and lighting design.</p> <p>a Project Administration. Progress reports and certified payroll records submitted by the contractor, and general correspondence created in the course of the project and used by the administration of the contract.</p> <p>b Project Plans, Correspondence, and Drawings. As-built and shop drawings, and correspondence that document and define important decision-making processes.</p>	<p>a Contractors' payroll files: Retain 8 years after date of completion of the contract; destroy.</p> <p>General correspondence: Retain 3 years after date of completion of contract; destroy.</p> <p>Progress reports: Retain 3 years after final payment; destroy.  <i>(Disposal form RM88*)</i></p> <p>b Retain for the life of the lighting structure; destroy.  <i>(Disposal form RM88*)</i></p>	

<b>Engineering Work Orders And Contract Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 CONTRACT STANDARDS AND TEMPLATES</b> This series consists of reference materials concerning standards for preparing contracts, and includes boiler-plate templates for contracts.</p>	Discard when superseded or obsolete. <i>(Disposal form RM88*)</i>	
<p><b>2 WORK ORDER AND SPECIAL IMPROVEMENT DISTRICT PROJECTS</b> Documentation of activities in improving public rights-of-way and infrastructures within its jurisdiction. The series documents the entire process for constructing a public improvement project. Records can include general correspondence with departments, other individuals and organizations, and records documenting the process of selecting consultants and contractors.</p> <p>In addition, this series documents the design and construction phase of a project. Records may document aspects of the project, such as inspection reports, consultant studies and analyses, shop drawings, and as built. Also includes project construction, administrative records include monitoring of the contractor's work, progress reports, and billings records submitted by the contractors.</p> <p>Proposed Projects.</p> <ul style="list-style-type: none"> <li>a Bids and Proposals</li> <li>b Bid awards, contracts and agreements</li> <li>c Correspondence</li> <li>d Contractor financial documentation</li> <li>e Other projects</li> <li>f Project accepted for implementation</li> <li>g Project Administration                             <ul style="list-style-type: none"> <li>1 Contractor's payroll files</li> <li>2 General correspondence</li> <li>3 Progress reports</li> <li>4 Substantive correspondence critical to decision making process of project.</li> </ul> </li> <li>h Project plans and drawings</li> <li>i Tax documentation</li> </ul>	<ul style="list-style-type: none"> <li>a <i>See General (Common) Records</i></li> <li>b <i>See General (Common) Records</i></li> <li>c Retain 2 years; destroy. <i>(Disposal form RM88*)</i></li> <li>d Discard 8 years after final payment. <i>(Disposal form RM88*)</i></li> <li>e Discard records when project has not been initiated within 10 years of the date of first proposal, or when proposed project is superseded or obsolete, whichever is sooner. <i>(Disposal form RM88*)</i></li> <li>f <i>See General (Common) Records</i></li> <li>g 1- Discard 8 years after date of completion of the contract. <i>(Disposal form RM88*)</i></li> <li>2- Permanent.</li> <li>3- Retain 2 years; destroy <i>(Disposal form RM88*)</i></li> <li>4- Discard 3 years after final payment. <i>(Disposal form RM88*)</i></li> <li>h As-builts, shop drawings, and correspondence documenting the final product are a permanent record, all others discard when no longer needed for reference or when project is completed. <i>(Disposal form RM88*)</i></li> <li>i Discard records 7 years after completion of project or 7 years after final assessment payment was made by the property owner, whichever is later. <i>(Disposal form RM88*)</i></li> </ul>	<p>h This is a vital record.</p>

<b>Finance Account Activity Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ACCOUNT RECONCILIATION RECORDS Monthly bank statements used to balance and reconcile accounts.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	
2 BID DEPOSIT REPORT	Retain 5 years after end of official year to which records relate if city/town if audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate <i>(Disposal form RM88*)</i>	
3 CASH ADVANCE REPORT	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	
4 DAILY CASH RECEIPT AND EDIT REPORTS	Retain 5 years after end of official year to which records related if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	

<b>Finance Accounts Payable Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ACCOUNTS PAYABLE</p> <p>a Accounts Payable List (Check Disbursement)</p> <p>b Canceled Insurance Checks</p> <p>c Daily Purchasing, Inventory and Voucher Edits</p> <p>d Expenditure Approval List</p> <p>e Monthly Encumbrance Report</p>	<p>a Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (<i>Disposal form RM88*</i>)</p> <p>b Same as above</p> <p>c Same as above</p> <p>d Same as above</p> <p>e Same as above b,c,d, and e (<i>Disposal form RM88*</i>)</p>	
<p>2 CANCELED VENDOR CHECKS</p> <p>Canceled checks of payments made to vendors.</p>	<p>Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate.</p> <p>(<i>Disposal form RM88*</i>)</p>	
<p>3 CHECK REGISTER</p> <p>Listing of payments made to vendors, includes vendor number, name, check number and amount, information pertaining to a particular purchase, and the amount paid to the vendor to date for the current fiscal year.</p>	<p>Permanent</p>	<p>Consider COM or microfilm.</p>
<p>4 CLAIMS</p> <p>Copies of memoranda pertaining to claims for payment, damages, or other redress presented to the Commission/Council.</p>	<p>“Record” copy: retain for 5 years after the end of the fiscal year to which the records relate; if the claim constitutes a contract, retain for the term of the contract plus 8 years; clerk’s copy retain 1 year, destroy.</p> <p>(<i>Disposal form RM88*</i>)</p>	
<p>5 PURCHASE ORDERS (PAID CLAIMS)</p> <p>Series consists of purchase orders, information on vendors, and documentation of paid invoices.</p>	<p>Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate</p> <p>(<i>Disposal form RM88*</i>)</p>	

<b>Finance Accounts Payable Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
6 VENDORS a. List b. Inactive Vendor W-9	a. Until superseded or no longer used. <i>(Disposal form RM88*)</i> b. 5 years after last payment <i>(Disposal form RM88*)</i>	

<b>Financial Accounts Receivable Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ACCOUNTS RECEIVABLE ACTIVITY REPORT	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
2 ACCOUNTS RECEIVABLE DAILY UPDATES	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
3 ACCOUNTS RECEIVABLE TRIAL BALANCE MONTHLY REPORT This report provides detail transaction information on the Accounts Receivable Ledger. Includes both monthly reports and year-end (June 30) reports.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
4 CREDIT COLLECTION FILES Working files documenting delinquent debtors and actions taken against them.	Retain 3 years after debt has been paid, or when records are 7 years old for uncollected debt; destroy. (Disposal form RM88*)	
5 RECEIPTS Copies of receipts or receipt stubs issued evidencing receipt of money owed except those relating to special assessments.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	

<b>Financial Bond Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 BOND CALL REPORT Reports contain information on the status of debt of each SID and are used for analysis of all outstanding bonds.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
2 BOND PAYMENT SLIPS Copies of payment slips sent to bond holders along with payment for interest on bond or redemption.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
3 BOND REGISTER (BEARER AND REGISTERED OWNER) Official record of ownership of all bonds issued by the City.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	This is a vital record.
4 BOND WORKFILES This series documents the activities on each bond from its initial issue through it's life until it is called or fund is closed out.	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
5 CANCELED BOND CHECKS	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
6 REVENUE AND GENERAL OBLIGATION BOND CERTIFICATES Bonds issued to finance capital improvement projects.	Retain 2 years after the retirement of the issue as a whole. (Disposal form RM88*)	



<b>Financial Business License Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 APPLICATION FOR BUSINESS LICENSE	Retain 2 years after expiration of license and all renewals (life of business); destroy. (Disposal form RM88*)	
2 BUSINESS LICENSE COPIES	Retain 3 years after expiration of license; destroy. (Disposal form RM88*)	
3 BUSINESS LICENSE REPORT	Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate; destroy. (Disposal form RM88*)	Note: Consider transferring to a local historical society for preservation and better public access to historical business data.

<b>Financial Miscellaneous Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 GENERAL LEDGER</p> <p>a Monthly reports other than FY end report.</p> <p>b Year end monthly report (June 30 report).</p>	<p>a Retain 30 years after end of fiscal year to which the report pertains. (Disposal form RM60*)</p> <p>b Permanent</p>	Candidate for microfilming via Computer Output Microfilm
<p>2 JOURNALS</p> <p>This series can be comprised of the Check Disbursement Journal, Appropriations and Expenditure Journal, Revenue and Receipts Journal, the General Journal, and the Encumbrance Liquidation Journal</p>	<p>Retain 5 years after fiscal year to which the journals relate; destroy. (Disposal form RM88*)</p>	
<p>3 JOURNAL ADJUSTMENT RECORDS</p> <p>Records documenting additions and modifications to journals, including vouchers, edit reports, adjusting journal entries and daily batch update reports.</p> <p>a Journal Adjustments</p> <p>b Journal Edits</p>	<p>a Retain 5 years after end of fiscal year to which the records relate. (Disposal form RM88*)</p> <p>b Retain 2 years after end of fiscal year to which the records relate. (Disposal form RM88*)</p>	
<p>4 PARKING TICKETS</p> <p>a Parking Citations. Original tickets issued</p> <p>b Paid Citations. Parking tickets for which the fine was paid. Maintained as reference to document payment.</p>	<p>a Retain 3 years; destroy. (Disposal form RM88*)</p> <p>b Retain 3 years; destroy. (Disposal form RM88*)</p>	
<p>5 PRINCIPAL MONTHLY REPORTS</p> <p>Year-to-end monthly reports which document the financial information and activities. These reports could include a detail budget report; project expenditure transactions; project activity report; fund trial balance, project trial balance report; revenue report; and/or balance sheet.</p> <p>a Monthly reports other than fiscal year-end report.</p> <p>b Year end monthly report (June 30 report).</p>	<p>a Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)</p> <p>b Retain 15 years after end of the fiscal year to which the report pertains. (Disposal form RM60*)</p>	

<b>Financial Payroll Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CANCELLED PAYROLL CHECKS	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. ( <i>Disposal form RM88*</i> )	
2 PAYROLL DISTRIBUTION REPORT Report documenting all expenditures of payroll activity.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. ( <i>Disposal form RM88*</i> )	
3 1096 & 1099 Forms: Statement of earnings over \$600 of earnings for services for Federal Tax purposes.	4 years ( <i>Disposal form RM88*</i> )	

<b>Financial Revenue Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ACCRUED/ACTUAL INTEREST BALANCE	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. ( <i>Disposal form RM88*</i> )	
2 FUND BALANCE REPORT	Retain 5 years after end of the fiscal year to which these records relate. ( <i>Disposal form RM88*</i> )	
3 MONTHLY REPORTS OF ACCRUED INTEREST Information used to calculate the monthly interest earned from investments.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. ( <i>Disposal form RM88*</i> )	

<b>Financial Tax And Other Financial Assessment Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ANNUAL TAX BILLING SUMMARY Summary information concerning all assessments billed for the year. Includes individual recap sheets for each type of assessment, as well as a recap sheet for all assessments.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	
2 ANNUAL TAX LEDGER	Permanent	NOTE: Consider COM or microfilm
3 ASSESSMENT WORKING FILES a Assessment schedules for Special Improvement Districts (SIDs). b Spreadsheet work files Working paper used to create and modify a spread.	a Destroy at end of the fiscal year following the cancellation or call of the bond and collection of all delinquency. <i>(Disposal form RM88*)</i> b Destroy at end of the fiscal year following the cancellation or call of the bond. <i>(Disposal form RM88*)</i>	
4 MONTHLY TAX DISTRIBUTION Spreadsheet which documents the distribution of taxes, interest and penalties collected.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	
5 MONTHLY TAX RECEIVABLE REPORTS Report detailing the month-end tax and SID balance of every property owner. Report's primary purpose is to balance the tax information. a Monthly reports excluding June 30 report.  b June 30 report.	a Retain 2 years after end of the fiscal year to which these records relate; destroy. <i>(Disposal form RM88*)</i> b Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, <i>(Cont. to next page)</i> <i>(Cont. from previous page)</i> destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	

<b>Financial Tax And Other Financial Assessment Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
6 SPECIAL IMPROVEMENT DISTRICT (SID) CONTROLS Records used to balance outstanding principal assessments against the general ledger and to document the principal paid on a property.	Destroy at end of the fiscal year following the cancellation or call of the bond. <i>(Disposal form RM88*)</i>	
7 SPECIAL IMPROVEMENT DISTRICT (SID) PAYOFFF RECEIPTS	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	
8 TAX AND SID MONTHLY MAINTENANCE RECORDS Series documents the payment of activity of taxes and assessments.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i>	

<b>Fire And Dispatch Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 COMPLAINT RECORDS Complaints received from citizens or other departments concerning emergency response	Retain 10 years; destroy. (Disposal form RM88*)	
2 EMPLOYMENT ENTRANCE TESTS Series consist of the tests administered to job applicants. Tests are held biannually for firefighters, and as needed for other positions.	Discard when test is re-administered. (Disposal form RM88*)	
3 EXPOSURE REPORTS Reports completed prior to 1995 by employees following exposure to substances which are potentially hazardous to their health, such as bodily fluids, smoke, chemicals. Also included is medical treatment information, such as hospital reports.	Discard 30 years after injury or illness was reported, unless specified otherwise by a particular OSI-L4 standard. (Disposal form RM60*)	29 CFR 1910.20
4 FACILITY PLANS Original blueprints, site plans, mechanical drawings, and site and building plans of the 911 Center, all fire stations and other buildings owned by the fire department.	Retain for life of building. (Disposal form RM60*)	These are vital records NOTE: Consider transferring to a local historical society for permanent preservation.
5 FIRE INVESTIGATION RECORDS Documentation of investigations conducted by the Fire Prevention Division of the fire department.	Permanent	
6 FIRE DETECTION AND SUPPRESSION SYSTEM INSPECTION RECORDS Fire Marshal inspection of alarm and extinguishing systems and plans for new installations submitted by alarm companies for Department review.	Retain for 3 years; destroy. (Disposal form RM88*)	1994 Uniform Fire Code, 103.3.4
7 INCIDENT REPORTS Reports of all incidents responded to by the Fire Department, including fire incidents and emergency medical incidents. Record series includes 911 dispatch reports and other information pertaining to incidents.	Retain for 22 years; destroy (Disposal form RM60*)	EMS records— 37.104.212 ARM  Reported to DPHHS quarterly.

<b>Fire And Dispatch Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
8 INSPECTION GUIDELINES FOR FIRE MARSHAL Guidelines for inspecting various types of materials, facilities and businesses, including hotels, high rises, hazardous materials, schools, fireworks.	Retain until superseded or obsolete; destroy. (Disposal form RM88*)	
9 INSPECTION RECORDS This series documents inspections and life safety checks conducted by the Fire Department at buildings, facilities, and for equipment.	Retain documentation for 3 years; destroy. (Disposal form RM88*)	1994 Uniform Fire Code, 103.3.4
10 MASTER STREET/ADDRESS GUIDE Master guide containing name, address, and telephone number of every resident.	Retain until next monthly update; destroy. (Disposal form RM88*)	Current record is a vital record.
11 PENDING CODE VIOLATIONS	<i>Transfer to series "Inspection Records" immediately after violation has been corrected.</i>	Current record is a vital record.
12 POLICIES AND PROCEDURES Policies and procedures for fire department personnel. Includes policies and procedures, and updates thereto, as well as staff notices of policy updates. a Master set of current and all superseded policies and procedures. b All other copies	a Permanent. b Discard when superseded or obsolete. (Disposal form RM88*)	Current record is a vital record.
13 STATISTICAL SUMMARY REPORTS a Quarterly Reports b Annual Reports	a Retain 10 years; destroy . (Disposal form RM88*) b Permanent.	
14 SUBDIVISION REVIEWS Documentation of the fire department's review of subdivision development plans submitted by land developers.	Retain 3 years after completion of the review; destroy. (Disposal form RM88*)	



<b>Fire And Dispatch Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>15 TRAINING RECORDS Documents the fire department's administration of various certification tests developed by the National Fire Protection Association, including course outlines and test results. "Record" copy is a permanent copy.</p> <ul style="list-style-type: none"> <li>a Certificates</li> <li>b Test questions and course outline</li> <li>c Test results</li> </ul>	<ul style="list-style-type: none"> <li>a "Record" copy retain 25 years after termination or separation of employee. Departmental copy transfer to Human Resources upon termination or separation. <i>(Disposal form RM60*)</i></li> <li>b Update as required.</li> <li>c Retain 5 years after termination or separation of employee. <i>(Disposal form RM88*)</i></li> </ul>	

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 AFFIDAVITS OF PUBLICATION OF ORDINANCES AND LEGAL NOTICES Notarized certificates and newspaper clippings attesting to the publication of legal notices.</p> <p>a Publication of Ordinances b All others</p>	<p>a Permanent. b Place with related project file and dispose of accordingly. If no project file exists, retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p>2 AGENDAS Posted agendas and notices for meetings of the Commission/Council and advisory boards, committees, and commissions. Record copy is in Municipal Clerk's Office.</p> <p>a Municipal Clerk b All other copies</p>	<p>a Retain 2 years; destroy. <i>(Disposal form RM88*)</i> b Retain until after meeting; destroy. <i>(Disposal form RM88*)</i></p>	
<p>3 BID AND PROPOSALS</p> <p>a Successful awards under \$25,000 b Unsuccessful awards under \$25,000 c Successful awards over \$25,000 d Unsuccessful awards over \$25,000 e Unopened Bids f Contractor warranties</p>	<p>a Retain 8 years after termination or completion and final payment; destroy. <i>(Disposal form RM88*)</i> b Retain 1 year after date of award; destroy. <i>(Disposal form RM88*)</i> c "Record" copy retain 8 years after termination or completion and final payment; destroy. All other copies retain with related bid award or contract file and dispose of accordingly. <i>(Disposal form RM88*)</i> d Retain until contract is completed; destroy. <i>(Disposal form RM88*)</i> e Return to bidder after award. f Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i></p>	Active record is a Vital record.

