



Livingston City Commission Agenda

April 02, 2024

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/89094257059?pwd=S0dySDJMbVJQb0RwQUFlcmxNUHNIQT09>

Meeting ID: 890 9425 7059

Passcode: 951670

1. Call to Order

2. Roll Call

3. 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)

4. Consent Items

A. APPROVAL OF MINUTES FROM MARCH 19, 2024, REGULAR MEETING PG.4

B. APPROVAL OF MINUTES FROM MARCH 25, 2024, SPECIAL MEETING PG.11

C. APPROVAL OF MINUTES FROM CLOSED SESSIONS ON JANUARY 16, FEBRUARY 20 AND MARCH 19, 2024

D. APPROVAL OF CLAIMS PAID 3/14/24 - 3/27/24 PG.18

E. AGREEMENTS 20074, 20075 AND 20076 FOR LEASE OF ROPING ARENA PG.27

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, DECLARING NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK AS APRIL 14-20, 2024 PG.45

B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, DECLARING APRIL 6-12, 2024 AS THE WEEK OF THE YOUNG CHILD IN LIVINGSTON MONTANA PG.47

6. Scheduled Public Comment

7. Action Items

A. RESOLUTION 5128: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, CREATING THE LIVINGSTON RECREATION FACILITY DISTRICT

PG.49

B. ORDINANCE 3052: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IV OF CHAPTER 9 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING AND STANDING BY AMENDING CERTAIN SECTIONS TO CLARIFY PARKING REQUIREMENTS AND REMOVE REFERENCES TO FEE AMOUNTS WHICH ARE SET SEPARATELY BY RESOLUTION. PG.65

C. CLOSED SESSION PURSUANT TO MCA 2-3-203(3) TO DISCUSS A MATTER OF INDIVIDUAL PRIVACY

8. City Manager Comment

9. City Commission Comments

10. Adjournment

Calendar of Events

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).
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- **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. APPROVAL OF MINUTES FROM MARCH 19, 2024, REGULAR MEETING



Livingston City Commission Minutes

March 19, 2024

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/81583091166?pwd=R2l0aDcrZlZ5d0plWS95cVVxVlR2UT09>

Meeting ID: 815 8309 1166

Passcode: 288049

1. Call to Order

Chair Kahle called the meeting to order at 5:32p

2. Roll Call

City Commission in attendance at start of meeting: Chair Kahle, Vice-Chair Nootz, Commissioner Lyons, and Commissioner Willich. Commissioner Schwarz was absent due to illness.

Staff in attendance: City Manager Grant Gager, Policy Analyst Greg Anthony, City Clerk Emily Hutchinson Chief of Police Wayne Hard

3. 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)

- Lana Sheen addressed the issue of annexation and has a sign declaration with It's my Land LLC and doesn't not want to annexed into the City.
- JoAnn Vassalso lives in the County and stated there are a lot of assets for the City from people that live in the County.
- David Lewis lives in the ETJ and stated he does not want to be annexed. He addressed the concerns of water rights and expressed concern about possible annexation.

4. Consent Items

- | | |
|--|--------------|
| A. APPROVAL OF MINUTES FROM MARCH 05, 2024, REGULAR MEETING | PG.4 |
| B. APPROVAL OF CLAIMS PAID 2/29/24 - 3/13/24 | PG.11 |
| C. JUDGES MONTHLY REPORT 02/2024 | PG.19 |

Motion to approve all consent agenda items was made by Vice-Chair Nootz and seconded by Commissioner Lyons. The motion passed unanimously by the four members present.

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA RECOGNIZING MARCH 27, 2024 AS WORLD THEATRE DAY IN LIVINGSTON MONTANA

PG.21

Chair Kahle read the proclamation.

Vice-Chair Nootz recognized Ranger Voices and the drama team thanking them for being here tonight as well.

Commission Willich stated without arts STEM is kind of boring and math driven, but STEM turns into STEAM when you add arts to it. He acknowledged arts as a keystone to a good education.

Chair Kahle thanked the theatre folks for attending tonight.

6. Scheduled Public Comment

A. PARK COUNTY HOUSING COALITION

PG.23

The City Manager introduced Katherine Daly the Housing Program Coordinator with the Park County Housing Coalition. He reminded that her position is partially funded through the City of Livingston’s FY24 budgets, and she is presenting a current report.

Katherine Daly presented her slides within the packet, reflecting a Background of the Coalition, Park County’s Housing Market, and a review of their 2024 Work Plan.

(Starts at Video Mark 15:40)

Vice-Chair Nootz thanked Katherine for being here today, and asked for clarification on the slide on page 28 in the packet.

Katherine stated this data folks renting have a median household income of \$49,660, and 30% of that is \$1,366 which is the max they could afford. Home owner’s medial income is \$86,190 and the max affordable payment would be \$2,370.

Vice-Chair Nootz asked about ADU’s and PCHC thoughts on how to keep those affordable in our community.

Katherine stated PCHC has a subgroup focused on developing a fund to support different types of housing interventions, specifically a loan or grant program for ADU’s.

Vice-Chair Nootz thanked Katherine for focusing on educating and offering assistance to the people that live here, and thanked her for working with business owners. She wondered if it can also be really small business owners.

Katherine stated yes, if they are interested and want to walk through what it would look like, they are welcome to do so. She offered her email as way to reach her about this as kdaly@thehrdc.org.

Vice-Chair Nootz expressed that she hopes PCHC will work directly with staff about zoning.

Katherine stated she is currently working with the City and the City Manager, and it would be her preference to work directly with staff on this subject.

The City Manager stated it is their intention to involve PCHC in the work the consultant team will be doing for zoning and will mirror work already being done on the housing and educational outreach.

Commissioner Lyons stated that Katherine gave this same presentation to the Consolidated Land Use Board.

Chair Kahle thanked Katherine for her presentation and excited to see this moving forward.

B. IT'S MY LAND LLC

PG.40

The City Manager stated he has attended several meetings for It's My Land LLC and introduced Leslie Feigel.

Leslie stated in June 2021 when the Growth Policy was being updated there was talk of the ETJ and there was lots of talk about annexation from the previous City Manager and previous Commission. It's My Land LLC is registered with the State of Montana, and this group is about finding the land owners voice in the county, and they believe they do not have a voice within the City. She brought with her a Summary Submittal with many signatures from county residents that do not wish to be annexed into the City.

Vice-Chair Nootz expressed that years ago when this was all going on the Commission then was not given all the information about it and recognizes it was not okay. She feels the meetings she attended for It's My Land LLC were very helpful and informative. She asked the City Manager for this thoughts.

The City Manager stated that there are no City staff members actively working on annexations or expanding the City in any way. He reminded they were recently approached by two land owners about annexation, and that is what drove those annexations. He clarified that the City of Livingston in no way is expending any effort on annexations. He stated he does understand that property can change ownership and request annexation, they have also reviewed MCA and there is no power for the City to extend its zoning or control over the ETJ. He clarified further the City has no power in the ETJ unless invited by a land owner.

Leslie stated all those folks who have signed those forms have all really gotten to know each other and unify. At her meetings it has been a very open conversation around the ETJ.

Vice-Chair Nootz expressed understanding of what could happen to a property after the owner passes and it sold, and the importance of knowing their wishes on what they want to happen with their properties in the future.

Leslie expressed that her and her group are interested in the Growth Policy and Zoning updates and would like to make sure their voices are heard through that process.

Commissioner Willich stated he doesn't believe City limits should change at all and it should be very difficult to be added in unless you are requesting it, and feels the ETJ should be off limits to the City.

Chair Kahle shared the same thoughts as Vice-Chair Nootz and Leslie about having a plan in place for your property so the future of it stays the way the neighbors and county community would like it be.

The City Manager stated there is no City staff working on annexations, and the only time annexation is discussed is when the City is approached by someone who would like to be annexed.

Vice-Chair Nootz apologized to Leslie and County residents on behalf of the City that all of that happened the way it did, and she wants to make sure something like that doesn't happen again.

7:02PM Commissioner Willich motioned for a 10 minute break seconded by Vice-Chair Nootz. Unanimously approved.

(Starts at Video Mark 1:26:14)

7. Action Items

A. PROJECT SUBMISSION FOR STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT (2023 MONTANA HB355) PG.45

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this item is a follow up of a conversation they had in late December related to HB355 and the Montana State Legislature allocated \$20 Million to cities based on their population for infrastructure projects with the purview that the work would require a 25% local match. The program guidelines are included in the packet. The highlights include that the City is expected to be awarded about \$582,000 dollars for infrastructure projects. They must be for infrastructure and not personnel or equipment, and funds must be expended by December 31st of 2027. The City is responsible for any cost overruns. He reminded there was a public hearing in December to solicit project ideas and there was a majority of ideas that involved work on pedestrian and non-motorized vehicle improvements. Included are 2 projects and one is a pedestrian related project related to Park St crossing improvements, and the other is a staff recommendation that will use about 3/4 of the funding to work on the unpaved streets in the City. He reassured the Commission that staff is not ignoring their and community comments related to pedestrian and non-motorized improvements. The City internally discussed and decided they wanted to use the money expeditiously and to improve the situation of some Livingston residents as quickly as possible.