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>4 BID AWARDS, CONTRACTS, AND AGREEMENTS</b>                      “Record” copy of routine procurement records including legal notices, bid awards, affidavits of publication, signed contracts or agreements, certificates of insurance, surety bonds, requests for proposals, proposals, technical specifications, reports, correspondence, and similar records relating to the negotiation, administration, negotiation, renewal, and termination of awards, contracts and agreements to which the city is a party.</p> <p>a Bid awards and contracts under \$25,000.                      b Bid awards and contracts over \$25,000.                      c Utility and other major construction or restoration/renovation contracts.</p>	<p>a “Record” copy is in the department that lets the contract; retain 8 years after termination or completion and final payment; all other copies destroy upon termination or completion and final payment. <i>(Disposal form RM88*)</i></p> <p>b “Record” copy is in the Municipal Clerk’s office, retain 8 years after termination or completion and final payment. <i>(Disposal form RM88*)</i></p> <p>c “Record” copy is in the Municipal Clerk’s office and is permanent; all other copies destroy upon termination or completion and final payment. <i>(Disposal form RM88*)</i></p>	<p>Active records are vital records.</p>
<p><b>5 BUDGET WORKING PAPERS</b>                      Records created and used in the preparation of the annual budget, including departmental requests, estimates, ledgers, handwritten notes, and related correspondence and memoranda.</p> <p>a “Record” copy in the finance or treasurer’s office                      b All other copies</p>	<p>a Retain 5 years after the fiscal year to which the records relate; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 2 years; destroy. <i>(Disposal form RM88*)</i></p>	

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>6 COMPLAINTS AND REQUESTS FOR SERVICE (GENERAL) Original citizen complaint or request, includes records documenting the nature of the complaint or request, responsible department, and steps taken.</p>	<p>Retain 2 years; destroy. (Disposal form RM88*)</p>	<p>Use this record series for general complaints and requests for service. Complaints about employees may become part, see of Employee Personnel Files maintained by Human Resources or if involving a law enforcement officer--part of Internal Investigation Files maintained by the Police Department. Complaints about Fire Emergency Response, Animal Control or those resulting in assessments (like weed cutting, etc.) should be retained according to the respective department retention schedule.</p>
<p>7 CORRESPONDENCE</p> <p>a Permanent Program and Policy Correspondence Incoming and outgoing letters, memoranda, and e-mail pertaining to the formulation, planning, and implementation of the mission, policies, programs, operations, and projects are prime candidates for permanent retention. Records with permanent value include, but are not limited to: records documenting municipal policy; records documenting the policy process; records that document how the municipality is organized and how it functions; its pattern of action and decision-making; its policies, procedures, and achievements; and that serve to substantiate accountability.</p> <p>b Non-Permanent Correspondence: Routine CORRESPONDENCE (Cont.) Incoming and outgoing letters, memoranda, and e-mail pertaining to the normal and routine administrative functions. Consists of correspondence providing general information and requests for information, referring inquiries elsewhere, forwarding materials, acknowledging incoming letters, making arrangement for routine meetings or other events, and similar matters of</p>	<p>a Permanent.</p> <p>b Retain for 3 years; destroy (Disposal form RM88*)</p>	

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>minor administrative character which contain no substantive information.</p> <p>c Non-Permanent Correspondence: Transitory Incoming and outgoing letters, memoranda, and e-mail that, while part of municipal business, are purely informational with a very short time-value. Examples include routine correspondence for which a record is needed only for a limited time, such as incoming or outgoing transmittal/cover messages that do not add information to that contained in the transmitted material (“enclosed please find ...”); routine questions and answers that require no administrative action, no policy decision, and no special compilation or research for reply (“our address is ...,” “the deadline is ...,” “please send 10 copies of ...”); thank-yous, acknowledgments, congratulations; information copies of correspondence on which no documented administrative action was taken.</p> <p>d Non-Record Correspondence: The following materials are not records and may be destroyed/ deleted at any time, unless they become part of some official record as a result of special circumstances: correspondence and memoranda generated by another entity and kept by your office for reference purposes; unofficial employee activities (parties, softball games, etc.); internal office announcements (“Ms. Jones is here to see you,” “Joe Smith called,” “is this afternoon’s meeting still on?”); quasi-official notices (notices of holidays, charity appeals, etc.); junk mail; listserv messages, other than those you post in your official capacity.</p>	<p>c Retain in office for 30 days; destroy (Disposal form RM88*)</p> <p>d Destroy/delete at will. (Disposal form RM88*)</p>	
<p>8 COUNCIL/COMMISSION PACKETS Material assembled and distributed to Council/Commission members containing documents pertaining to a Council meeting as well as informational material. “Record” copy is in the Municipal Clerk’s Office.</p> <p>a Municipal Clerk b All other copies</p>	<p>a Retain 25 years; destroy. (Disposal form RM60*)</p> <p>b Retain until after Council/Commission meeting to which the package pertains; destroy. (Disposal form RM88*)</p>	
<p>DELIVERY RECEIPTS Receipts created when secured armored express, federal express, etc. picks up funds from the municipality.</p>	<p>Fiscal plus 2 years (Disposal form RM88*)</p>	

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>10 EQUIPMENT RECORDS</b> Original operating instruction booklets, service agreements, warranty information, replacement part information, technical reference booklets, purchasing information, and owner’s manuals which document the use and maintenance of equipment purchased.</p>	<p>Life of the equipment, as needed for reference; destroy.  <i>(Disposal form RM88*)</i></p>	
<p><b>11 FINANCIAL FILES</b> Files relating to the expenditure of funds, such as cost estimates, receipts and receipt stubs, purchase orders, invoices, and vouchers, except those for the payment of taxes, special assessments, utility deposits, and any receipts noted elsewhere in these schedules. a Municipal Clerk: “record” copy b All other copies</p>	<p>a Retain 8 years after end of official year to which the records relate; destroy. <i>(Disposal form RM88*)</i> b Retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>12 GENERAL ADMINISTRATIVE FILES</b> Records relating to the internal management or general administration of a department rather than the functions for which the office exists. In general, these records relate to the office organization, staffing procedures, and communications; the expenditure of funds, including training and travel; supplies and office services and equipment requests and receipts; and the use of office space and utilities.</p>	<p>Retain after 2 years old or sooner if purpose is served; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>GENERAL ADMINISTRATIVE FILES – CONT.</b> also include copies of reports and correspondence officially filed elsewhere, copies of internal activity and workload reports.</p>		
<p><b>13 INSURANCE POLICIES</b> Liability, theft, fire, accident, health, life, and other policies for property and personnel, including supporting documentation regarding implementation, modification, or replacement of policies. “Record” copy is in the Municipal Clerk’s Office.</p>	<p>“Record” copy retains 5 years after expiration or replacement of policy; all other copies retain until policy expires or is superseded; destroy. <i>(Disposal form RM88*)</i></p>	

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>14 LEASES Legal instruments, signed leases, correspondence, memoranda and other records pertaining to the negotiation, administration, renewal, and termination of a lease to which the City is a party.</p> <p>a Municipal Clerk: “record copy”</p> <p>b All other copies</p>	<p>a Retain 8 years after expiration, termination, or cancellation of lease; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain until lease expires or is terminated; destroy. <i>(Disposal form RM88*)</i></p>	
<p>15 MEMBERSHIP IN ASSOCIATIONS, SOCIETIES, AND COMMITTEES</p> <p>a Records documenting participation in external governmental and professional organizations in which are members in their official capacity as city representatives.</p> <p>1 Official copies of committee records such as meeting minutes, declarations, newsletters, speeches, correspondence.</p> <p>2 Background information, correspondence of minor administrative character, drafts.</p>	<p>a Records documenting participation...</p> <p>1 Permanent</p> <p>2 Retain 5 years or when no longer needed for reference, whichever is sooner; destroy. <i>(Disposal form RM88*)</i></p>	
<p>16 MEMBERSHIP IN ASSOCIATIONS, SOCIETIES, AND COMMITTEES—cont.</p> <p>b Records documenting membership of staff in professional organizations, however, not in an official capacity as a City representative. Includes correspondence, copies of speeches, newsletters, copies of minutes, and miscellaneous materials. These records do not reflect official City positions. If membership is paid for with city funds, then these are city records. If membership is paid for by employee, they are personal papers, not city records.</p>	<p>b Retain 3 years or when no longer needed for reference, whichever is sooner; destroy. <i>(Disposal form RM88*)</i></p>	
<p>17 MASTER PLANS Master plans and comprehensive plans developed by departments. Forward one copy to the Municipal Clerk who maintains the “record” copy.</p> <p>a Municipal Clerk</p> <p>b All other copies</p>	<p>a Permanent.</p> <p>b Retain until superseded; destroy. <i>(Disposal form RM88*)</i></p>	

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>18 PERSONNEL FILES Unofficial personnel folders maintained by departments consisting of documents which are duplicates of papers placed in official personnel folders.</p> <p>a Human Resources Department: “record “ copy. b Departmental copies</p>	<p>a Retain 25 years after termination or separation of employee; destroy. <i>(Disposal form RM88*)</i> b After separation, transfer, or termination of employee, transfer to Human Resources for incorporation into official personnel file, if necessary.</p>	
<p>19 PERSONNEL RECRUITMENT FILES Position descriptions, resumes of prospective employees, and personnel recruitment material.</p>	<p>Retain 3 years after selection is made; destroy. <i>(Disposal form RM88*)</i></p>	
<p>20 POLICY AND PROCEDURE FILES Consists of manuals, directives, administrative rules, handbooks, and other formal policy and procedural issuances.</p> <p>a Formal issuances created by department or division for which the policy or procedure is a program function</p> <p>1 Master set 2 Used copies and extra copies</p> <p>b Copies of City operating policies and procedures used for reference.</p>	<p>a Formal issuances.</p> <p>1 Permanent. 2 Retain until superseded; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain until obsolete or superseded; destroy. <i>(Disposal form RM88*)</i></p>	



<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>21 PRESS RELEASES, SPEECHES, STATEMENTS                      Prepared statements, announcements, news conferences and speech transcripts and similar records issued to the news media by the City.                      a. Policy/Historic—Subjects include adoption of new City programs, termination of old programs, major policy shifts, changes in the status of elected officials or senior administrative personnel, and others.                      b. Routine—Subjects include announcements of routine events or actions carried out within the scope of existing City policies.</p>	<p>a. Permanent                       b. Retain 2 years  <i>(Disposal form RM88*)</i></p>	
<p>22 PUBLICATION                      a Official Publications                      Official publications, including, but not limited to: annual reports, administrative codes, codes of regulatory commissions, and publications. Also included can be research papers created on behalf of or for the use of the city such as urban and regional land use, planning, zoning, air and water pollution, transportation, public utilities, urban geography, surveying, and mapping and semiofficial publications such as city planning reports prepared by surveying and mapping and semiofficial publications such as city planning reports prepared by a commercial firm, or in partnership or consultation with, any city planning agency. Also includes handbooks, manuals, pamphlets, posters, and programs created for or by the city. “Record” copy is in the Municipal Clerk’s office.                      b Reference Publications                      Copies of internal or external publications maintained for reference.</p>	<p>a Permanent.                       b Retain until obsolete or no longer needed; destroy.  <i>(Disposal form RM88*)</i></p>	

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
23 PURCHASE ORDERS	<i>See Item 10, MR 57 Common Records, for explanation.</i>	
24 READING OR CHRONOLOGICAL FILES Copies of correspondence and other papers maintained by the originating department used solely as a reading or reference file for convenience.	Retain 2 years; destroy. <i>(Disposal form RM88*)</i>	
25 RECORDS RETENTION AND DISPOSITION SCHEDULES a Municipal Clerk: “record” copy b All other copies	a Permanent; retain one copy of the original, plus one copy of each revision. b Retain until superseded; destroy. <i>(Disposal form RM88*)</i>	
26 REPORTS AND STUDIES a Official Reports and Studies Reports and studies commissioned by or conducted, funded by public monies, pertaining to public facilities, operations, and services. Studies and reports are usually performed by staff and/or consultants. Also includes studies and surveys commissioned, or those which affect the city. 1 Municipal Clerk: “record” copy 2 All other copies b Internal Reports and Studies Reports, studies, surveys, and analyses conducted or commissioned by departments for internal information or planning purposes, and not transferred to the Municipal Clerk. 1 Final report. Record copy maintained by originating department 2 All backup data and documentation necessary to support final report’s validity 3 Working files including drafts, notes, and reference materials	a Official Reports and Studies. 1 Permanent 2 Retain until obsolete or no longer needed; destroy. <i>(Disposal form RM88*)</i> b Internal Reports and Studies. Retain 10 years, unless listed otherwise elsewhere in the retention schedules; destroy. <i>(Disposal form RM88*)</i> Retain 2 years after completion of survey document, unless listed otherwise in the retention schedules; destroy. <i>(Disposal form RM88*)</i> Retain 1 year after completion of survey document, unless listed otherwise elsewhere in the retention schedules; destroy. <i>(Disposal form RM88*)</i>	
27 SECURITY VIDEO Video files generated by security cameras/systems owned by a local government entity used to deter improper or criminal behavior or to document it, if it occurs.	Retain 30 days or less, unless the video becomes part of an official investigation or case file—then retain as long as the relevant record series. Once retention is met, recordings may be erased or recorded over. <b>NO DISPOSAL FORM REQUIRED</b>	The retention time is a minimum. Check to see if your organization has a more specific policy for retaining video files before disposing and follow the longer retention period.

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>28 STAFF WORKING PAPERS Reference files and duplicate copies of documents accumulated during preparation of a report or work on a project.</p>	<p>Retain 1 year after completion of report or project, or discard sooner if no longer needed for reference; destroy. <i>(Disposal form RM88*)</i></p>	
<p>29 SUBJECT FILES Subject files consisting of a mix of administrative and technical material, the value of which varies depending on the organizational level at which they are created and the purpose they serve.</p> <p>a Organizational and Project Files Files containing administrative directives, policy studies and reports, formal memoranda, reports or special advisory committees and task forces, and similar records documenting the formulation and implementation of projects, policies, programs, and operations of any office..</p> <p>b Administrative Procedural Files Administrative announcements, routine correspondence and memoranda, statements, reports, and other records of offices pertaining to office procedures and distributed within the department or among offices.</p> <p>c Staff Subject Files Documents generated by departments in the course of routine office administrative functions have short-term value. These records include correspondence, general</p>	<p>a Permanent.</p> <p>b Retain 5 years or when superseded; destroy. <i>(Disposal form RM88*)</i></p> <p>c Transfer to storage when 1 year old. Destroy when 3 years old. <i>(Disposal form RM88*)</i></p>	
<p>30 TIME CARDS/SHEETS a Human Resources office: "record copy" b All other copies</p>	<p>a Retain 3 years; destroy. <i>(Disposal form RM88*)</i> b Retain 2 years or when no longer needed for reference, whichever is sooner; destroy. <i>(Disposal form RM88*)</i></p>	<p>Current time cards are a vital record.</p>

<b>General (Common) Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>31 TRAINING RECORDS</p> <p>a Correspondence, memoranda, reports, and other records pertaining to the availability of training and employee participation in training programs sponsored by other government or non-government agencies.</p> <p>b Certificates of completion, certificates or passing training requirements, and other documentation of successful training completion. Includes test scores of final tests taken by employee.</p>	<p>a Retain 5 years or when superseded or obsolete, whichever is sooner; destroy. <i>(Disposal form RM88*)</i></p> <p>b Transfer to Employee Personnel File in Human Resources office.</p>	
<p>32 TRAVEL EXPENSE RECORDS</p> <p>Files relating to the expenditure of funds, such as cost estimates, receipts and receipt stubs, purchase orders, invoices, and vouchers, except those for the payment of taxes, special assessments, utility deposits, and any receipts noted elsewhere in these schedules.</p> <p>a Record Copy</p> <p>b All other copies.</p>	<p>a Retain 5 years after end of official year to which records relate if city/town is audited annually; if city/town is not audited annually, retain 7 years after the end of the official year to which the records relate; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p>33 AUDIOVISUAL MATERIALS</p> <p>a Videotapes/audio tapes of meetings.</p> <p>b Promotional and public relations tapes.</p> <p>c Motivational and training audiotapes purchased for use by personnel.</p>	<p>a Permanent, if no minutes are prepared for the meeting, or 1 year if official minutes are prepared and approved. <i>(Disposal form RM60*)</i></p> <p>b Permanent.</p> <p>c Retain as long as administratively needed. <i>(Disposal form RM88*)</i></p>	<p>NOTE: 7-1-4141, MCA, requires that cities/towns have the capability of producing copies of all records including sound and video tapes if that is record medium chosen.</p>

<b>Hazard Communication Program Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>HAZARD COMMUNICATION PROGRAM</b>                      The purpose of a hazard communication program is to ensure that the hazards of all chemicals produced or imported are evaluated, and that information concerning their hazards is transmitted to employers and employees. It applies to any chemical which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency. Employers are not required to evaluate chemicals unless they choose not to rely on the evaluation performed by the chemical manufacturer or importer for the chemical.</p>		
<p><b>1 EMPLOYEE EXPOSURE RECORDS</b>                      An employee exposure records a record containing any of the following kinds of information: environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent; biological monitoring results; material safety data sheets indicating that the material may pose a hazard to human health; or, in the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity of a toxic substance or harmful physical agent.</p> <p><b>a Background Data to Environmental Monitoring</b>                      Data, such as laboratory reports and worksheets, from environmental (workplace) monitoring or measuring.</p> <p><b>b Material Safety Data Sheets (MSDS)</b>                      See Hazard Communication Program Records schedule for a full description of MSDSs.</p> <p><b>c Chemical Inventory</b>                      Or any other record which reveals where and when used and the identity of a toxic substance or harmful physical agent.</p> <p><b>d Biological Monitoring Results</b>                      Results designated as exposure records by specific occupational safety and health standards.</p>	<p><b>a</b> One year, as long as the sampling results, the collection methodology (sampling plan), a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained, are retained for at least 30 years; destroy. (<i>Disposal form RM60*</i>)</p> <p><b>b</b> Need not be retained for any specified period <i>as long as</i> some record of the identity of the substance or agent, where it was used, and when it was used is retained for at least 30 years; destroy. (<i>Disposal form RM60*</i>)</p> <p><b>c</b> Need not be retained for any specified period <i>as long as</i> some record of the identity of the substance or agent, where it was used, and when it was used is retained for at least 30 years; destroy. (<i>Disposal form RM60*</i>)</p> <p><b>d</b> Retain as required by the specific standard. (<i>Disposal form RM88*</i>)</p>	

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>Hazard Communication Program Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>2 EMPLOYEE INFORMATION AND TRAINING RECORDS</b></p> <p><b>a Information</b> Employees shall be informed of: the requirements of this section; any operations in their work area where hazardous chemicals are present; and the location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and material safety data sheets.</p> <p><b>b Training</b> Employee training shall include at least: methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area; the physical and health hazards of the chemicals in the work area; the measures employees can take to protect themselves from these hazards; and the details of the hazard communication program developed by the employer; the employer shall keep a record of the dates of training sessions given to employees and the names of the employees attending.</p>	<p>a Retain until superseded; destroy (<i>Disposal form RM88*</i>)</p> <p>b Employee training records shall be placed in the employee's personnel file.</p>	<p>a 29 CFR 1910.1200 (h), and 50-78-204 &amp; 305, MCA</p> <p>b 49 CFR 172.704</p>
<p><b>3 EMPLOYEE MEDICAL RECORDS/FILES</b></p> <p><b>a</b> An employee medical file is a record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel or technician, and may include: medical and employment questionnaires or histories; the results of medical examinations; medical opinions, diagnoses, progress notes, and recommendations; first aid records; descriptions of treatments and prescriptions; employee medical complaints; health and dental insurance enrollment records; medical releases; and information from physician and worker's compensation reports.</p> <p><b>b Insurance Records</b></p> <p><b>c First Aid Records</b> Records of one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and the like which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, if made on-site by a non-physician.</p> <p><b>d Medical Records of Employees Who Have Worked for Less than 1 Year for the Employer.</b></p>	<p>a Retain actual medical records for duration of employment + 30 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Health and dental insurance claims need not be retained for any specified period and insurance enrollment records, medical releases, and information from reports should be retained for 10 years after termination of employment or 10 years after the last year enrolled in the plan, <i>if</i> they are maintained separately from the employer's medical program and its files (<i>Disposal form RM88*</i>)c First aid records need not be retained for any specified period if they are maintained separately from the employer's medical program and its files. (<i>Disposal form RM88*</i>)d Need not be retained beyond the term of employment if they are offered to the employee upon the termination of employment. (<i>Disposal form RM88*</i>)</p>	<p>29 CFR 1910.1020(d) [formerly 1910.20], as adopted by the Montana Department of Labor and Industry</p> <p>This is a vital record.</p> <p>FMLA requires these records to be maintained separately from other personnel records.</p>

<b>Hazard Communication Program Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>4 LABELS AND OTHER FORMS OF WARNING</b> Employers shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged, or marked with the following information: identity of the hazardous chemical(s) contained therein, and appropriate hazard warnings. The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers.</p>	<p>Retain until superseded; destroy. <i>(Disposal form RM88*)</i></p>	<p>29 CFR 1910.1200 (f), and 50-78-206, MCA</p>
<p><b>5 MATERIAL SAFETY DATA SHEETS (MSDS)</b> Employers shall have a material safety data sheet in the workplace for each hazardous chemical which they use. It shall contain at least the following information: the identity used on the label; physical and chemical characteristics, the physical hazards and the health hazards of the hazardous chemical; the primary route(s) of entry; any exposure limits; whether the hazardous chemical is a carcinogen or potential carcinogen; any generally applicable precautions and control measures; emergency and first aid procedures; date of preparation or update of the MSDS; and the name, address, and telephone number of the responsible party who can provide additional information. Each employer shall maintain a copy of any correspondence sent or received by the employer in an effort to obtain a material safety data sheet when none was provided by the chemical manufacturer or distributor.</p>	<p>Current sheets must be readily accessible; when no longer current the sheets themselves need not be retained for any specified period <i>as long as</i> some record of the identity of the substance or agent, where it was used, and when it was used is retained for at least 30 years; destroy. The correspondence, once the material safety data sheets are provided, may be retained per the Correspondence series listed in the General (Common) Records schedule. <i>(Disposal form RM60*)</i></p>	<p>29 CFR 1910.1200 (g) and 29 CFR 1910.1020 (d) [formerly 1910.20], and 50-78-203, MCA</p> <p>May be kept in electronic form, microfiche, or other alternatives as long as no barriers to immediate employee access are created by such options</p>
<p><b>6 WORKPLACE CHEMICAL LIST</b> Each employer shall compile and maintain a workplace chemical list which must contain the chemical name of each hazardous chemical in the workplace, cross-referenced to any generally used common name; the chemical abstracts service registry number, if available, must accompany all chemical names on the list; and the list must indicate the work area in which each hazardous chemical is normally stored or used.</p>	<p>Must be updated as necessary but not less than annually; destroy when Superseded. <i>(Disposal form RM88*)</i></p>	<p>50-78-202, MCA</p>

<b>Hazard Communication Program Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>7 WRITTEN HAZARD COMMUNICATION PROGRAM</p> <p>Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria for labels and other forms of warning, material safety data sheets, and employee information and training will be met; includes a list of the hazardous chemicals known to be present using an identity that is referenced on the appropriate material safety data sheet; includes the methods the employer will use to inform employees of the hazards of non-routine tasks and the hazards associated with chemicals contained in unlabeled pipes in their work areas.</p>	<p>Retain until superseded; destroy. <i>(Disposal form RM88*)</i></p>	<p>29 CFR 1910.1200 (e)</p>



<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CORRESPONDENCE Correspondence concerning general personnel issues and insurance.	Purge annually and destroy superseded or obsolete records. <i>(Disposal form RM88*)</i>	
2 DRUG AND ALCOHOL TESTING RECORDS: POST-EMPLOYMENT Records documenting procedures for selecting and testing employees randomly for drug and/or alcohol abuse. Tests are performed in compliance with the 1989 Substance Free Workplace Act and with 1995 regulations of the Federal Highway Administration and the Federal Transit Administration. a Plans, Procedures, Supporting Documentation, pertaining to the development of procedures for drug and other substance abuse testing programs, including the determination of testing incumbents in designated job positions. b Employee Acknowledgment of Notice Forms, completed by employees whose positions are designated sensitive for substance abuse testing purposes, acknowledging that they have received notice that they may be tested. c Test Results	a Retain for 3 years or when superseded or obsolete or no longer needed, whichever is later; destroy. <i>((Disposal form RM88*))</i>  b Retain until employee separates from designated testing position; destroy. <i>(Disposal form RM88*)</i>  c Positive results: Retain for 10 years after termination of employment; destroy. <i>(Disposal form RM88*)</i> , Negative results retain 3 years; destroy. <i>(Disposal form RM88*)</i>	39-2-304, MCA            a 49 CFR 40.23
3 DRUG AND ALCOHOL TESTING RECORDS: PRE-EMPLOYMENT Results of substance abuse tests administered to employment applicants.	Applicants hired: Retain until termination of employment; destroy. <i>(Disposal form RM88*)</i> Applicants not hired: Retain 3 years after decision was made not to hire; destroy. <i>(Disposal form RM88*)</i>	

<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>4 EMPLOYEE EXPOSURE RECORDS (To Hazardous Materials) An employee exposure records a record containing any of the following kinds of information: environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent; biological monitoring results; material safety data sheets indicating that the material may pose a hazard to human health; or, in the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity of a toxic substance or harmful physical agent.</p> <p>a Background Data to Environmental Monitoring Data, such as laboratory reports and worksheets, from environmental (workplace) monitoring or measuring.</p> <p>b Material Safety Data Sheets (MSDS) <i>See Hazard Communication Program Records schedule for a full description of MSDSs.</i></p> <p>c Chemical Inventory Or any other record which reveals where and when used and the identity of a toxic substance or harmful physical agent.</p> <p>d Biological Monitoring Results Results designated as exposure records by specific occupational safety and health standards.</p>	<p>At least 30 years; destroy. <i>(Disposal form RM60*)</i></p> <p>a 1 year, as long as the sampling results, the collection methodology (sampling plan), a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained, are retained for at least 30 years; destroy. <i>(Disposal form RM60*)</i></p> <p>b Need not be retained for any specified period <i>as long as</i> some record of the identity of the substance or agent, where it was used, and when it was used is retained for at least 30 years; destroy. <i>(Disposal form RM60*)</i></p> <p>c Need not be retained for any specified period <i>as long as</i> some record of the identity of the substance or agent, where it was used, and when it was used is retained for at least 30 years; destroy. <i>(Disposal form RM60*)</i></p> <p>d <i>Retain as required by the specific standard. (Disposal form RM88*)</i></p>	<p>29 CFR 1910.1020 (d) [formerly 1910.20], as adopted by the Montana Department of Labor and Industry</p> <p>The form, manner, or process by which an employer preserves a record is not mandated <i>as long as</i> the information contained in the record is preserved and retrievable, except that chest X-ray films shall be preserved in their original state.</p>

<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>5 EMPLOYEE MEDICAL RECORDS/FILES</b>                      a An employee medical file is a record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel or technician, and may include: medical and employment questionnaires or histories; the results of medical examinations; medical opinions, diagnoses, progress notes, and recommendations; first aid records; descriptions of treatments and prescriptions; employee medical complaints; health and dental insurance enrollment records; medical releases; and information from physician and worker's compensation reports.</p> <p>b Insurance Records</p> <p>First Aid Records                      Records of one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and the like which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, if made on-site by a non-physician.</p> <p>Medical Records of Employees Who Have Worked for Less than 1 Year for the Employer</p>	<p>a Retain actual medical records for duration of employment + 30 years; destroy. (Disposal form RM88*),</p> <p>b Health and dental insurance claims need not be retained for any specified period and insurance enrollment records, medical releases, and information from reports should be retained for 10 years after termination of employment or 10 years after the last year enrolled in the plan, if they are maintained separately from the employer's medical program and its files. (Disposal form RM88*)</p> <p>c First aid records need not be retained for any specified period if they are maintained separately from the employer's medical program and its files. (Disposal form RM88*)</p> <p>d Need not be retained beyond the term of employment if they are offered to the employee upon the termination of employment. (Disposal form RM88*)</p>	<p>29 CFR 1910.1020(d) [formerly 1910.20], as adopted by the Montana Department of Labor and Industry</p> <p>This is a vital record.</p> <p>FMLA requires these records to be maintained separately from other personnel records.</p>
<p><b>6 INSURANCE: CLAIMS</b>                      Documentation used in the payment of employee health and death benefit claims or payments to non-employees under liability policies, including insurance claims forms; copies of hospital, physician, and medication bills; death certificates; correspondence; beneficiary information; and other supporting papers used in processing the claims.</p>	<p>Retain 2 years after final settlement; destroy. (Disposal form RM88*)</p>	

<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
7 <b>INSURANCE: POLICIES</b> Current insurance policies and background information concerning the policy.	Retain 5 years after expiration, termination, or cancellation; destroy. <i>(Disposal form RM88*)</i>	This is a vital record while the policy is current. NOTE: May be valuable reference material.
8 <b>LABOR ARBITRATION AND GRIEVANCE RECORDS</b> Records of labor arbitration in general, as well as case files. This series documents grievances filed by employees. Includes original grievance, arbitration and investigation reports, and settlement. a Grievance Form b Investigation and Arbitration Documentation	a Retain 10 years after termination of employment; destroy. <i>(Disposal form RM88*)</i> b Retain 5 years after final resolution of the case; destroy. <i>(Disposal form RM88*)</i>	
9 <b>LABOR UNION NEGOTIATION RECORDS</b> May include minutes of negotiation sessions, handwritten notes, and correspondence documenting negotiations with union representatives for labor contracts.	Retain 8 years after expiration of agreement; destroy. <i>(Disposal form RM88*)</i>	
10 <b>LIABILITY AND PROPERTY CLAIMS</b> Initial report of a citizen's liability or property claim against the city/town. "Record" copy of all follow-up actions, including investigation, arbitration, and settlement.	Retain claims report for 2 years after final settlement; destroy. <i>(Disposal form RM88*)</i>	
11 <b>PAYROLL: CHECK REGISTERS</b> List containing check number, amount, and employee name of every payroll check issued.	Retain 50 years after the fiscal year to which these records relate; destroy. <i>(Disposal form RM60*)</i>	NOTE: The payroll check register is a good candidate for COM or microfilm.
12 <b>PAYROLL: PAYROLL REGISTERS</b> Should include necessary information for retirement purposes	Retain 50 years; destroy. <i>(Disposal form RM60*)</i>	NOTE: The payroll register is a good candidate for COM or microfilm.
13 <b>PAYROLL: QUARTERLY PAYROLL REPORTS</b>	Retain 4 years after the end of the fiscal year to which the records relate. <i>(Disposal form RM88*)</i>	29 CFR 516.5
14 <b>PERFORMANCE APPRAISAL RECORDS</b>	Retain 3 years after appraisal or 2 years after last use in employment decision, whichever is later; destroy. <i>(Disposal form RM88*)</i>	

<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<b>15 PERSONNEL RECORDS/FILES</b> Official personnel records of all employees. Files may include resume, employment application, W-4 form, PERS membership cards, deduction information, and other personnel and payroll information. a. W-4 forms b. All other records	a. 5 years after the completed form is superseded ( <i>Disposal form RM88*</i> ) b. If the file contains only personnel records, retain 10 years; if payroll information also is included, retain 50 years; destroy. ( <i>Disposal form RM88*</i> )	These are vital records.
<b>16 POSITION CLASSIFICATION</b> Study and survey records and background information documenting decisions leading to position classification.	Retain until superseded; destroy. ( <i>Disposal form RM88*</i> )	
<b>17 PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) REPORTS</b> Reports submitted to the State Public Employees Retirement Division (PERD).	Municipality: Retain 10 years after termination of the employee; destroy. ( <i>Disposal form RM88*</i> )	This is a vital record.
<b>18 REQUISITION FOR HIRING</b> Formal request to hire; may include vacancy announcement and other information concerning the position opening.	Retain 2 years after the end of the fiscal year to which the records relate; destroy. ( <i>Disposal form RM88*</i> )	
<b>19 TIME RECORDS</b> May be cards or sheets or electronic records.	Retain 3 years; destroy. ( <i>Disposal form RM88*</i> )	29 CFR 516.6 This is a vital record.

<b>Human Resources Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>20 WORKERS COMPENSATION</p> <p>a Initial Report Report submitted by the employer and claim form completed by the employee. Summary information is available in quarterly reports submitted to MMIA.</p> <p>b Log and Summary Information Information of all recordable occupational injuries and illnesses, as well as supplementary records of each occupational injury or illness reported. May include summary reports on accidents and incidents and ensuing workers compensation claims sent quarterly to MMIA.</p> <p>c Employee Exposure and Medical Records <i>See Employee Exposure Records and Employee Medical Records/Files earlier in this schedule.</i></p> <p>d Claims Settlement Records Documentation concerning investigations of claims and their settlement.</p>	<p>a Retain 2 years after claim has been settled; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 5 years after injury or illness was reported; destroy. <i>(Disposal form RM88*)</i></p> <p>c Retain 30 years after injury or illness was reported, unless specified otherwise by a specific occupational safety and health standard; destroy. <i>(Disposal form RM88*)</i></p> <p>d Retain 5 years after claim has been settled; destroy. <i>(Disposal form RM88*)</i></p>	<p>29 CFR 1904.4</p> <p>Records may be maintained for and on behalf of the municipality by their insurance carrier.</p>

<b>Human Resources Records Federally Required Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 COBRA RECORDS/RETIRED EMPLOYEE INSURANCE APPLICATIONS Enrollment and waiver forms documenting acceptance or rejection of health and dental insurance offered to retired employees and to terminated employees eligible for insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).	Retain 3 years after termination of employment; destroy. <i>(Disposal form RM88*)</i>	
2 EMPLOYMENT APPLICANT INFORMATION RECORDS Records documenting minority status information concerning all job applicants. The information is collected in response to federal requirements for tracking the type and number of minority applicants.	Retain 3 years after filing EEO-4 or any other federally-required report to which these records relate; destroy. <i>(Disposal form RM88*)</i>	29 CFR 1602.30
3 EMPLOYMENT ELIGIBILITY FORMS (I-9) Mandatory federal form (I-9) to be completed by every job applicant to document employment eligibility. Forms are supplemented by supporting documentation such as photocopies of driver licenses, birth certificates, green cards, and Social Security cards.	Retain 3 years after hire or 1 year after termination of employment, whichever is later; destroy. <i>(Disposal form RM88*)</i>	8 CFR 274a.2
4 FICA QUARTERLY REPORTS Reports to the Social Security Administration showing employee earnings on which payroll deductions for Social Security are based.	Retain 4 years; destroy. <i>(Disposal form RM88*)</i>	
5 FLEXTIME PROGRAM RECORDS Includes enrollment form, payment documentation, and administrative records documenting compliance with and administration of the flextime program (Flex 125) required under the Internal Revenue Code 1986, Section 125, as amended. The federal Employee Benefits Management Services (EBMS) maintains the "Record" copy. a Annual Report Submitted to the Internal Revenue Service. b Enrollment and Waiver Forms	a Retain 15 years; destroy. <i>(Disposal form RM60*)</i> b Retain 2 years after expiration or superseded; destroy.. <i>(Disposal form RM88*)</i>	

<b>Human Resources Records Federally Required Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
6 MEDICARE QUARTERLY REPORTS Reports submitted to the U.S. Department of Health and Human Services showing employee earnings on which payroll deductions for medicare are based.	Retain 4 years; destroy. <i>(Disposal form RM88*)</i>	
7 TAX DEDUCTION REPORTS Reports listing payroll deductions taken for state and federal taxes.	Retain 2 years after end of official year to which these records relate; destroy. <i>(Disposal form RM88*)</i>	
8 W-2 FORMS Copies of W-2 forms provided to employees for income tax and other reporting purposes. Includes distributed and undistributed W-2s.	Retain 4 years after end of the fiscal year to which the records relate, or after tax is paid, whichever is later; destroy. <i>(Disposal form RM88*)</i>	26 CFR 31.6001-1



<b>Information Resources (Computer) Services Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 COPIES OF RECORDS Records relating to system security, including records documenting periodic audits or review and recertification of sensitive applications, disaster and continuity plans.</p>	<p>Destroy or delete when superseded or obsolete. <i>(Disposal form RM88*)</i></p>	
<p>2 DATA SYSTEMS SPECIFICATIONS a Codebooks b Final reports (regardless of medium) relating to master file or data base. c File specifications d Output specifications e Record layouts f User guides</p>	<p>Destroy when superseded or obsolete, or upon authorized deletion of the related master file or database or upon the destruction of the output of the system if the output is needed to protect legal rights, whichever is latest. <i>(Disposal form RM88*)</i></p>	

<b>Legal Counsel/Municipal Attorney Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CASE FILES: CIVIL a Formal Judgment Copy b Case Papers and all associated records.	a Permanent (reference copy). b Retain 10 years after final judgment; destroy. <i>(Disposal form RM88*)</i>	
2 CASE FILES: CRIMINAL a Active and Pending Criminal Files Case files for individuals tried in court for misdemeanors occurring within the court's jurisdiction. Record copy is in the court. b Court Appeals Files	a Retain 45 days after final judgment; destroy. <i>(Disposal form RM88*)</i>  b Retain 10 years after final disposition; destroy. <i>(Disposal form RM88*)</i>	Confidential
3 COURT REPORTER RECORDS Full stenographer notes of all proceedings.	Retain 10 years. <i>(Disposal form RM88*)</i>	3-5-603, MCA
4 OPINIONS FILES: MUNICIPAL ATTORNEY Legal opinions issued by the municipality's attorney as requested on legal matters. Files may contain requests for opinions from departments, the legal opinions themselves, memoranda, correspondence, reports, photographs, pleadings, ordinances, bonds, and billing statements.	Permanent	
5 OPINIONS FILES: STATE ATTORNEY GENERAL Legal opinions issued by the state Attorney General at the request of the municipality's attorney. Files may contain requests for opinions from departments and from the municipal attorney, the legal opinions issued by the Attorney General, memoranda, correspondence, reports, ordinances, and other support documents.	Permanent	

<b>Library Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 ADMINISTRATIVE WORKING AND REF-ERENCE FILES</b>  a Files used for reports and statistics which appear in the annual report or minutes of the Library Board.  b Minutes of the Library's Board.  c Monthly budget reports  d Long-range plans  e Daily financial overview reports (List the collar amount collected by in fees and penalties during the previous day.</p>	<p>a Retain 1 year after completion of final project; destroy. (<i>Disposal form RM88*</i>)  b Permanent  c Destroy at the end of the fiscal year to which the records relate. (<i>Disposal form RM88*</i>)  d Permanent; update annually as needed.  e Retain 1 year after end of the fiscal year to which these records relate; destroy. (<i>Disposal form RM88*</i>)</p>	
<p><b>2 CIRCULATION RECORDS</b>  Any document, record, or other method of storing information retained, received, or generated by a library that identifies a person as having requested, used, or borrowed library material.</p>	<p>Retain until book is returned; destroy.  (<i>Disposal form RM88*</i>)</p>	<p>These records are confidential, 22-1-1103, MCA.</p>
<p><b>3 EMPLOYEE RECORDS</b>  Enrollment and waiver forms documenting acceptance or rejection of health and dental insurance offered to retired employees and terminated employees eligible for insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).</p>	<p>Retain 3 years after termination of employment; destroy.  (<i>Disposal form RM88*</i>)</p>	
<p><b>4 INTERLIBRARY LOAN (ILL) RECORDS</b></p>	<p>Retain 3 years; destroy.  (<i>Disposal form RM88*</i>)</p>	
<p><b>5 LIBRARY PUBLICATIONS</b>  These are records created by the Library. Series may include brochures, clippings, fliers, newsletters, posters and other printed material.</p>	<p>Master set is permanent; all other copies discard when superseded or obsolete. (<i>Disposal form RM88*</i>)</p>	
<p><b>6 LIBRARY GRANTS</b>  "Record" copy is in the Municipal Clerk's office. Series may include grant agreements, grant proposals, and fund expenditure records.</p>	<p>Retain 5 years after expiration of grant; destroy.  (<i>Disposal form RM88*</i>)</p>	<p>34 CFR 76.730 and 732</p>
<p><b>7 OUTREACH RECORDS</b>  Documentation of library outreach activities such as the bookmobile project, statistical information and time schedules.</p>	<p>Retain 2 years destroy. (<i>Disposal form RM88*</i>)</p>	

<b>Library Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
8 PATRON FILES a Applications of patrons with no outstanding dues or unreturned materials. b Applications of inactive patrons with no outstanding dues or unreturned materials.	a Purge annually <i>(Disposal form RM88*)</i> b Retain 1 year after outstanding dues have been paid and/or borrowed materials returned; destroy <i>(Disposal form RM88*)</i>	Any records containing names or other personal identifying information of library users are confidential. 22-1-1103, MCA.