Commissioner Willich asked if completion of these projects will happen in 2025.

The City Manager stated there is a very good chance that they will start to schedule the unpaved roadwork for this construction season and 2025. The crossing work would at the latest be handled in 2025.

Vice-Chair Nootz asked if the chip seal in Green Acres has gone through weather where they can see how it holds up.

The City Manager stated they installed the road work in August of last year and have been monitoring it.

Commissioner Willich moved to approve the item and Commissioner Lyons seconded the motion

Public Comment was offered by:

- Joann Vasallo expressed thanks for the projects being worked on.

Vice-Chair Nootz feels these street upgrades are pedestrian improvements. She stated in these neighborhoods most areas don't have sidewalks, and it will give kids an opportunity to play on a form of paved road.

Commissioner Willich heard from community members in Green Acres about the amount of excess chip seal that seems to be pushing up into their front yards. He wondered if there was a way to correct this issue for the folks that live out there.

The City Manager stated he appreciates the input. He clarified that some of those roads were chip sealed, but some just had gravel applied to the roads without sealing them. He stated some of those roads with excess gravel are from the roads that were not fully chip sealed. He is hopeful the full chip seal of those roads will correct that issue as the chips become adhered to the undersurface.

Vice-Chair Nootz expressed excitement for the Park St. crossing improvement and will make it safer for the public.

Chair Kahle stated she is excited for the rapid flashing beacons on the Park St. crossing because as a driver it's very hard to see people when they are walking out from behind a car. She thanked the City Manager for working with MDT to get to the point of installment of these.

Commissioner Lyons stated that road infrastructure can affect pedestrian safety. He brought up the topic of traffic calming and he feels its best brought when its citizen initiated. He pointed out that maybe at an admin level if staff or the City Manager are hearing safety concerns that is something he would be interested in hearing about.

The Commission discussed past road calming work that had been done on Callender Street.

The item was approved unanimously by the four commissioners present

Chair Kahle motioned to enter closed session seconded by Vice-Chair Nootz. Unanimously approved.

B. CLOSED SESSION PURSUANT TO MCA 2-3-203(3) TO DISCUSS A MATTER OF INDIVIDUAL PRIVACY

C. CLOSED SESSION PURSUANT TO MCA 2-3-203(4)(b) TO DISCUSS LITIGATION STRATEGY

(Starts at Video Mark 1:46:25)

8. City Manager Comment

The City Manager stated his awareness of an incident of hateful speech that occurred in the City over the weekend. The Manager stated that he and staff are committed to adhering to the Commission's proclamation of Livingston as a welcoming City. The removal of hateful stickers has already started as has an investigation into the actions.

The Commissioners each separately offered comment.

9. City Commission Comments

10. Adjournment

8:49pm Commissioner Lyons motioned to adjourn the meeting seconded by Commissioner Willich. Unanimously approved.

Calendar of Events

Supplemental Material

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File Attachments for Item:

B. APPROVAL OF MINUTES FROM MARCH 25, 2024, SPECIAL MEETING



Livingston Special City Commission Minutes

March 25, 2024

12:00 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/88397453519?pwd=Vnp6b1BzbDI0M1NjMm1RaEdvWXBUDz09>

Meeting ID: 883 9745 3519

Passcode: 315720

1. Call to Order

Chair Kahle called the meeting to order at 12:07PM

2. Roll Call

City Commission in attendance at start of meeting: Chair Kahle, Vice-Chair Nootz, Commissioner Schwarz, and Commissioner Willich

Staff in attendance: City Manager Grant Gager, Policy Analyst Greg Anthony, and City Clerk Emily Hutchinson.

Park County Clerk & Records Office Staff: Maritza Reddington, Angeliene Gelderloos, and Lori Schneider

3. 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)

4. Consent Items

5. Proclamations

6. Scheduled Public Comment

7. Action Items

A. OFFICIAL CANVAS - ELECTION RETURNS 2024

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this item is related to the March 19 Special Election regarding the Wellness Center. He introduce the Maritza Reddington the Park County Election Administrator.