<b>Motor Pool Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 EQUIPMENT FILES Purchase and maintenance records for equipment and vehicles, including work orders, purchase orders, and copies of vehicle registrations.</p>	<p>Retain as long as equipment is owned by the city; destroy. <i>(Disposal form RM88*)</i></p>	
<p>2 MONTHLY FLEET EXPENSE REPORTS Reports detailing parts and labor costs for repairs for each vehicle/piece of equipment serviced the transfer of funds from responsible departments.</p>	<p>Retain 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. <i>(Disposal form RM88*)</i></p>	

<b>Parks And Recreation Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 AQUATICS AND POOL PROGRAM a Daily sales and deposit slips b Equipment and operator manuals c Fee wavier applications d First Aid requests e Job Applications f Lifeguard certifications g Pool injury reports for citizens h Pool injury reports regarding employees i Pool log j Pool inspection reports k Swimming attendance rosters l Statistical report m Time sheets 1 Human Resources 2 All other copies.	a Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate b Retain for life of equipment, or as needed for reference. c Retain 2 years; destroy. d Retain 2 years; destroy. e Retain 25 years after separation, termination of employee f Retain 2 years; destroy. g Retain 3 years after injury occurs; destroy h Retain 5 years after injury occurs; destroy. i Retain 3 years; destroy. j Retain for life of structure. (Disposal form RM60*) k Retain 2 years; destroy. l Permanent. m Timesheets 1 "Record" copy retain 3 years; destroy 2 Retain 1 year; destroy. ALL ITEMS EXCEPT J AND L (Disposal form RM88*)	29 (CFR) 1904.4 27-2-209, MCA 24.30.107, ARM
2 MAPS AND PLANS a Blue line drawings b Building and facilities original maps and plans c Site plans	Permanent	
3 PARK FILES Documents pertaining to the acquisition, development, maintenance, and improvement of city owned park land. a Appraisal reports b Bills of sale c Council/commission resolutions d Correspondence and memoranda e Leases f Master Plans g Minutes of park board h Park maintenance assessment data i Real estate contracts Continued on next page.	a-d Permanent e Leases: 1 Retain 8 years after expiration of lease; destroy. (Disposal form RM88*) 2 Retain until expiration, termination of lease or when superseded; destroy. (Disposal form RM88*) f-i Permanent	MCA 7-16-4103 and MCA 7-16-4209(2)

<b>Parks And Recreation Administration Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
3 PARK FILES—CONT. j Resolutions and Deeds k Right of way and utility easements l Subdivision files m Studies n Surveys o Annual facility inspection reports – report on the annual condition of facilities in the park and recreation system	j-n Permanent  o Life of facility + 25 years <i>(Disposal form RM60*)</i>	
4 RECREATIONAL ACTIVITIES a Award forms b Attendance reports, sign in sheets c Class plans, class lists d Clippings, photographs e Memorandums and correspondence f Promotional flyers g Program participant recruitment letters h Schedules i Score sheets j Staff and program evaluations k Registration forms	a Retain as long as needed for administrative purposes. b Retain 2 years; destroy. c Retain 5 years; destroy. d Retain 5 years; SEE NOTE e Retain 5 years; destroy. f Permanent g Retain 3 years; destroy. h Retain 5 years; destroy. i Retain as long as needed for administrative purposes. j Retain 5 years; destroy. k Retain 5 years after end of fiscal year in which records relate if city/town is audited annually; 7 years after end of fiscal year in which records relate if not audited annually; destroy. ALL ABOVE EXCEPT f. ARE <i>(Disposal form RM88*)</i>	Note: Some photographs may have historical value and should be retained permanently.
5 PERMITS Records pertaining to permits issued by the department. Series includes applications, insurance certificates, review and approval records and receipts.	Retain 5 years after end of fiscal year in which records relate if city/town is audited annually; 7 years after end of fiscal year in which records relate if not audited annually; destroy. <i>(Disposal form RM88*)</i>	

<b>Parks And Recreation Forestry And Conservation Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 DAILY PESTICIDE REPORTS Handwritten record of pesticide application reports maintained to document application of pesticides to trees.	Retain 1 year after incorporated into annual report; destroy. (Disposal form RM88*)	
2 FORESTRY RECORDS a Daily weed control reports and correspondence. b Inspections by State c Pesticide inventory d Tree removal reports e Correspondence and studies concerning Forestry programs and policies. f Diagrams	a Retain 2 years; destroy. b Retain 10 years; destroy. c Retain 3 years; destroy. d Retain until incorporated into tree inspector annual report. e Permanent. f Retain 2 years or as long as needed for reference, whichever is longer; destroy. ALL ABOVE EXCEPT e are: (Disposal form RM88*)	
3 PESTICIDE LICENSE License with Department of Agriculture indicating certification of training to apply pesticides.	Maintain 1 year after expiration; destroy. (Disposal form RM88*)	
4 TREE INSPECTOR ANNUAL REPORT Annual report by tree inspector which Compiles annual statistics on Dutch elm disease and tree trimming notices and removals.	Permanent	
5 TREE INVENTORIES Inventory of trees in parks and list of trees to be destroyed.	Permanent	
6 TREE NUISANCE NOTICES Records document notices to property owners regarding violation of city ordinances to trim trees or cut dutch elm infected trees. a Notices to abate b Affidavit of mailing c Tree crew work orders	a Retain 2 years after costs for trimming have been satisfied by property owner; destroy. b Retain 2 years after tree trimming completed; destroy. c Retain 2 years after work is completed; destroy. a,b,c (Disposal form RM88*)	



<b>Planning Department Boards, Commissions, Committees Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 APPLICATION FOR SPECIAL REVIEW Documentation of application process, including application form, maps, site plans, correspondence, and list of surrounding property owners.	Permanent	
2 BOARD OF ADJUSTMENT a This series consists of documentation of appeals to the Board of Adjustment concerning rules made by building and zoning coordinators. b Minutes	Permanent	
3 PLANNING BOARD a Minutes b Resolutions	a Permanent b Permanent	
4 TECHNICAL ADVISORY COMMITTEE (TAC) RECORDS Record copies of minutes, bylaws, background materials. a Record copy b Informational copies	a Permanent b Discard when no longer need for reference. (Disposal form RM88*)	
5 VARIANCE APPLICATION Documentation of application process, including application form, maps, site, plans, correspondence, list of surrounding property owners. Series includes documentation of a variance to the airport influence zone.	Permanent	
6 ZONING DECISIONS ON NEWLY ANNEXED AREAS Records concerning areas annexed for specific uses containing documentation pertaining to zoning in the newly annexed areas with correspondence, maps and final decision.	Permanent	

<b>Planning Department Enforcement Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ADMINISTRATIVE RECORDS Includes correspondence, appointments to various boards, budget information and departmental policies and procedures for hiring and consultants.</p>	<p>Retain for 2 years or until superseded or obsolete, whichever is later; destroy. (Disposal form RM88*)</p>	
<p>2 AFFIDAVITS OF PUBLICATION Standard affidavits from newspapers confirming that they published notices of public hearings for the various commissions and boards associated with the planning.</p>	<p>Place with related project file and dispose of accordingly or retain 3 years after publication of notice; destroy. (Disposal form RM88*)</p>	
<p>3 ANNEXATIONS Series contains plats, studies, resolutions, correspondence, legal notices, memoranda, applications/petitions, title reports, ownership reports, consent letters and protests. a "Record" copy is with the Municipal Clerk. b Clerk and Recorder copy. c All other copies</p>	<p>a Permanent b Permanent c Retain until no longer needed for reference; destroy. (Disposal form RM88*)</p>	<p>This is a vital record.</p>
<p>4 FLOODPLAIN ADMINISTRATION Administrative records and reference materials documenting the administration of floodplains. Records including photographs of flood events, floodplain determinations, floodplain regulations, and correspondence. a Administrative records b Regulations and determinations c Reference materials</p>	<p>a Retain (Disposal form RM88*) 2 years; destroy. b Master set is a permanent record; all other copies retain until superseded; destroy. c Discard when superseded or obsolete. (Disposal form RM88*)</p>	

<b>Planning Department Land Development Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 DEVELOPMENT AGREEMENTS                      Agreements with developers detailing specific provisions for services, facilities, or structures provided by the developer in developing an area of land.                      a County Clerk and Recorder: "record" copy                      b Planning Department                      .</p>	<p>a Permanent.                      b Retain until expiration of agreement, life of ownership, or when no longer needed for reference and enforcement purposes whichever is later; destroy.  <i>(Disposal form RM88*)</i></p>	
<p>2 PLANNED UNIT DEVELOPMENT (PUD) RECORDS                      Documentation regarding each Planned Unit Development project which has been completed. Record types include agreements, site plans, correspondence, conceptual plans, and description of the type, quantity, and time schedule of the development.</p>	<p>Permanent</p>	

<b>Planning Department Maps</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 HISTORICAL MAPS	Permanent	May be transferred to an archive; 76-1-601(2b), MCA
2 MAPS CREATED BY OTHER ENTITIES such as the U.S. Geological Survey, and used for reference purposes	Retain as long as needed for reference; destroy. <i>(Disposal form RM88*)</i>	
3 MAPS CREATED FOR SPECIFIC PLANS	Permanent	76-1-601(2b), MCA
4 URBAN PLANNING AREA MAPS	Permanent	76-1-601(2b), MCA
5 ZONING MAPS	Permanent	This is a vital record; 76-1-601(2b), MCA

<b>Planning Department Permits</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 <b>CONDITIONAL USE PERMITS</b> Permits granted by Board of Adjustment. This is a closed series.	Retain 1 year after expiration of permit; destroy. ( <i>Disposal form RM88*</i> )	
2 <b>SIGN PERMITS</b> Applications for permits and registration of signs under the municipal code.	Retain 1 year after expiration of permit; destroy. ( <i>Disposal form RM88*</i> )	

<b>Planning Department Plans And Studies</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 COMPREHENSIVE PLAN Series documents creation and modification of the comprehensive plan, a long term planning document for development. Records concern each element of the plan, which includes public facilities, agriculture, land use, environment, etc. The series includes working records and drafts of each element</p> <p>a Municipal Clerk: "record" copy b All other copies.</p>	<p>a Permanent b Retain 25 years; destroy. (Disposal form RM60*)</p>	
<p>2 GENERAL TRANSPORTATION PLANNING ADMINISTRATION Working and reference files concerning a number of transportation issues including air quality, bicycle path planning, federal guidelines, and correspondence from the planner.</p>	<p>Retain until no longer needed for reference; destroy. (Disposal form RM88*)</p>	
<p>3 REPORTS TO THE MONTANA DEPARTMENT OF TRANSPORTATION Reports concerning the expenditures and activities of the Planning Department.</p> <p>a Quarterly Reports b Annual Reports</p>	<p>a Retain 3 years from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the report would have been due if expenditure report is waived however, if any litigation claim, negotiation, audit, or other action has started before the expiration of the three-year period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later. (Disposal form RM88*) b Permanent.</p>	<p>49Code of Federal Regulations (CFR) 18.42; 7 CFR 3016.42</p>
<p>4 TRANSPORTATION IMPROVEMENT PROGRAMS (TIP) FOR THE METROPOLITAN PLANNING ORGANIZATION Series documents scheduled improvements to the transportation network.</p>	<p>Retain 2 years after improvement project has been completed; destroy. (Disposal form RM88*)</p>	

<b>Planning Department Plans And Studies</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>5 TRANSPORTATION STUDIES AND PLANNING PROJECTS</p> <p>a Records documenting studies and projects conducted in agreement with the Montana Department of Transportation (MDOT) under the Community Transportation Enhancement Program (CTEP)</p> <p>b All other studies and projects.</p>	<p>a Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report, in all other cases; or on the day the report would have been due, if expenditure report is waived, however if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later. <i>(Disposal form RM88*)</i></p> <p>b Retain 2 years after completion of the study; destroy. <i>(Disposal form RM88*)</i></p>	<p>49 CFR 18.42 7 CFR 3016.42</p>
<p>6 URBAN PLANNING AND ZONING STUDIES</p> <p>Documentation of urban planning, zoning, corridor studies and neighborhood plans.</p> <p>a Drafts and working records</p> <p>b Final document retained in the Municipal Clerk's office.</p>	<p>a Retain 2 years after completion of the study; destroy. <i>(Disposal form RM88*)</i></p> <p>b Permanent</p>	

<b>Planning Department Plans And Studies</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
7 UNIFIED PLANNING WORK PROGRAM Records concerning the department's submission of an annual plan for activities funded through the UPWP and explanation of how the funds will be used. Also contains reference materials used in developing the plans, including traffic count data, Federal Title Review and Guidelines.	Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the date the grantee submits its final expenditure report in all other cases; or on the day the report would have been due, if expenditure report is waived, however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later. <i>(Disposal form RM88*)</i>	49 CFR 18.42 7 CFR 3016.42



<b>Planning Department Subdivision Creation And Review Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 SUBDIVISION RECORDS</p> <p>a Working Files Records developed during the creation and review of subdivisions. Record types can include correspondence, city departmental review notes and evaluations, various drafts of plats from conceptual to preliminary to final plat stages.</p> <p>b Preliminary Files</p> <p>1 Approved Subdivisions</p> <p>2 Unapproved Subdivisions</p> <p>c Subdivision Improvement Agreements</p> <p>1 "Record" copy retained in the Municipal Clerk's office.</p> <p>2 Departmental copy.</p>	<p>a Retain for the life of subdivision (<i>Disposal form RM88*</i>)</p> <p>b Preliminary Files</p> <p>1 Retain for the life of the subdivision. (<i>Disposal form RM88*</i>)</p> <p>2 Retain 10 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>c Subdivision Improvement Agreements</p> <p>1 Permanent</p> <p>2 Retain for the life of the subdivision. (<i>Disposal form RM88*</i>)</p>	

<b>Police Department Criminal Justice Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ARREST WARRANTS Warrants issued for arrest of individuals suspected of crimes committed.</p> <p>a Original arrest warrant b All other copies</p>	<p>a Retain in office until warrant is executed by Police Department or canceled by court of jurisdiction, whichever is sooner, then transfer to court. (<i>Disposal form RM88*</i>) b Destroy after warrant is issued or canceled. (<i>Disposal form RM88*</i>)</p>	
<p>2 BENCH WARRANTS Warrants for non-appearance in court of defendant in case.</p>	<p>Return to court after warrant is served, if not served, destroy 2 years after issuance. (<i>Disposal form RM88*</i>)</p>	
<p>3 NATIONAL CRIME INFORMATION CENTER (NCIS) RECORDS Documentation of criminal justice information entered into the National Crime Information Center's database.</p> <p>a Daily log sheets b Entry sheets providing record of information by criminal classification for data entered on wanted persons, stolen vehicles, missing persons, stolen guns, and stolen license plates. c Validation Reports</p>	<p>Retain 3 years after state or federal audit. (<i>Disposal form RM88*</i>)</p> <p>c Once validated retain for 1 year. (<i>Disposal form RM88*</i>)</p>	<p>NCIC policy and regulations, Section II, Audit</p> <p>c NCIC Policy NC1-65-82-4; NCI-65-87-114; NCI-6-76-1; NCI-65-87-11</p>

<b>Police Department Investigation Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ACCIDENT INVESTIGATORS REPORT State of Montana accident report form completed by officers reporting on motor vehicle accidents.	Retain 3 years after last activity; destroy. <i>(Disposal form RM88*)</i>	
2 CASE FILES a Files for persons arrested and convicted, includes fingerprint lifts, photographs, state and federal arrest records. b Files for persons arrested but not convicted.	a Retain 50 years after clearance. <i>(Disposal form RM88*)</i> b Retain until court of jurisdiction orders destruction of records or return upon request to individual arrested but not convicted. <i>(Disposal form RM88*)</i>	This is a vital record for current investigations. ARM 23.12.105 MCA 44-5-02(8)(a)(b)
3 EVIDENCE RECORDS Includes index to and all documentation of evidence kept in evidence storage and its disposition. Includes a description of the property, number assigned to evidence, date received, person delivering evidence, who received it, arrest number and description of property. Receipts of all incoming and outgoing property. Records showing authorization of disposition of evidence, date and method of disposal, receipts, if sold	Retain 60 days after disposition of property, unless the record becomes part of a case file. <i>(Disposal form RM88*)</i>	
4 CRIMINAL INTELLIGENCE INFORMATION General intelligence gathered by the department for police investigations. Documents include crime analysis, crime statistics and mapping, handwritten notes, and correspondence.	Retain in office as long as needed for investigative purposes.	

<b>Police Department Investigation Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>5 CRIMINAL INVESTIGATIVE RECORDS</b> Records document all official police investigations for crimes committed. Sample records in a file include an arrest report, transcript of suspect interrogation, suspect statements, evidence release forms, fingerprint cards, laboratory reports, evidence tags, copy of Montana Highway Patrol accident investigation report, case worksheet and other documents relating to specific criminal cases.</p>	<p>a Unsolved homicides—permanent                      b Solved homicides—75 years                      c Sexual felonies—75 years                      d Other felonies (no warrant issued)—6 years                      e Missing persons—until cleared                      f Felonies—if a warrant is issued—keep until case is disposed of 90 days after decision                      g Non-criminal cases—3 years                      h Other cases 3 years                      i Felony or misdemeanor charges involving domestic violence, driving under the influence, and violations of protective orders--50 years after last activity                      j Adults arrested for all misdemeanor charges not included in (i) above.--3 years after clearance                      k Juveniles arrested for driving under the influence or sexual offenses --50 years after clearance.                      l Juveniles arrested except those listed in (k) above--Upon consent of the court judge or county attorney, destroy after records remain sealed for 10 years.                      m Impounded vehicles and seized evidence--5 years after the fiscal year to which the records relate.  <i>(Disposal form RM88* for items a-m above)</i></p>	<p>This is a vital record for current investigations. (Administrative rules of Montana (ARM) 23.12.105)</p> <p>(MCA 41-5604 and MCA 45-5-624 (7))</p> <p>MCA 41-5-216</p> <p>e 61-12-401 through 408</p>
<p><b>6 FINGERPRINT CARDS</b> Records containing fingerprints, palm prints, toe prints, and other personal identifiers of arrested individuals, and may also include fingerprints of private security personnel working in an area. Includes personal descriptive information on individuals.</p> <p>a. Investigations                      b. Employees                      c. Applicants                      d. Civilian</p>	<p>a Unsolved homicides -permanent                      Homicides - 75 years                      Sexual felonies - 75 years                      Other felonies (no warrant issued) - 6 years                      Missing persons - until cleared                      Felonies - if a warrant is issued keep until case is disposed of                      Misdemeanors- 3 years                      Non-criminal cases 1 year.                      Other cases 3 years                      b Retain as long as personnel file.                      c 1 year                      d Give to customer. Do not retain.  <i>(Disposal form RM88* for a-c above)</i></p>	<p>MCA 44-202(8)(a)(b)</p>

<b>Police Department Investigation Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
7 FINGERPRINT LIFTS Fingerprints taken by police officers at the scene of crime.	Retain 50 years after clearance; destroy. ( <i>Disposal form RM88*</i> )	This is a vital record for current investigations
8 MASTER NAME CARDS Records provide data pertaining to individuals charged with criminal violations. Data includes criminal charge, citation number, date charged, FBI number, fingerprint classification, physical description, and suspect's date of birth. a Records for all individuals charged in traffic crashes or with driving under the influence. b Records for all individuals (excluding minors) charged with misdemeanors not included in (a) above. c Records involving juveniles arrested. d Records for all individuals charged with domestic violence and violation of protective orders.	a Retain 16 years after date of occurrence. ( <i>Disposal form RM88*</i> ) b Retain 10 years after clearance; destroy. ( <i>Disposal form RM88*</i> ) c Upon consent of the court judge, upon 18 <sup>th</sup> birthday or when supervision ends if it extends beyond the party's 18 <sup>th</sup> birthday. ( <i>Disposal form RM88*</i> ), d Retain 50 years after occurrence. ( <i>Disposal form RM88*</i> )	a 61-11-102(6), MCA 23.12.105, ARM  c 41-5-216, MCA Note: 41-5-604 is repealed.
9 PAWN SLIPS Copies of pawn slips, slips indicate the items being pawned or sold, and the name, address, and physical description of customer. a Slips for stolen items used in criminal investigations. b Slips not used in criminal investigations.	a Transfer to case file. b Retain one year; destroy. ( <i>Disposal form RM88*</i> )	
10 REPORT DISSEMINATION / BACKGROUND CHECK LOGS	Retain 3 years ( <i>Disposal form RM88*</i> )	MCA 44-5-305

<b>Police Department Operational Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 EQUIPMENT MAINTENANCE AND CALIBRATION REPORT – reports, forms and certificates.	Retain 2 years after equipment is disposed of. <i>(Disposal form RM88*)</i>	
2 RIDE ALONGS / LIABILITY WAIVER	Retain 1 year <i>(Disposal form RM88*)</i>	
3 USE OF FORCE REPORT	Retain 2 years after officer's retirement or termination <i>(Disposal form RM88*)</i>	

<b>Police Department Personnel Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 DEPARTMENTAL DIRECTIVES AND PROCEDURES</p> <p>a Master set of current and superseded policies and procedures.</p>	<p>a 25 years after superceded (Disposal form RM88*)</p>	<p>Current record is a vital record.</p>
<p>2 INTERNAL INVESTIGATION CASE FILES</p> <p>Records documenting investigations of department personnel for violation of laws, rules, or policies and may include findings and dispositions of investigations. May contain complaints, correspondence, investigatory reports, interviews, hearing summaries and testimony, and related documents. Usually includes name of employee investigated, reason, location of violation, date, accomplices' names and addresses, witnesses' names and addresses, action taken, and related data.</p> <p>Final action summary file</p> <p>Found not sustained or unfounded</p> <p>Found sustained –formal resulting in demotion, suspension, removal or similar action</p> <p>Found sustained informal- written or verbal reprimands, memoranda or similar action.</p>	<p>Retain as long as personnel file (Disposal form RM88*)1 year after investigation is closed. (Disposal form RM88*)</p> <p>5 years after final disposition (Disposal form RM88*)</p> <p>3 years after final disposition (Disposal form RM88*)</p>	
<p>3 OFFICER TRAINING PROGRAM FILES</p> <p>Records documenting training programs for officers.</p>	<p>Retain 5 years after termination or separation of employee; destroy. (Disposal form RM88*)</p>	

<b>Public Works Agreements</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 INTERGOVERNMENTAL AGREEMENTS            Agreements with other governments. Agreements can include signal light maintenance, street and traffic control maintenance, construction, railroad grade crossing signal agreements.            a Municipal Clerk: "Record" copy            b All other copies</p>	<p>a Retain 8 years after the expiration or termination of the agreement; destroy. (<i>Disposal form RM88*</i>)            b Retain until expiration or termination of the agreement; destroy. (<i>Disposal form RM88*</i>)</p>	<p>Current agreements are a vital record.</p>
<p>2 STATE ROUTE MAINTENANCE AGREEMENTS            a Municipal Clerk: "Record" copy and any supporting documentation.            b All other copies.</p>	<p>a Retain 8 years after the expiration or termination of the agreement; destroy. (<i>Disposal form RM88*</i>)            b Retain until expiration or termination of the agreement; destroy. (<i>Disposal form RM88*</i>)</p>	<p>Current agreements are a vital record.</p>



<b>Public Works General Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 COMPLAINTS Complaints received from the public, other municipal agencies, or departments, including any documentation concerning the resolution of the complaint</p>	<p>Retain 2 years after the complaint has been resolved; destroy. <i>(Disposal form RM88*)</i></p>	
<p>2 MONTANA DEPARTMENT OF HIGHWAY PROJECTS Reports, correspondence and similar records pertaining to contracts and agreements between the Montana Department of Highways and the municipality concerning the location, relocation, construction, reconstruction, maintenance control, supervision, and regulation of designated state highways that run within and through the municipality.</p>	<p>Permanent</p>	
<p>3 MONTHLY REPORTS Monthly reports on public works projects and related budget status.</p>	<p>Retain 4 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the of official year to which the records relate. <i>(Disposal form RM88*)</i></p>	

<b>Solid Waste Collection Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ANNEXATION FILES Records used to track new lands annexed in order to provide garbage. "Record" copy is in the Municipal Clerk's office.</p> <ul style="list-style-type: none"> <li>a Affidavits and petitions of services</li> <li>b Legal opinions</li> <li>c Mail lists</li> <li>d Resolutions and supporting material regarding annexations.</li> </ul>	<ul style="list-style-type: none"> <li>a Retain 3 years after initiation of service; destroy. (<i>Disposal form RM88*</i>)</li> <li>b Retain 3 years after initiation of service; destroy. (<i>Disposal form RM88*</i>)</li> <li>c Retain 3 years after initiation of service; destroy. (<i>Disposal form RM88*</i>)</li> <li>d "Record" copy is a permanent copy; all other copies retain as needed for reference.</li> </ul>	
<p>2 CONTAINER INFORMATION</p> <ul style="list-style-type: none"> <li>a Brochures about containers</li> <li>b Correspondence with citizens</li> <li>c Vendor information</li> </ul>	<ul style="list-style-type: none"> <li>a Retain until superseded; destroy. (<i>Disposal form RM88*</i>)</li> <li>b Retain 2 years; destroy. (<i>Disposal form RM88*</i>)</li> <li>c Retain until superseded; destroy. (<i>Disposal form RM88*</i>)</li> </ul>	
<p>3 MAPS Maps of roads, streets, subdivisions, annexations and other geographical contours.</p>	Retain as needed for reference. ( <i>Disposal form RM88*</i> )	
<p>4 ROUTE AND COLLECTION PICKUP RECORDS Route lists, changes, surveys and handwritten notes</p>	Retain 2 years after superseded; Destroy ( <i>Disposal form RM88*</i> )	
<p>5 ROUTE AND COLLECTION SURVEYS Surveys, questionnaires of property owners regarding services and routes.</p>	Retain 2 years; destroy. ( <i>Disposal form RM88*</i> )	
<p>6 VEHICLE RECORDS</p> <ul style="list-style-type: none"> <li>a Driver listings</li> <li>b Fleet schedules</li> <li>c Inventory ledgers</li> <li>d Maintenance records</li> <li>e Vehicle cost worksheets</li> <li>f Vehicle registrations</li> </ul>	<p>a-f "Record" copy retained as long as the vehicle remains in City ownership; (<i>Disposal form RM88*</i>)</p> <p>All other copies retain as long as needed for reference. (<i>Disposal form RM88*</i>)</p>	

<b>Solid Waste Financial Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 CASH RECEIPT BOOKS	Retain 3 years; destroy. (Disposal form RM88*)	
2 COLLECTION ASSESSMENT REFUNDS Request for adjustment to garbage assessment applications and copy of refund slips	Retain 3 years; destroy. (Disposal form RM88*)	
3 DEPOSIT SLIPS	Retain 3 years; destroy. (Disposal form RM88*)	
4 MATERIALS SAFETY DATA SHEETS Records document the safe use and storage of hazardous materials maintained onsite.	Retain for 30 years. (Disposal form RM60*)	This is a vital record. 29 CFR 1910.20; 29 CFR 1910.1200
5 STATEMENT OF ACCOUNT Statement of account sent to customer billing for landfill dumps or drop box rentals at the landfill.	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate. (Disposal form RM88*)	
6 TAX CARDS Ledger cards detailing ownership history, change in service, and other information used to compute individual solid waste tax assessments.	Retain as long as administratively needed. (Disposal form RM88*)	

Schedule 8 Municipal Retention Schedule

<b>Solid Waste Landfill Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 ACQUISITION RECORDS Legal agreements, copies of resolutions, maps, deeds, title insurance, sales agreements and escrow papers documenting the purchase of land for landfill site. and other documents pertaining to the acquisition of the landfill. 1 Municipal Clerk All other copies</p>	<p>1 Permanent 2 Retain as long as needed for reference. (<i>Disposal form RM88*</i>)</p>	<p>This is a vital record.</p>
<p>2 DAILY LOGS Records tabulate the daily number of vehicles entering landfill by user. a Ledgers, worksheets and vehicle usage reports. b Reports of daily usage by non-city vehicles.</p>	<p>a Retain 1 year; destroy. (<i>Disposal form RM88*</i>) b Retain 1 year; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>3 INVOICES Invoices prepared for customers making landfill dumps.</p>	<p>Retain 30 years after closure of landfill. (<i>Disposal form RM60*</i>)</p>	<p>ARM (AR-W 17.50.531; Fed. Reg. Vol. 56, No. 196 (Oct. 9, 1991) p.51056, 40 CFR 258.29)</p>
<p>4 LEASES "Record" copy in the Municipal Clerk's office.</p>	<p>"Record" copy retained 8 years after expiration or termination; all other copies retain until no longer needed; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>5 OPERATIONS RECORDS a Citations b Change fund audit c Analytical and technical reports d Solid waste committee records e Hazard waste disposal requests f Correspondence and memoranda</p>	<p>Retain 30 years after closure of landfill. (<i>Disposal form RM60*</i>)</p>	<p>ARM (AR-W 17.50.531; Fed. Reg. Vol. 56, No. 196 (Oct. 9, 1991) p.51056, 40 CFR 258.29)</p>
<p>6 RENEWAL APPLICATION RECORDS a License b Montana pollution discharge elimination system permit c Inspections d Training records e Closure plans f Financial memoranda and background documentation g Monitoring, methane, landfill gas, groundwater, refrigeration reports h Montana solid waste regulations and guidelines.</p>	<p>a-g Retain 30 years after closure of land fill. (<i>Disposal form RM60*</i>)  h Retain as needed for reference. (<i>Disposal form RM88*</i>)</p>	<p>Landfill license and permit are vital records.</p>

RM60 and RM88\* are records disposal forms issued by the Local Government Records Committee to document records disposal. Form RM60 is required if records are not confidential and over 10 years old. Form RM88\* can be used if the records are either confidential or less than 10 years old.

<b>Solid Waste Landfill Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
7 STUDIES AND PLANNING RECORDS Technical studies and reports completed by staff or consultants concerning landfill operations and management.	Permanent	
8 TONNAGE REPORTS Slips indicating tonnage of solid waste	Retain 3 years; destroy. <i>(Disposal form RM88*)</i>	
9 USE AGREEMENTS Signed agreement with commercial users of landfill.	Retain 8 years after the expiration or termination of the agreement. <i>(Disposal form RM88*)</i>	This is a vital record.
10 WASTE DISPOSAL RECORDS Series could include, correspondence, waste disposal forms, asbestos disposal forms, waste shippers manifest and non-hazardous waste manifests.	Retain 30 years after closure of landfill. <i>(Disposal form RM60*)</i>	This is a vital record. ARM 17.50.531; Fed. Reg. Vol. 56, No. 196 (Oct. 9, 1991) p. 51056, 40 CFR 258.29)

<b>Street and Traffic Records Administration</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 <b>CONFINED SPACE AUTHORIZATIONS</b> Authorizations for workers to enter confined spaces such as manholes.	Retain until separation or transfer of employee; destroy. ( <i>Disposal form RM88*</i> )	
2 <b>DAILY WORK REPORTS</b> Daily tabulations of the amount of time individual workers spend on specific projects. These reports duplicate the information found on time cards	Retain until monthly report is completed; destroy. ( <i>Disposal form RM88*</i> )	
3 <b>EQUIPMENT LISTS</b> Lists of equipment owned radio call numbers, and equipment rental lists providing rates for services used to charge other city offices and/or private citizens for special services.	Retain until superseded; destroy. ( <i>Disposal form RM88*</i> )	
4 <b>MONTHLY REPORTS</b> a Summaries of employees daily work used for scheduling and rotating workers b Summaries of work completed and sent to MDOT.	a Retain 2 years; destroy. ( <i>Disposal form RM88*</i> ) b Permanent	
5 <b>SERVICE REQUESTS</b> Memoranda and requests received concerning work that needs to be done, may include notes on completion of the work.	Retain 2 years; destroy. ( <i>Disposal form RM88*</i> )	

<b>Street And Traffic Records Street Maintenance</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 SIGNALS</p> <p>a Intersection Maps (as built) Copies of all maps for all of the intersections with traffic signals.</p> <p>b Maintenance manuals</p> <p>c Signal complaint reports</p> <p>d Signal maintenance records</p> <p>e Traffic signal schematics</p>	<p>a Permanent.</p> <p>b Retain as long as equipment is in use; destroy. (<i>Disposal form RM88*</i>)</p> <p>c Retain 5 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>d Retain 5 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>e Retain for life of signal. (<i>Disposal form RM88*</i>)</p>	
<p>2 SIGNING</p> <p>Records pertaining to the maintenance of road signs and lane stripping.</p> <p>a Road signs and lane striping</p> <p>b Work orders and activity reports</p>	<p>a Retain 2 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Retain 2 years; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>3 SNOW REMOVAL</p> <p>Files containing information on snow removal contractors including copies of insurance certificates and licenses, drug testing information and similar records regarding contractors who assist the City with snow removal.</p>	<p>Retain 8 years after contract expires; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>4 STREET MAINTENANCE</p> <p>a Work order</p> <p>b Weed complaints to property owners and charges for completion of work.</p> <p>c Informational memoranda</p>	<p>a Retain 2 years after work is completed; destroy. (<i>Disposal form RM88*</i>)</p> <p>b "Record" copy retain 2 years after assessment for weed cutting occurs; all other copies retain 1 year after weed cutting occurs. (<i>Disposal form RM88*</i>)</p> <p>c Retain until superseded; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>5 STREET SWEEPING</p> <p>a Chip seal records.</p> <p>b Daily Reports.</p> <p>c Flush valve location list.</p> <p>d Hazardous Waste Manifests documenting shipment to disposal contractor.</p> <p>e Maps of sweeping and leaf pickup.</p> <p>f Signed manifest from recipient facility.</p>	<p>a Retain 2 years; destroy.</p> <p>b Retain 1 year ;destroy.</p> <p>c Retain until superseded; destroy.</p> <p>d Retain 3 years or until receipt of a signed manifest from facility receiving the waste; destroy.</p> <p>e Retain until superseded; destroy.</p> <p>f Retain 3 years; destroy.</p> <p>Items a-f (<i>Disposal form RM88*</i>)</p>	<p>40 Code of Federal Regulations (CFR) 262.40</p>
<p>6 STORMWATER AND SEWER</p> <p>a Sewer cleaning and inspection records</p> <p>b Sewer district maps of sewers maintained.</p>	<p>a Retain for life of structure. (<i>Disposal form RM60*</i>)</p> <p>b Permanent.</p>	<p>This is a vital record.</p>

<b>Transit Administrative Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 ACCIDENT AND INCIDENT REPORTS</b> Reports filed when a transit employee or vehicle is involved in an accident or incident.</p> <p>a Incident and accident reports entailing liability or other involvement. b Incident and accident reports not entailing liability or other involvement. c Accident and incident background and supporting documentation.</p>	<p>a Retain 2 years after claim has been settled; destroy. (<i>Disposal form RM88*</i>) b Retain 1 year; destroy. (<i>Disposal form RM88*</i>) c Destroy when no longer needed to settle claims, or 1 year after claim has been settled, whichever is sooner. (<i>Disposal form RM88*</i>)</p>	
<p><b>2 AUDIT WORKING FILES</b> Original and duplicate audit records.</p>	Retain 1 year after completion of audit; destroy. ( <i>Disposal form RM88*</i> )	
<p><b>3 CASH EDIT RECORDS</b> Daily printouts of cash edit list with cash receipts attached documenting the sum of fees collected.</p>	Destroy 5 years after end of official year to which records relate if city/town is audited annually. If city/town is not audited annually, destroy 7 years after the end of the official year to which the records relate ( <i>Disposal form RM88*</i> )	Records serve to reconcile deposits
<p><b>4 CHARTER/SPECIAL SERVICES RECORDS</b> Series may contain correspondence, route maps, regulations concerning charter services and schedules.</p>	Retain 1 year after discontinuation of services; destroy. ( <i>Disposal form RM88*</i> )	Series does not include any documentation needed to document Department's compliance with state and federal requirements for particular types of services, such as those for Americans with disabilities
<p><b>5 EMPLOYEE SAFETY TRAINING</b> a Employee training history b Certifications and test results ("Record" copy in Human Resources Department)</p>	<p>a Retain as long as employee is employed as a "hazmat" employee and 90 days thereafter; destroy. (<i>Disposal form RM88*</i>) b Retain 6 years after termination of employee. (<i>Disposal form RM88*</i>)</p>	49 CFR 172.704
<p><b>6 HAZARDOUS WASTE DISPOSAL</b> Documents the shipment of hazardous materials to a disposal contractor. Includes shipping receipts, type of material shipped, container type, volume, and destination. a Records documenting shipment to disposal contractor. b Signed receipts from recipient facility.</p>	<p>a Retain for the contract term plus eight years. (<i>Disposal form RM88*</i>) b Retain until lease expires or is terminated; destroy.</p>	Active records are vital record.



<b>Transit Administrative Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
	<i>(Disposal form RM60*)</i>	
<p><b>7 LEASES</b> Legal instruments, signed leases, correspondence and memoranda, and other records pertaining to the negotiation, administration, renewal and termination of a lease to which the city is a party.</p> <p>1 Municipal Clerk 2 All other copies.</p>	<p>1 Retain for the term plus eight years; destroy. <i>(Disposal form RM88*)</i> 2 Retain until lease has expired or is terminated; destroy. <i>(Disposal form RM60*)</i></p>	
<p><b>8 MONTHLY OPERATION REPORTS</b> Reports summarizing activities and operations.</p>	<p>Retain 5 years; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>9 STAFF MEETING MINUTES</b> Record copy of minutes of the meeting of operations staff.</p>	<p>Retain 1 year old; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>10 PASSENGER COMPLAINTS</b> Documentation of complaints made by riders against employees, also includes responses.</p> <p>a Complaints not resulting in disciplinary action against employee. Record copy is located in the department b Complaints resulting in disciplinary action against employee.</p> <p>1 "Record" copy in Human Resources 2 Departmental copy</p>	<p>a Destroy when 2 years old if no repeat complaints have been received. <i>(Disposal form RM88*)</i> b Retain record copy with remainder of Personnel File until 25 years after termination. <i>(Disposal form RM88*)</i> Departmental copy—destroy at transfer or termination of employee or when no longer needed for reference, whichever is sooner. <i>(Disposal form RM88*)</i></p>	
<p><b>11 PLANNING CERTIFICATION</b> Notes and correspondence concerning efforts to obtain the Planning Certification from the Montana Department of Transportation, verifying that the department complied with federal requirements.</p>	<p>Retain 1 year after final expiration of certification; destroy. <i>(Disposal form RM88*)</i></p>	

<b>Transit Administrative Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
12 PRE-EMPLOYMENT TEST SCORES a Test questions and course outline b Test results: 1 Successful applicants 2 Unsuccessful applicants	a Update as required ( <i>Disposal form RM88*</i> ) b Test results 1 Retain 5 years after termination of employee; destroy. ( <i>Disposal form RM88*</i> ) Retain 2 years old; destroy. ( <i>Disposal form RM88*</i> )	
13 PROPERTY DOCUMENTATION AND AGREEMENTS a Agreements and Easements 1 Municipal Clerk 2 All Other Copies b Correspondence and other working records.	a Agreements and Easements 1 Permanent. 2 Retain until expiration of agreement or when no longer needed for reference, whichever is sooner; destroy. ( <i>Disposal form RM88*</i> ) b Retain 3 years after initiation of agreement or easement; destroy ( <i>Disposal form RM88*</i> )	
14 SAFETY POLICIES AND PROCEDURES a Master set of current and superseded versions b All other copies	a Permanent  b Retain until superseded or obsolete; destroy. ( <i>Disposal form RM88*</i> )	

<b>Transit Boards, Committees, And Associations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 MONTANA TRANSIT ASSOCIATION Series may include by-laws, handouts from meeting and conferences.	These are not municipal records; recommend keeping for reference only; destroy when no longer useful. <i>(Disposal form RM88*)</i>	
2 SAFETY COMMITTEE Series may include correspondence and memoranda, meeting minutes and notes kept for reference purposes.	“Record” copy of minutes is permanent. All other copies and supporting materials destroy when no longer needed for reference. <i>(Disposal form RM88*)</i>	

<b>Transit Federal Grants And Requirements Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION AND PROGRAM DOCUMENTATION</p> <p>Records documenting efforts to comply with requirements of the Americans with Disabilities Act (ADA). Records include studies, compliance plans, notes, correspondence and data. Also included are computer-generated reports of riders eligible under the ADA, used to manage certifications of eligibility.</p> <p>a Department plans for meeting ADA requirements.</p> <p>b Documentation of good faith effort.</p> <p>c ADA Certifications</p> <p>d Compliance reports to FTA</p>	<p>a Retain 3 years after plan has been superseded or becomes obsolete; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Retain 3 years after date of purchase; destroy. (<i>Disposal form RM88*</i>)</p> <p>c Retain 3 years after certification has been terminated or expired; destroy. (<i>Disposal form RM88*</i>)</p> <p>d Retain until 10 years old; destroy. (<i>Disposal form RM88*</i>)</p>	<p>49 CFR 18.42; 7 CFR 3016.42</p>
<p>2 DISADVANTAGED BUSINESS ENTERPRISE (DBE) CERTIFICATION AND PROGRAM DOCUMENTATION</p> <p>This series documents the compliance with FTE requirements for supporting disadvantaged business enterprises. Included are current and past departmental plans for meeting the requirements, DBE certification of eligibility and the department's quarterly reports to the FTA detailing compliance with the regulations.</p> <p>a Departmental plans for meeting DBE requirements.</p> <p>b DBE Certifications</p> <p>c Quarterly Reports</p>	<p>a Destroy 3 years after plan has been superseded or become obsolete; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Destroy 3 years after certification has been terminated or expired; destroy. (<i>Disposal form RM88*</i>)</p> <p>c Retain until 10 years old; destroy. (<i>Disposal form RM88*</i>)</p>	<p>a 49 CFR 18.42; 49 CFR 23.45 b 49 CRF 18.42; 49 CRF 23.51 c 49 CFR 23.45</p>
<p>3 FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT ADMINISTRATION</p> <p>Records document the administration and expenditure of FTA grant monies. Included are working files such as correspondence and instructions for use of the automated grants management system, GMIS, and procedures and instructions for processing grant payments made directly from the FTA.</p> <p><i>Continued on next page.</i></p>	<p>Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval; or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grantee support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report in all other cases; or on the day (cont.)</p>	

<b>Transit Federal Grants And Requirements Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
3 FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT ADMINISTRATION—cont.	the report would have been due, if the expenditure report is waived; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three year period, after closeout the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. ( <i>Disposal form RM88*</i> )	
4 FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT AGREEMENTS Records documenting the relationship between the city/town and the Federal Transit Administration. “Record” copy is in the Municipal Clerk’s office.	“Record” copy retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval; or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report, in all other cases; or on the day the report would have been due, if expenditure report is waived; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three-year period, whichever is later. ( <i>Disposal form RM88*</i> )	Transfer record copy of grant to Municipal Clerk. Active records are vital records.

<b>Transit Federal Grants And Requirements Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
4 FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT AGREEMENTS—cont. Departmental Copy	Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval; or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report, in all cases; or on the day the report would have been due, if expenditure report is waived; however, if any litigation, claim, negotiation, audit, or other action has started before the expiration of the three-year period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three-year period, whichever is later; destroy. ( <i>Disposal form RM88*</i> )	49 CFR 18.42; 7 CFR 3016.42
5 FEDERAL TRANSIT ADMINISTRATION (FTA) AND MONTANA DEPARTMENT OF TRANSPORTATION (MDOT) RE-PORTS Federal mandated reports documenting the expenditure of federal grants authorized under 49 CFR 53. Includes reports of monies spent for planning (Section 8 reports) and operations (Section 9 reports). Also includes “Section 15 reports”, the Department’s annual report to the FTA. Series also contains quarterly subsidy reports submitted to MDOT, which is responsible for disbursing Section 8 federal funds to local entities. a Annual and all other reports submitted to FTA.  <i>Continued on next page.</i>	a Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval; or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report, in all cases; or on the day the report would have been due, if expenditure report is waived; however, if any litigation, claim, negotiation audit or other action has started before the expiration of the three-period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later. ( <i>Disposal form RM88*</i> )	49 CFR 18.42; 7 CFR 3016.42

<b>Transit Federal Grants And Requirements Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>5 FEDERAL TRANSIT ADMINISTRATION (FTA) AND MONTANA DEPARTMENT OF TRANSPORTATION (MDOT) RE-PORTS cont.</p> <p>b Quarterly reports to the MDOT</p> <p>c All supporting documentation</p>	<p>b Retain 3 years from the day the grantee or sub grantee submits its single or last expenditure report for the period if renewed at an annual or other interval; or from the day the grantee submits its expenditure report for the last quarter of the federal fiscal year if grant support is continued or renewed quarterly; or on the day the grantee submits its final expenditure report, in all cases; or on the day the report would have been due, if expenditure report is waived; however, if any litigation, claim, negotiation audit or other action has started before the expiration of the three-period, after closeout, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the three year period, whichever is later; destroy. (<i>Disposal form RM88*</i>)</p> <p>c Retain 1 year; destroy. (<i>Disposal form RM88*</i>)</p>	<p>49 CFR 18.42; 7 CFR 3016.42</p>
<p>6 TRIENNIAL REVIEWS</p> <p>This series documents the triennial reviews conducted by the Federal Transit Administration (FTA).</p> <p>a Working papers</p> <p>b Findings report</p>	<p>a Retain 2 years after review; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Retain 20 years; destroy. (<i>Disposal form RM60*</i>)</p>	

<b>Transit Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>1 BUILDING RECORDS</p> <p>a Building blueprints and architect's specs.</p> <p>b Building and equipment preventive maintenance records.</p>	<p>a Retain for the life of the building or structure. (<i>Disposal form RM60*</i>)</p> <p>b Retain for the life of the equipment. (<i>Disposal form RM88*</i>)</p>	<p>a This is a vital record.</p>
<p>2 BUILDING INSPECTIONS</p> <p>This series documents inspections by fire marshal and other safety agents of buildings used and operated by the aviation/transit personnel.</p>	<p>Retain for the life of the building; destroy. (<i>Disposal form RM60*</i>)</p>	
<p>3 BUS RESALE RECORDS</p> <p>Records documenting the sale of used bus coaches which were originally purchased with federal funds.</p> <p>a Bid forms</p> <p>b Correspondence</p> <p>c Invoices</p> <p>d Technical specifications</p>	<p>Retain 3 years after FTA audit; destroy. (<i>Disposal form RM88*</i>)</p>	<p>49 CFR 1842; 49 CFR Part 90, Appendix A</p>
<p>4 EQUIPMENT RECORDS</p> <p>a Inventories of materials and tools</p> <p>b Bids and purchases</p> <p>c Maintenance and repair records</p> <p>d Product information and warranties</p> <p>e Product warranties</p> <p>f Owner's manuals</p>	<p>a Revise as needed. (<i>Disposal form RM88*</i>)</p> <p>b Retain for life of equipment.</p> <p>c Retain for life of equipment.</p> <p>d Retain for life of equipment.</p> <p>e Retain for life of equipment.</p> <p>f Retain for life of equipment.</p> <p>b-f (<i>Disposal form RM88*</i>)</p>	
<p>5 FARE DOCUMENTATION</p> <p>Records document changes in transit fares. Includes reference copies of public hearing notices and agendas, as well as correspondence.</p> <p>a Public hearing notices</p> <p>1 Municipal Clerk</p> <p>2 All other copies</p> <p>b Commission/Council Agendas</p> <p>1 Municipal Clerk</p> <p>2 All other copies</p>	<p>a Public hearing notices</p> <p>1 Permanent</p> <p>2 Retain 3 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Commission/council Agendas</p> <p>1 Retain 2 years; destroy. (<i>Disposal form RM88*</i>)</p> <p>2 Retain 3 months; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>6 MANUALS</p> <p>Operation, safety, and other types of manuals outlining policies and procedures for activities and operations.</p> <p>a Master set of current and superseded versions</p> <p>b All other copies</p>	<p>a Permanent</p> <p>b Retain until superseded or obsolete; destroy. (<i>Disposal form RM88*</i>)</p>	



<b>Transit Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>7 <b>MARKETING RECORDS</b> Document types include publications, correspondence, reports and memoranda.</p> <p>a Drafts and working files b Final study, flyer or promotional product</p>	<p>a Retain 2 years after completion of project; destroy. (<i>Disposal form RM88*</i>) b Permanent</p>	
<p>8 <b>MONTHLY RIDERSHIP REPORTS</b> Statistical reports and supporting documentation tracking monthly and year-to-date ridership.</p> <p>a Monthly reports b Annual reports c Supporting documentation</p>	<p>a Retain 5 years; destroy. (<i>Disposal form RM88*</i>) b Permanent c Retain 2 years; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>9 <b>PARATRANSIT CONTRACTOR MONITORING</b> Service statistics provided by the contractor providing paratransit services under the Americans with Disabilities Act. Includes statistical reports and data, notes, and correspondence regarding contractor's performance under contract.</p> <p>a Administrative and working files b Statistical summary reports and data useful for future paratransit planning.</p>	<p>a Retain 1 year after termination of contract; destroy. (<i>Disposal form RM88*</i>) b Retain 5 years after termination of contract; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>10 <b>PROPERTY RECORDS</b> This series documents ownership of plots and land and use agreements for this property made with other entities.</p> <p>a Easements, leases, and other agreements 1 Municipal Clerk 2 All other copies b Master plans and substantive studies. 1 Municipal Clerk 2 All other copies</p>	<p>a Easements, leases, and other agreements 1 Permanent 2 Retain until no longer needed for reference; destroy. (<i>Disposal form RM88*</i>) b Master plans and substantive studies. 1 Permanent. 2 Retain 25 years; destroy. (<i>Disposal form RM60*</i>)</p>	
<p>11 <b>PUBLICATIONS AND PRINTED MATERIALS</b> Pamphlets, flyers, printed schedules, system maps, route schedules and other printed materials. Series also includes working files for future printing project, including art work.</p> <p>a Copies of artwork and other use files. b Original artwork and design. c Master set of all printed brochures and other materials.</p>	<p>a Destroy when no longer needed for future print jobs. (<i>Disposal form RM88*</i>) b Permanent c Permanent</p>	

<b>Transit Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>12 TRANSIT PASSES</p> <p>a Payment documentation</p> <p>1 Record copy</p> <p>2 Departmental copy</p> <p>b All other documentation</p>	<p>a Payment documentation</p> <p>1 Retain 8 years after fiscal year to which the records relate; destroy. <i>(Disposal form RM88*)</i></p> <p>2 Retain 4 months; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 6 months; destroy. <i>(Disposal form RM88*)</i></p>	
<p>13 TRANSIT SCHEDULES</p> <p>This series consists of working files documenting changes to the transit systems (including scheduling and routing) as well as any other changes concerning procedures related to schools. Includes reference copies of old schedules used for planning new schedules/routes or changing existing ones.</p>	<p>Retain 5 years old or when no longer needed for reference, whichever is later; destroy. <i>(Disposal form RM88*)</i></p>	
<p>14 TRADEMARK APPLICATION</p> <p>Correspondence, Commission/Council agendas, and application documentation concerning the registration of trademarks.</p> <p>a Trademark registration</p> <p>b Application documentation</p>	<p>a Permanent.</p> <p>b Retain 1 year after registration is completed; destroy. <i>(Disposal form RM88*)</i></p>	<p>This is a vital record.</p>

<b>Utilities Accounting Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 ACCOUNTING a Cash book edits b Depreciation reports	a Retain 3 years after the end of the fiscal year to which the records relate; destroy. <i>(Disposal form RM88*)</i>  b Retain depreciation schedules and any background documentation for the depreciable life of the property as determined by the IRS. Destroy 7 years after final tax return on the depreciation was filed. <i>(Disposal form RM88*)</i>	

<b>Utilities Customer Service Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>1 CUSTOMER FILES</b> Documentation concerning services and billings for each individual customer. Information includes "auto-pay" sign up cards, signature cards, exception reports, correction slips, landlord agreements, transfer of funds, payment/account adjustments, ARB meter reading reports and waste water averages.</p> <p>a General billing records Authorizations for charges under utility service contracts and standard billing sheets or schedules.</p> <p>b Customer's account adjustments Detailed records pertaining to the adjustments of accounts for over charges, undercharges, and other errors, the results of which have been transcribed to other records and high bill complaints.</p>	<p>a Retain 3 years; destroy. <i>(Disposal form RM88*)</i></p> <p>b Retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	<p>a NARUC 50c and 50d</p> <p>b NARUC 55a and 55b</p>
<p><b>2 CUSTOMER LEDGERS</b> Series includes all records used in lieu of customer's ledgers, such as bill summaries, registers, and bill stubs.</p>	<p>Retain 3 years or until no longer required to comply with service rules regarding refunds on fast meters, whichever is later; destroy. <i>(Disposal form RM88*)</i></p>	<p>NARUC 52a and b</p>
<p><b>3 CUSTOMER PAYMENT COUPONS</b> Payment slips stating customer information including name, number, and amount of payment submitted. Slips accompany the actual utility payment.</p>	<p>Retain 1 year after payment has been entered into customers' ledger; destroy. <i>(Disposal form RM88*)</i></p>	
<p><b>4 CUSTOMER WORK ORDERS</b> Records document work performed for customers, such as meter readings and repairs, meter leak repairs, turn-off's for service repairs and all other services and inspections for which customers are charged.</p>	<p>Retain 3 years; destroy. <i>(Disposal form RM88*)</i></p>	<p>NARUC 50b</p>
<p><b>5 SERVICE APPLICATIONS AND CONTRACTS</b> Applications by prospective customers for services.</p>	<p>Retain 1 year after termination of service; destroy. <i>(Disposal form RM88*)</i></p>	

<b>Utilities Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
1 AS-BUILT DRAWINGS Drawings of public utilities facilities and water lines.	Permanent	This is a vital record.
2 CONSTRUCTION FILES This series documents construction activities of the water and waste water facilities, water lines, and extensions of water lines. a Water and sewer line plans and all other plans. b Contracts; "Record" copy is in the Municipal Clerk's Office. c Contract Specifications for structural facilities such as buildings, and basins; equipment. d Materials specifications, shop drawings, financial records, and other documentation used to calculate fixed assets.	a Water and sewer line plans are a permanent record; all other plans retain until no longer needed for reference. ( <i>Disposal form RM88*</i> ) b "Record" copy is a permanent copy; Departmental copy retain for 2 years after termination or completion of contract; destroy. ( <i>Disposal form RM88*</i> ) c Contract Specifications are a permanent record; equipment discard at the end of its life. ( <i>Disposal form RM60*</i> ) d Retain for the life of the facility or construction. ( <i>Disposal form RM60*</i> )	
3 EQUIPMENT RECORDS Vehicle maintenance and repair work orders	Retain for life of vehicle; destroy. ( <i>Disposal form RM88*</i> )	
4 INSTRUMENTATION CALIBRATION REPORTS Information maintained in hard copy and electronic format concerning calibration of the flow meters, legal monitors, pressure monitors, and similar equipment. a Calibration reports for operational instrumentation and equipment b Calibration and maintenance records and reports regarding environmental monitoring instrumentation.	a Retain 10 years; destroy. ( <i>Disposal form RM88*</i> ) b Retain 3 years; destroy. ( <i>Disposal form RM88*</i> )	40 CRF 122.41, 16.20.1318, ARM
5 LABORATORY BENCH SHEETS FOR DRINKING WATER MONITORING a Bench sheets 1 Bacteriological reports 2 Chemical analyses 3 Laboratory checks and control tests	a Bench sheets 1 Retain 5 years; destroy. 2 Retain 10 years; destroy. 3 Retain 10 years; destroy. Items 1-3 ( <i>Disposal form RM88*</i> )	1-2: 40 CFR 141.33 and 16.20.225, ARM 3: 16.20.224, ARM

<b>Utilities Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
5 LABORATORY BENCH SHEETS FOR DRINKING WATER MONITORING—cont. b Monthly summary reports submitted to the EPA and the MDEQ 1 “Record” copy 2 Departmental copy	1 Submit to EPA and MDEQ. 2 Permanent	
6 LABORATORY BENCH SHEETS FOR WASTE WATER MONITORING Bench sheets containing the results of tests conducted on waste water at various stages of treatment. a Bench sheets 1 Montana Pollution Discharge Elimination System (MPDES) monitoring 2 National Pollution Discharge Elimination System monitoring 3 Sewage sludge monitoring b Monthly summary reports 1 Record copy 2 Departmental Copy	a Bench sheets 1 Retain 3 years; destroy. 2 Retain 3 years; destroy. 3 Retain 3 years; destroy. Items 1-3-- ( <i>Disposal form RM88*</i> ) b Monthly summary reports 1 Submit to EPA and MDEQ. 2 Permanent	1 16.20.1318, ARM 2 40 CFR 122.41 3 40 CFR 503.17
7 MAINTENANCE FILES a Manuals and parts lists b Repair reports c Schematics for the water and waste water treatment facilities and equipment d Work orders	Retain as long as the equipment or facility is in use. ( <i>Disposal form RM88*</i> )	This is a vital record
8 METER HISTORY CARDS Cards documenting tests, repairs, and other maintenance conducted on water meters.	Retain for life of equipment; destroy. ( <i>Disposal form RM60*</i> )	NARUC 23.3f
9 METER SECTION REPORTS Monthly reports summarizing tests, repairs, and other maintenance conducted on water meters.	Retain 6 years; destroy. ( <i>Disposal form RM88*</i> )	NARUC 23.3h
10 MONTHLY REPORTS Monthly summary reports concerning the activities and operations created in response to reporting requirements from the EPA and the Montana Department of Environmental Quality(NOEQ)or for internal administrative purposes. a Montana Pollution Discharge Elimination System Permit Report b Water service leak report	a Permanent b Retain 20 years; destroy. ( <i>Disposal form RM60*</i> )	EPA– Environmental Protection Agency

<b>Utilities Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p><b>11 OPERATIONAL FILES—WASTEWATER TREATMENT</b> Series documents the daily activities of the treatment plant's staff. Included are worksheets and daily operator reports. Information in this series is summarized monthly in report to the EPA and MDEQ.</p> <p>a Operators' daily logs and reports of operations. b Records and reports concerning MPDES monitoring. c Records and reports concerning NPDES monitoring. d Sewage sludge monitoring records and reports e Annual operations and monitoring reports f Special reports that are not recapitulated in annual reports.</p>	<p>a Retain 6 years; destroy. (<i>Disposal form RM88*</i>) b Retain 3 years; destroy. (<i>Disposal form RM88*</i>) c Retain 3 years; destroy. (<i>Disposal form RM88*</i>) d Retain 5 years; destroy. (<i>Disposal form RM88*</i>) e Permanent f Permanent</p>	<p>MDEQ-Montana Department of Environmental Quality</p> <p>MPDES—Montana Pollution Discharge Elimination System</p> <p>NPDES—National Pollutant Discharge Elimination System</p>
<p><b>12 OPERATIONAL FILES—WATER PRODUCTION</b> Series documents the daily activities of the water production staff including worksheets and daily operator reports. Information in this series is summarized in monthly reports submitted to the EPA and Montana Department of Environmental Quality.</p> <p>a Operator's daily logs b Bacteriological reports c Chemical analyses d Laboratory checks and control tests e Sanitary survey reports f Records of variances and exemptions g Records of violation corrections h Annual operations and monitoring reports i Special reports that are not recapitulated in annual reports.</p>	<p>a Retain 6 years; destroy. b Retain 5 years; destroy. c Retain 10 years; destroy. d Retain 10 years; destroy. e Retain 10 years; destroy. f Retain 5 years; destroy. g Retain 3 years after last action taken for each correction; destroy. Items a-g above: (<i>Disposal form RM88*</i>) h Permanent i Permanent</p>	<p>a NARUC 23.3a b 40 CFR 141.33 and 16.20.225, ARM c 40 CFR 141.33 and 16.20.225, ARM. d 16.20.224, ARM e 16.20.225, ARM f 16.20.225, ARM g 40 CFR 141.33 and 16.20.225, ARM</p>
<p><b>13 OPERATIONS AND MAINTENANCE MANUALS</b> Manuals maintained concerning operating and maintenance procedures for operating equipment and facilities.</p> <p>a Master set of current and superseded versions. b All other copies</p>	<p>a Permanent. b Retain until superseded or obsolete; destroy. (<i>Disposal form RM88*</i>)</p>	<p>This is a vital record.</p>

<b>Utilities Operations Records</b>		
<b>Record Series Title and Description</b>	<b>Retention and Disposition</b>	<b>Citation/Comments</b>
<p>14 PERMITS</p> <p>a Permits granted for the installation and repair of water and sewage lines.</p> <p>b Permits granted to others for use of the department's facilities.</p>	<p>Retain 6 months after expiration or cancellation; destroy. (<i>Disposal form RM88*</i>)</p>	<p>NARUC 6c</p>
<p>15 PROPERTY DOCUMENTATION</p> <p>This series documents ownership of land and use agreements for this land made with other entities. Included are deeds, right-of-way easements, railroad and highway permits, and special water and waste water agreements with developers.</p> <p>a Railroad and highway permits</p> <p>b Special water and waste water agreements</p> <p>c Deeds and right-of-way easements</p> <p>"Record" copy is in the Municipal Clerk's office.</p>	<p>a Retain 8 years after expiration of the permit; destroy. (<i>Disposal form RM88*</i>)</p> <p>b Retain 8 years after expiration of the agreement; destroy. (<i>Disposal form RM88*</i>)</p> <p>c "Record" copy is a permanent copy; Retain information copies until no longer needed for reference; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>16 SUBDIVISION PLATS AND CERTIFICATES OF SURVEYS</p> <p>Information copies of plats and certificates of surveys.</p>	<p>Permanent</p>	
<p>17 SUBDIVISION REVIEWS</p> <p>Working files documenting the review of subdivision development plans submitted by land developers.</p>	<p>Retain review working files 3 years after completion of the review; destroy. (<i>Disposal form RM88*</i>)</p>	
<p>18 WORK ORDER BILLING RECORDS</p> <p>Records of cost estimates for maintenance work orders and job orders, work order sheets detailing break down of costs for job and summaries of expenditures to operating and other accounts.</p>	<p>Retain 6 years; destroy (<i>Disposal form RM88*</i>)</p>	



Revisions to Schedule			
Date	Page	Change	
November 2003	MR44	New record schedule <u>1099's</u>	
September 2004	MR53	Added <u>Delivery Receipts</u>	
December 2011	MR92	Updated item 2, INTERNAL INVESTIGATION CASE FILES description and retention & disposition.	
January 2012	MR38	Removed item 1b of ACCOUNT RECONCILIATION RECORDS which was the same as item 1a.	
May 2012	MR53	Changed item 8a, COUNCIL/COMMISSION PACKETS, <u>Municipal Clerk</u> retention time from 10 years to 25 years.	
	MR73	Updated description of item 2a, CASE FILES: CRIMINAL, <u>Active and Pending Criminal Files</u> , changed the retention to "Retain 45 days after final judgment; destroy" and added "Confidential" to the Citation/Comments.	
May 2013	MR18	Deleted Citation/Comments for item 3, ANNUAL FINANCIAL REPORT, which said "The Department of Administration's copy also is kept permanently in the State Archives."	
	MR44	Added FORM 1096 to item 3, <u>FORM 1099</u> , under FINANCIAL – PAYROLL RECORDS.	
	MR47	Deleted item 2, <u>DISPATCH REPORT</u> , under FIRE AND DISPATCH RECORDS. Dispatch Reports are now included in the description of item 8, INCIDENT REPORT (MR48).	
	MR48	Updated FIRE AND DISPATCH RECORDS, item 8, <u>INCIDENT REPORTS</u> : Added "Record series includes 911 dispatch reports and other info. pertaining to incidents." to the description. Deleted 8a-b description. Deleted 8a-b retention and replaced with "Retain for 22 years; destroy" Deleted Citation/Comments and replaced with EMS records—37.104.212 ARM. Reported to DPHHS quarterly.	
	MR48	Changed item 13a (previously item 14a), <u>STATISTICAL SUMMARY REPORTS</u> , Monthly Reports to <u>Quarterly</u> Reports.	
	MR89	Added item 3c, <u>VALIDATION REPORT</u> to NATIONAL CRIME INFORMATION CENTER (NCIS) RECORDS, with a retention time of 1 year.	
	MR90	Changed the retention time for item 2a, <u>CASE FILES</u> , "Files for persons arrested and convicted, includes fingerprint lifts, photographs, state and federal arrest records." from 75 years after last activity to 50 years after clearance. The 75 years retention time conflicted with Criminal Investigative Records, item 5a.	
	May 2013 (cont.)	MR90 (cont.)	
		MR91	Added item 5e under <u>CRIMINAL INVESTIGATIVE RECORDS</u> , "Records involving impounded vehicles & seized evidence" and the

Revisions to Schedule		
Date	Page	Change
	MR92	retention of “5 years after the fiscal year to which the records relate”.
	MR93	Changes made to item 8, <u>MASTER NAME CARDS</u> . Changes to descriptive paragraph, 8a, and 8b; 8c was removed, 8d moved to 8c and some wording changed; new 8d added; retention and Citation updated.
	MR94	Added item 10a-c, <u>INTERNAL AFFAIRS</u> to POLICE DEPARTMENT – INVESTIGATION RECORDS. The retention time for <u>a</u> (Final Summary Report) is 50 years; <u>b1</u> (Founded /sustained cases, If action is taken, records become part of personnel file) refers you to MR55, item 18; <u>b2</u> (Founded/sustained cases, If investigation becomes a criminal case, it becomes a regular criminal case file) refers you to MR90, item 2; <u>c</u> (Not sustained or unfounded cases) is 1 year after investigation is closed.  Added Item 11, <u>REPORT DISSEMINATION/BACKGROUND CHECK LOGS</u> , with a retention time of 3 years to POLICE DEPARTMENT – INVESTIGATION RECORDS.
	MR95	Added the Record Series <u>POLICE DEPARTMENT – OPERATIONAL RECORDS</u> and the following items: Item 1, <u>EQUIPMENT MAINTENANCE &amp; CALIBRATION REPORT</u> with a retention time of 2 years after equipment is disposed of. Item 2, <u>RIDE ALONGS/LIABILITY WAIVER</u> with a retention time of 1 year. Item 3, <u>USE OF FORCE REPORT</u> with a retention time of 2 years after officer’s retirement or termination.
	MR95	Item 2c & 2d, <u>INTERNAL INVESTIGATION CASE FILES</u> – added retention periods of “5” and “3” respectively, in front of “years after final disposition”.
May 2014	MR7	Item 4, changed heading from BUILDING PERMITS: LEDGERS to BUILDING, MECHANICAL, ELECTRICAL, PLUMBING, AND LOW VOLTAGE PERMITS: LEDGERS. Changed description to Master ledgers, journals and/or lists of building, mechanical, electrical, plumbing and low voltage permits issued.
May 2014 (cont.)	MR8	Item 9, NEW – <u>MECHANICAL, ELECTRICAL, PLUMBING, AND LOW VOLTAGE PERMITS</u> – a. Completed permits – retention: 15 years after the permit is finalized (27-2-208 MCA); b. Expired permits – retention: 6 mos. After application is filed.
	MR8 (cont.)	
	MR40	Item 6, NEW – <u>VENDORS</u> – a. List (retention: Until superseded or no longer used.); b. Inactive Vendor W-9 (retention: 5 years after last payment).
Sept 2015	MR 93	Item 3, changed title from “Evidence Tags” to “Evidence Records”

Revisions to Schedule		
Date	Page	Change
		and record series description and retention period. Retention changed to 60 days after disposition of property, unless the record becomes part of a case file.
	MR 94	Item 5, CRIMINAL INVESTIGATIVE RECORDS removed a-e in records series description and amended retention and disposition
		Item 6, FINGERPRINT RECORDS <del>CARDS</del> amended record series title and description and retention.
	MR 95	Item 8, Deleted references to paper records in the record series and updated statutory citations
	MR 96	Item 10, Deleted "INTERNAL AFFAIRS" record series because it duplicated "Internal Investigation Records" and renumbered the remaining items
	MR 98	Item 1, Amended record series title to read, "DEPARTMENTAL DIRECTIVES, POLICIES AND PROCEDURES" and delete a and c in the description; Retention period changed from "permanent" to "25 years after superceded"
	MR 98	Item 2, INTERNAL INVESTIGATION CASE FILES clarified retention requirement for "Found not sustained or unfounded" to 1 year <u>after investigation is closed.</u>
	MR 92 – 98	All items—Added NO RM 60 REQUIRED to disposition for all items.
May 2016	all pages	Clarified when local governments do not need to submit disposal request form REQUIRED to the LGRC subcommittee for approval; changed page numbering throughout the schedule and dropped the MR in front of the page number; updated the table of contents
	MR 59	Add new record series "PRESS RELEASES, , SPEECHES, STATEMENTS Prepared statements, announcements, news conferences and speech transcripts and similar records issued to the news media by the City. a. Policy/Historic—Subjects include adoption of new City programs, termination of old programs, major policy shifts, changes in the status of elected officials or senior administrative personnel, and others. Retain: Permanent b. Routine—Subjects include announcements of routine events or actions carried out within the scope of existing City policies. Retain 2 years NO RM 60 REQUIRED Deleted references to "press releases in Library and Parks schedules. Renumbered remaining items
	MR 79	Item 1--Clarified retention of "EQUIPMENT FILES" Retain <u>as long as for life of equipment is owned by the city, as needed for reference; destroy</u> NO RM 60 REQUIRED.
	MR 82	Item 2e--FORESTRY RECORDS Clarified record series description " <del>Correspondence and s</del> Studies concerning Forestry programs and policies."

Revisions to Schedule		
Date	Page	Change
	MR101	Item 6 VEHICLE RECORDS—Clarified retention “Record” copy retained as long as the vehicle remains in City ownership; NO RM 60 REQUIRED  All other copies retain as long as needed for reference. <i>(Disposal form RM88*)</i>
August 14, 2017	Page 66	Added a new Item 27 SECURITY VIDEO and renumbered the subsequent items on the Municipal Common Schedule accordingly.
April 30, 2019	All pages	Added an introduction with RIM disposal best practices and a general update to indicate which the disposal forms to use. Amended footer.
May 31, 2019	Page 78	Amended retention period for W-4 forms to read, “5 years after the completed form is superseded <i>(Disposal form RM88*)</i> ”

**File Attachments for Item:**

**D. DISCUSS/APPROVE/DENY: MEMBERSHIP ON CITY CONSERVATION BOARD.**

City of Livingston  
Application for Appointed Office  
(Revised 3/20/20)

Appointed Position Seeking: Conservation Board

Date of Application: 11/12/20

Name: William C. Edwards

Signed: William C. Edwards

Address: 2221 Willow Drive #301B

Telephone: daytime 406.222.2510

after 5:00 p.m.: 406.222.2510

Fax Number: NA

e-mail address: libbyed@charter.net

1. Are you a resident of the City of Livingston? yes

2. Are you a registered voter? yes

3. Will you be at least 18 years of age at the time of the appointment? yes

4. Describe the reasons you are interested in this appointment: see attachment

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: See attachment

B. Education: See attachment

C. Experience: See attachment

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? see attachment

7. Are you currently serving on any Community Boards? yes

A. If yes, please describe those boards. setup to help city reduce energy costs and associated with implementing energy efficiency.

8. Current Employer? Retired

9. Are you available for night meetings? yes

10. Are you available for daytime meetings? yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? See attachment

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.



## City of Livingston Application for Appointed Office

4. Describe the reasons interested in this appointment: I am interested because I think I have an obligation, given my education and experience, to help the City of Livingston reduce costs associated with energy usage and to help "promote sustainable growth by implementing energy-efficient equipment, procedures or systems" and incorporating "renewable energy when feasible," for the benefit of the citizens of Livingston, Montana the United States and the rest of the world.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: Retired college professor

B. Education: BA Degree in Biology from Carleton College-1956; MS Degree in Conservation and Wildlife from the University of Wyoming-1958; Ph.D. in Plant Ecology from the University of Nebraska-1966.

C. Experience: Taught High School Biology at Cheyenne Central High School for five years-1959-1964; Taught Biology and Ecology at Mankato State University in Mankato, Minnesota for four years-1966-1970.

Taught Biology, Ecology and Conservation at Laramie County Community College in Cheyenne, Wyoming for 23 years-1970-1993.

Worked as a Seasonal Ranger Naturalist in Rocky Mountain and Grand Teton National Parks.

Employed as a Biological Technician in Yellowstone National Park.

Served ten years in the Wyoming State House of Representatives serving on the Education, Mines, Mineral and Industrial Development and the Conservation and Wildlife Committees.

A founding member of YBCC (Yellowstone Bend Citizens Committee) in Livingston.

Hired by Park County Commissioners to conduct a census in Emigrant Township in the summer of 2010.

Served as a volunteer to advise the City Manager of Livingston on policies pertaining to wind generation within the City Limits.

Conducted nature walks along Nature Trails for the Livingston Recreation Department.

6. Have you served on any previous boards or in any governmental positions in the past?

Yes, Served on Governor's Energy Conservation Board in Wyoming besides those positions mentioned above. This Board evaluated proposals on Energy Conservation and awarded grants to successful submitters. I have now served on the City of Livingston Conservation Board for one year.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would check to see if the city has a conflict of interest policy in place that applies to this



THE UNIVERSITY OF THE SOUTH PACIFIC

1. The purpose of this document is to provide information regarding the University's policies and procedures. This document is intended for the use of all staff and students of the University.

2. The University is committed to providing a high quality education and to ensuring that all staff and students are treated fairly and equitably.

3. The University's policies and procedures are designed to ensure that all staff and students are aware of their rights and responsibilities.

4. The University's policies and procedures are subject to change without notice.

5. The University's policies and procedures are available on the University's website.

6. The University's policies and procedures are available in the University's handbook.

7. The University's policies and procedures are available in the University's yearbook.

8. The University's policies and procedures are available in the University's newsletter.

9. The University's policies and procedures are available in the University's journal.

10. The University's policies and procedures are available in the University's magazine.

11. The University's policies and procedures are available in the University's brochure.

12. The University's policies and procedures are available in the University's pamphlet.

13. The University's policies and procedures are available in the University's leaflet.

14. The University's policies and procedures are available in the University's flyer.

15. The University's policies and procedures are available in the University's poster.

City of Livingston  
Application for Appointed Office  
(Revised 3/20/20)

Appointed Position Seeking: Conservation Board

Date of Application: 11/12/20

Name: William C. Edwards

Signed: William Edwards

Address: 2221 Willow Drive #301B

Telephone: daytime 406 222 2510

after 5:00 p.m.: 406 222 2510

Fax Number: NA

e-mail address: libbyed@charter.net

1. Are you a resident of the City of Livingston? yes

2. Are you a registered voter? yes

3. Will you be at least 18 years of age at the time of the appointment? yes

4. Describe the reasons you are interested in this appointment: see attachment

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: See attachment

B. Education: See attachment

C. Experience: See attachment

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? see attachment

7. Are you currently serving on any Community Boards? yes  
A. If yes, please describe those boards. setup to help city reduce energy costs and associated with implementing energy efficiency.

8. Current Employer? Retired

9. Are you available for night meetings? yes

10. Are you available for daytime meetings? yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? See attachment

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.



**board. If so, I would follow that policy. If no policy existed, I would declare a conflict may exist and then consult with the appropriate city officials and decide whether or not I would participate in any discussion or votes pertaining to the issue which might constitute a conflict.**

For this year, the following are the results of the survey conducted by the  
Department of Health and Human Services, Office of the Assistant Secretary for  
Health Policy and Statistics, Office of the Assistant Secretary for Health Policy and Statistics.

**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/20/20)

**Appointed Position Seeking:** Conservation Board

**Date of Application:** 11/12/2020

Name: Alexandra Van Pernis

Signed: 

Address: 223 S 5th Street

Telephone: daytime 808-896-8082

after 5:00 p.m.: 808-896-8082

Fax Number: n/a

e-mail address: alexandra.van.pernis@gmail.com

1. Are you a resident of the City of Livingston? Yes

2. Are you a registered voter? Yes

3. Will you be at least 18 years of age at the time of the appointment? Yes

4. Describe the reasons you are interested in this appointment: \_\_\_\_\_

Livingston has so many opportunities to simultaneously help the environment and save the City money. I would love the opportunity to do the work to find and flesh out those opportunities.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: Park County Health Department Covid-19 Testing

B. Education: B.S.: Environmental Science

C. Experience: EnergyCorps Member in Livingston; wrote the City/County Greenhouse Gas Report

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? Yes;

I have never served on any board but I have worked for the Health Department; Extension Office before.

7. Are you currently serving on any Community Boards? No

A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? Park County Health Department

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Potentially; lunchtime probably okay.

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? If anything we do touches on County matters

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? Recuse myself from decision-making around county matters.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.



**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/20/20)

**Appointed Position Seeking:** City Conservation Board- Citizen Set

**Date of Application:** 11/13/2020

Name: Lindsay Ganong

Signed: \_\_\_\_\_

Address: 302 S L St

Telephone: daytime 715 563 7275

after 5:00 p.m.: same

Fax Number: N/a

e-mail address: lrganong@gmail.com

- 1. Are you a resident of the City of Livingston? Yes
- 2. Are you a registered voter? Yes
- 3. Will you be at least 18 years of age at the time of the appointment? Yes
- 4. Describe the reasons you are interested in this appointment: I am interested in supporting our City to

recommend energy and growth strategies that make us more resilient in the face of climate change and increasing population density.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: Grant Programs Manager, Alternative Energy Resources Organization (AERO), Clinical Dietitian Inpatient & Outpatient - Bozeman Health

B. Education: MS Health & Human Development emphasis in Sustainable Food Systems, Montana State University

C. Experience: Written internal staff guidance, data management and financial reporting for federal grants,

staff and contractor hiring, orientation and management; food system & public health nutrition program management

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? No

7. Are you currently serving on any Community Boards? No

A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? AERO, Bozeman Health

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Sometimes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? Prior to any action involving a potential conflict of interest, I will present all facts material to the potential conflict, within meeting minutes. The board will make a decision as to whether a conflict exists.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.



City of Livingston  
Application for Appointed Office  
(Form 20120120)

Appointed Position Seeking: City Conservation Board - Citizen Seat

Date of Application: 11/13/2020

Name: Lindsay Ganong

Address: 302 S L St

Telephone: daytime 715 883 7375

Fax Number: N/A

e-mail address: lrganong@gmail.com

after 5:00 p.m.: same

Signed:

1. Are you a resident of the City of Livingston? Yes

2. Are you a registered voter? Yes

3. Will you be at least 18 years of age at the time of the appointment? Yes

4. Describe the reasons you are interested in this appointment: I am interested in supporting our City to

recommend energy and growth strategies that make us more resilient in the face of climate change and increasing population density.

5. Describe any background, experience and interests that you have which may assist you in

performing the responsibilities of this appointment:

A. Occupation: Grant Program Manager, Area Five Energy Resources Organization (AERO), Clinical Dietitian Assistant & Consultant - Bozeman Health

B. Education: MS Health & Human Development, emphasis in Sustainable Food Systems, Montana State University

C. Experience: Written internal staff guidance, data management and financial reporting for federal grants.

staff and contractor hiring, orientation and management; food system & public health nutrition program management.

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? No

7. Are you currently serving on any Community Boards? No

8. Current Employer: AERO, Bozeman Health

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Sometimes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties

of this appointed office? No

12. If conflict of interest arose for you, how would you deal with it as an appointed member of

this board? Prior to any action involving a potential conflict of interest, I will present all facts

material to the potential conflict, within meeting minutes. The board will make a decision as to

whether a conflict exists.

THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.

Return completed applications to Faith Kinnick at kinnick@livingstonmontana.org or drop off in person at the City County Complex 414 E. Gallatin St.

**Lindsay R. Ganong, MS, RDN, LN**

[lrganong@gmail.com](mailto:lrganong@gmail.com) • 302 S L St, Livingston, MT 59047 • 715.563.7275

**WORK EXPERIENCES**

**Grant Programs Manager, AERO, Statewide, MT** August 2020 – Present

**Co-Executive Director, AERO, Statewide, MT** July 2019—August 2020

- Planned, sought funds, implemented, and evaluated cross-sector food systems programs to build community food systems in partnership with communities with highest need
- Collaboratively wrote and managed four program grants totaling \$145,000
- Created systems for effective remote project management with staff and board of directors
- Developed data-driven outreach plan. Created website and social media content. Analyzed member online engagement.
- Initiated racial equity in the food system programming

**Inpatient & Outpatient Clinical Dietitian, Bozeman Health, Bozeman, MT** Feb 2020—Present

- Provide medical nutrition therapy for inpatients and outpatients

**Dietitian, Unprocessed Pantry Project, Livingston, MT** January – March 2020

- Delivered UP3 nutrition lessons, provided 1:1 nutrition counseling, and helped with distribution for research participants at the Livingston Food Resource Center

**Committee Co-Chair, Hunger and Environmental Nutrition (HEN) School to Farm Committee, Dietetic Practice Group of the Academy of Nutrition and Dietetics,** July 2014—August 2020

- Developed School to Farm (S2F) curriculum for on-farm experiential dietetic internship rotation in collaboration with a farmer-dietitian
- Piloted curriculum with Iowa State University dietetic interns in June-July 2019
- Wrote *School to Farm Competencies and Learning Outcomes* for dietetic interns to meet accredited internship competencies on the farm
- Collaborated with HEN DPG members to develop School to Farm student application, evaluation tool, student handbook, and program outreach to facilitate on-farm experiences

**Food Service Director, Polson School District, Polson, MT** July 2018—July 2019

- Developed, implemented and served 1200 tasty, fresh, healthy student-centered school meals daily from Polson School District central kitchen to five satellite school sites with free- and reduced-price meal participation at 52% for the district
- Hired, trained, oriented, and supervised thirteen food service staff persons
- Managed the food service department budget, procurement, and inventory for all food, supplies, and equipment for district food service department operations
- Conducted regular site visits to provide staff support and quality assurance
- Communicated school meal program outcomes and value to the School Board, staff, students, and community
- Initiated a student-lead Traditional Foods Advisory Council and participated in Montana Farm to School's Harvest of the Month program and taste-tests

WORK EXPERIENCES

Grant Programs Manager, AERO, Statewide, MT August 2020 - Present  
Co-Executive Director, AERO, Statewide, MT July 2019 - August 2020

- Planned, sought funds, implemented, and evaluated cross-sector food systems programs to build community food systems in partnership with communities with highest need
- Collaboratively wrote and managed four program grants totaling \$145,000
- Created systems for effective remote project management with staff and board of directors
- Developed data-driven outreach plan. Created website and social media content. Analyzed member online engagement
- Initiated racial equity in the food system programming

Assistant & Outpatient Clinical Dietitian, Behavioral Health Services, MT Feb 2020 - Present  
• Evolve medical nutrition therapy for type 2 diabetes and outcomes

Dietitian, Unprocessed Plant Project, Livingston, MT January - March 2020

- Delivered UP3 nutrition lessons, provided 1:1 nutrition counseling, and helped with distribution for research participants at the Livingston Food Resource Center

Dietetic Practice Group of the Academy of Nutrition and Dietetics, July 2014 - August 2020  
Committee Co-Chair, Hunger and Environmental Nutrition (HEN) School to Farm Committee

- Developed School to Farm (STF) curriculum for on-farm experiential dietetic internships in collaboration with a former-dietitian
- Piloted curriculum with Iowa State University dietetic interns in June-July 2019
- Wrote School to Farm Competencies and Learning Outcomes for dietetic interns to meet accredited internship competencies on the farm
- Collaborated with HEN DPG members to develop School to Farm student application, evaluation tool, student handbook, and program outreach to facilitate on-farm experiences

Food Service Director, Polson School District, Polson, MT July 2018 - July 2019

- Developed, implemented and served 1200 tasty, fresh, healthy student-centered school meals daily from Polson School District central kitchen to five satellite school sites with free- and reduced-price meal participation at 82% for the district
- Hired, trained, oriented, and supervised thirteen food service staff persons
- Managed the food service department budget, procurement, and inventory for all food supplies, and equipment for district food service department operations
- Conducted regular site visits to provide staff support and quality assurance
- Communicated school meal program outcomes and value to the School Board, staff, students, and community
- Initiated a student-led Traditional Foods Advisory Council and participated in Montana Farm to School's Harvest of a Month program and taste-tests

## Lindsay R. Ganong, RDN, LN

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**Assistant Director, Montana State University Extension Nutrition Education Program,**  
Bozeman, MT

September 2016—July 2018

- Supervised 16 staff indirectly and 3 staff directly who served 19 counties and 6 reservations to teach youth and adult nutrition and physical activity education to limited-resource Montanans and create healthy environments that make the healthy choice the easy choice
- Trained and oriented staff remotely, with tools including webinars, conference calls, in-person training, and yearly update of staff operating and procedure manual
- Visited field staff to evaluate quality of teaching and partnership building, effectiveness of nutrition and physical activity curricula, and compliance with approved budgets and allowable grant expenditures
- Designed poverty and equity, nutrition, and teaching professional development for nutrition educators to improve teaching quality and partnership-building skills

**Dietetic Preceptor & Graduate Assistant, Montana Dietetic Internship, Bozeman, MT**

July 2014—May 2016

- Assisted Director with management of dietetic internship, placing eighteen interns in clinical, community, and food service supervised practice rotations in Montana
- Served as a dietetic preceptor for sustainable food systems rotation: facilitated discussions about food systems, including issues of hunger, community food security, dietary guidelines for Americans, food safety, and quantity food production
- Served on hiring committee, interviewed applicants, and assisted in intern orientation
- Evaluated intern performance and delivered feedback

**Gardener, Monastery of St. Benedict, St. Joseph, MN**

Seasons 2010 & 2012

- Maintained 2-acres of diversified vegetables with a team of 4, full time
- Prepared 72 full shares and 36 half community-supported agriculture shares weekly, and set-up, sold, and tore-down at farmers' market
- Garden programming: seasonal recipes, yoga in the garden, how-to workshops

### EDUCATION

**Master of Science**, May 2016, Montana State University, Bozeman, MT

- Sustainable Food Systems Program; Health and Human Development - Food, Family, and Community Health Sciences Option, 3.97 GPA

**Dietetic Internship**, 2013, Montana State University, Bozeman, MT

**Bachelor of Arts**, 2012, College of St. Benedict, St. Joseph, MN

- Didactic Program in Dietetics, 3.90 GPA, *Magna cum laude*, All-College Honors, Phi Beta Kappa
- Study abroad: Nelson Mandela Metropolitan University, South Africa, January – May 2011

### PROFESSIONAL LICENSING & MEMBERSHIPS

**Registered Dietitian Nutritionist**, Commission on Dietetic Registration #86015846, 2013

**Licensed Nutritionist**, Montana State Nutritionist License #MED-NUTR-LIC-40860, 2015

**Member**, Montana Academy of Nutrition & Dietetics, 2014

**Member**, Academy of Nutrition & Dietetics, 2013

- **Assistant Director, Montana State University Extension Nutrition Education Program, Bozeman, MT**  
September 2018--July 2018
- Supervised 16 staff directly and 3 staff indirectly who served 19 counties and 8 reservations to teach youth and adult nutrition and physical activity education to limited-resource Montanans and create healthy environments that make the healthy choice the easy choice
- Trained and oriented staff remotely, with tools including webinars, conference calls, in-person training, and yearly update of staff operating and procedure manual
- Visited field staff to evaluate quality of teaching and partnership building, effectiveness of nutrition and physical activity curricula, and compliance with approved budgets and allowable grant expenditures
- Designed poverty and equity, nutrition, and teaching professional development for nutrition educators to improve teaching quality and partnership-building skills

**Dietetic Preceptor & Graduate Assistant, Montana Dietetic Internship, Bozeman, MT**  
July 2014--May 2016

- Assisted Director with management of dietetic internship, placing eighteen interns in clinical, community, and food service supervised practice rotations in Montana
- Served as a dietetic preceptor for sustainable food systems rotation, facilitated discussions about food systems, including issues of hunger, community food security, dietary guidelines for Americans, food safety, and quantify food production
- Served on hiring committee, interviewed applicants, and assisted in intern orientation
- Evaluated intern performance and delivered feedback

**Gardner, Monastery of St. Benedict, St. Joseph, MN**  
Seasons 2010 & 2012

- Maintained 2-score of diversified vegetables with a team of 4, full time
- Prepared 72 full crates and 36 half community-supported agriculture shares weekly, and set-up, sold, and tore-down at farmers' market
- Garden programming: seasonal recipes, yoga in the garden, how-to workshops

**EDUCATION**

- **Master of Science, May 2016, Montana State University, Bozeman, MT**  
Sustainable Food Systems Program; Health and Human Development - Food, Family, and Community Health Sciences Option, 3.97 GPA
- **Dietetic Internship, 2013, Montana State University, Bozeman, MT**  
Bachelor of Arts, 2012, College of St. Benedict, St. Joseph, MN
- **Dialectic Program in Dietetics, 3.80 GPA, Magna cum laude, All-College Honors, Phi Beta Kappa**
- **Study abroad: Nelson Mandela Metropolitan University, South Africa, January - May 2011**

**PROFESSIONAL LICENSING & MEMBERSHIPS**

- **Registered Dietitian Nutritionist, Commission on Dietetic Registration #88015846, 2013**
- **Licensed Nutritionist, Montana State Nutritionist License #MCD-NUTR-LIC-40880, 2013**
- **Member, Montana Academy of Nutrition & Dietetics, 2014**
- **Member, Academy of Nutrition & Dietetics, 2013**

**File Attachments for Item:**

**E. DISCUSS/APPROVE/DENY: PLANNING BOARDS REQUEST FOR EXTENSION TO THE DEADLINE OF PROVIDING A GROWTH POLICY RECOMMENDATION.**

From: Livingston Planning Board

December 20, 2020

To: Livingston City Commission

Subject: Request for Extension - Livingston Growth Policy Recommendation

The Planning Board requests the City Commission extend the Board’s deadline for a Growth Policy recommendation as a January 2021 City Commission meeting agenda item. It is the Board’s opinion that it will require additional time to review and finalize document edits before providing a final recommendation to the Commission. The Board estimates it can provide this recommendation of an edited Policy for a May Commission meeting.

The 355-page Growth Policy was delivered and available to the community and Board until October 21<sup>st</sup>. Since delivery, the Board held 4 public hearings, where it received 59 public comments. In addition, the Board received 28 email/website and another 19 longer memorandums with comments. The City Staff has been helping edit the document with these comments, but it is a lot of material to go through.

While well-intentioned, it now appears the effort to aggressively accelerate the timeline for a January City Commission meeting left out some critical steps in the process. Specifically, the community did not have an opportunity to review and comment on any initial drafts other than the limited “Community Profile” that was provided in August. Therefore, these comments are being received and analyzed by the Board now.

Most of the comments received can be categorized into the following themes:

- 1) Future Growth Map and Future Land Use Map
- 2) Extraterritorial Jurisdiction Plan
- 3) Population estimates
- 4) Lack of sufficient emphasis on City infill and downtown development
- 5) General errors or inaccuracies
- 6) Readability (appendix page number, general layout, etc.)
- 7) More focus on natural resources (especially Yellowstone River)
- 8) Updating Housing Section with new data and information on the Housing Needs Assessment and Housing Action Plan

The Board feels that in order to ensure the community and the City Commission have a Growth Policy that they can use as a guideline for future planning, budgeting, zoning, code development, etc. that these edits are needed. Therefore, it is requested the Commission approve this delay to help ensure the Planning Board has the necessary time needed to make these edits and provide a final recommendation to the Commission.

Thank you for your consideration with this request,

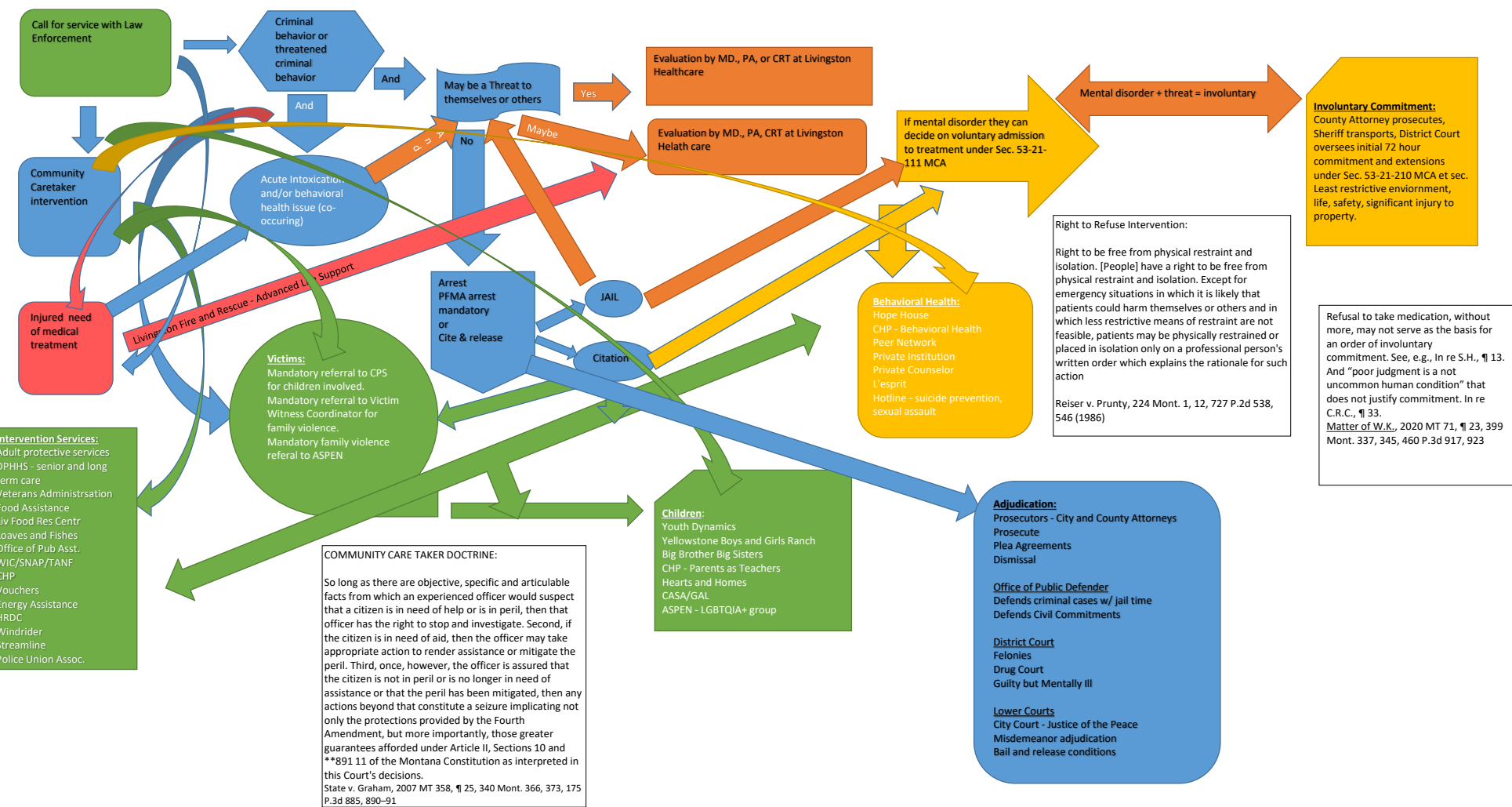


BRIAN L. KONKEL  
Chair, Livingston Planning Board

**File Attachments for Item:**

**F. DISCUSS: INTERVENTION FLOWCHART WITH RESOURCES LIST**





**File Attachments for Item:**

. Please enter your agenda item text here.

# January 2021



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
City Offices and Facilities closed						
3	4	5 Regular City Commission Meeting 5:30 pm via Zoom	6	7	8	9
10	11	12 Historic Preservation Commission Mtg. 3:30 pm City Zoning Commission 5:30 pm	13 City Conservation Board Mtg 5:00 pm	14	15	16
17	18 MLK Day City Offices and Facilities closed	19 Regular City Commission Meeting 5:30 pm via Zoom	20 Library Board Mtg 4:00 Planning Board Mtg 5:30 Sister City Board Mtg 7:00 pm	21 Tree Board Meeting Noon	22	23
24	25	26	27 Parks & Trails regular Meeting 6:00 pm	28	29	30
31	1	Notes All meetings held via Zoom, unless stated otherwise. To find out more information how you can participate in these meetings visit <a href="http://www.livingstonmontana.org/calendar.php">http://www.livingstonmontana.org/calendar.php</a>				