Maritza stated what they Commission has are the results by precinct. She stated the spreadsheet is what they print out of their voter database, and it shows how many ballots were accepted, rejected, voided and undeliverable. They verify signatures, accept the ballots in their system that is what prints out of the database as accepted by precinct and voter. Then they take that report and compare it to what was run on the machine, so the tabulator results compared to voter system. She further explained the result and process of the absentee board, there is a board of 8 judges that come and open envelopes and they do that in batches of about 125 ballots. They count the number

of affirmation envelopes compared to what has been accepted in the system, then open the ballot, if 2 ballots are in there with one signature, they'll reject it, so they are keeping track of all that. Stated to the Commission that since they are the governing body they are canvassing the results, so just canvassing the reports and what the Election Office has done. She stated there was a supplemental batch of ballots that were issued, and precincts are 58 L1, L2, L3, L4, and L5 based on the House District and then Livingston for the City limits. They have a file cabinet with ballots where they are stored and kept, there were 16 ballots pulled out of the L3 drawer and they should have been L4, so what they accepted in the system is +16, but then -16 when they were counted. Maritza clarified the results are posted on the Park County website as well @ <https://www.parkcounty.org/Government-Departments/Elections/>

Commissioner Schwarz moved to approve the item and Commissioner Willich seconded the motion

Commissioners thanked Maritza and her staff for their hard work.

The item was approved unanimously by the four commissioners present.

8. City Manager Comment

The City Manager thanked the Election Administration Office and everyone involved including volunteers for their work on this.

9. City Commission Comments

Vice-Chair Nootz thanked fellow Commissioners for sharing additional information

Chair Kahle thanked the Election Office and their volunteers for their work on this.

10. Adjournment

12:30pm Commissioner Schwarz motioned to adjourn the meeting seconded by Commissioner Willich. Unanimously approved.

Calendar of Events

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SPECIAL ELECTION - Creation of Livingston Recreation District Facility March 19, 2024

BALLOT	ISSUED	NOT RETURNED	ACCEPTED	REJECTED	VOIDED	UNDELIVERABLE
58L1	1324	365	885	5	3	66
58L2	835	271	501	6	7	50
58L3	1056	337	657	3	8	51
58L4	827	276	495	5	7	44
58L5	1024	283	685	5	9	42
LAND OWN	83	3	80			
TOTAL	5149	1535	3303	24	34	253

Summary Results Report
Special Election - Livingston Recreation District
March 19, 2024

UNOFFICIAL RESULTS

Park

STATISTICS

	TOTAL
Registered Voters - Total	6,564
Ballots Cast - Total	3,303
Ballots Cast - Blank	1
Voter Turnout - Total	50.32%

Summary Results Report
Special Election - Livingston Recreation District
March 19, 2024

UNOFFICIAL RESULTS

Park

REFERENDUM ON DISTRICT CREATION

Vote For 1

	TOTAL
YES	2,064
NO	1,238
Total Votes Cast	3,302

File Attachments for Item:

D. APPROVAL OF CLAIMS PAID 3/14/24 - 3/27/24

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ALL SERVICE TIRE & ALIGNMENT							
22	ALL SERVICE TIRE & ALIGNME	67800	Flat repair	03/12/2024	20.00	20.00	03/15/2024
Total ALL SERVICE TIRE & ALIGNMENT:					20.00	20.00	
ALSCO							
10005	ALSCO	LBIL1932036	MATS	03/14/2024	105.91	105.91	03/15/2024
Total ALSCO:					105.91	105.91	
AMERIGAS							
10002	AMERIGAS	3160213221	PROPANE 205.1G	01/27/2024	1,023.55	1,023.55	03/22/2024
Total AMERIGAS:					1,023.55	1,023.55	
BLAKE NURSERY							
3221	BLAKE NURSERY	32614	TREES	08/16/2023	347.55	347.55	03/22/2024
Total BLAKE NURSERY:					347.55	347.55	
BOUND TREE MEDICAL, LLC							
2662	BOUND TREE MEDICAL, LLC	85272229	Patient Supplies	03/06/2024	151.99	151.99	03/22/2024
2662	BOUND TREE MEDICAL, LLC	85279467	Patient Supplies	03/13/2024	359.98	359.98	03/22/2024
Total BOUND TREE MEDICAL, LLC:					511.97	511.97	
BOZEMAN TROPHY & ENGRAVING							
967	BOZEMAN TROPHY & ENGRAVI	28055	BENCH PLATES	01/30/2024	15.00	15.00	03/22/2024
Total BOZEMAN TROPHY & ENGRAVING:					15.00	15.00	
CALEB KOKOT							
10006	CALEB KOKOT	2024.3.1	REFEREE	03/01/2024	110.00	110.00	03/22/2024
Total CALEB KOKOT:					110.00	110.00	
CARQUEST AUTO PARTS							
23	CARQUEST AUTO PARTS	1912-604296	DEF FLUID	02/01/2024	226.70	226.70	03/22/2024
23	CARQUEST AUTO PARTS	1912-604421	HEADLIGHT	02/02/2024	8.54	8.54	03/22/2024
23	CARQUEST AUTO PARTS	1912-604428	LED	02/02/2024	69.99	69.99	03/22/2024
23	CARQUEST AUTO PARTS	1912-604829	CABIN AIR FILTER	02/08/2024	29.04	29.04	03/22/2024
23	CARQUEST AUTO PARTS	1912-604832	AIR FILTER	02/08/2024	163.74	163.74	03/22/2024
23	CARQUEST AUTO PARTS	1912-604866	AIR FILTER	02/08/2024	39.89	39.89	03/22/2024
23	CARQUEST AUTO PARTS	1912-605342	DETAIL WIPES	02/15/2024	5.97	5.97	03/22/2024
23	CARQUEST AUTO PARTS	1912-605363	AIR FILTER	02/15/2024	53.19	53.19	03/22/2024
23	CARQUEST AUTO PARTS	1912-605415	AIR FRESH	02/15/2024	11.85	11.85	03/22/2024
23	CARQUEST AUTO PARTS	1912-605726	ROCKER LED BLU	02/20/2024	9.42	9.42	03/22/2024
23	CARQUEST AUTO PARTS	1912-605939	WIRING	02/23/2024	42.12	42.12	03/22/2024
23	CARQUEST AUTO PARTS	1912-606223	OIL	02/27/2024	101.58	101.58	03/22/2024
23	CARQUEST AUTO PARTS	1912-606224	DeGREASER	02/27/2024	68.98	68.98	03/22/2024
23	CARQUEST AUTO PARTS	1912-606282	THREAD SEALANT	02/28/2024	22.31	22.31	03/22/2024
Total CARQUEST AUTO PARTS:					853.32	853.32	
DANA SAFETY SUPPLY, INC.							
3234	DANA SAFETY SUPPLY, INC.	896350	RUNNING BOARDS AND INSTAL	01/12/2024	2,574.75	2,574.75	03/22/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total DANA SAFETY SUPPLY, INC.:					2,574.75	2,574.75	
ENERGY LABORATORIES, INC.							
424	ENERGY LABORATORIES, INC.	616768	CCR REPORT	03/11/2024	125.00	125.00	03/15/2024
Total ENERGY LABORATORIES, INC.:					125.00	125.00	
FARSTAD OIL							
3353	FARSTAD OIL	103843	Diesel 500G	03/14/2024	1,701.00	1,701.00	03/22/2024
3353	FARSTAD OIL	103926	Diesel 238G	03/07/2024	804.97	804.97	03/15/2024
3353	FARSTAD OIL	103977	Diesel 350G	03/21/2024	1,222.34	1,222.34	03/22/2024
3353	FARSTAD OIL	IN-900656-24	Diesel 300G 103448 SHORT	01/31/2024	10.00	10.00	03/22/2024
Total FARSTAD OIL:					3,738.31	3,738.31	
FISHER SAND AND GRAVEL							
2904	FISHER SAND AND GRAVEL	17354	ROAD MIX	03/09/2024	541.00	541.00	03/22/2024
Total FISHER SAND AND GRAVEL:					541.00	541.00	
FOUR CORNERS RECYCLING, LLC							
2919	FOUR CORNERS RECYCLING,	4388	Pull fees	02/28/2024	6,240.60	6,240.60	03/22/2024
2919	FOUR CORNERS RECYCLING,	CM4388	Credit	02/28/2024	2,539.60-	2,539.60-	03/22/2024
Total FOUR CORNERS RECYCLING, LLC:					3,701.00	3,701.00	
GMP CONSULTANTS LLC							
10004	GMP CONSULTANTS LLC	24-409	PROFESSIONAL SERVICES	01/30/2024	4,500.00	4,500.00	03/15/2024
10004	GMP CONSULTANTS LLC	24-458	PROFESSIONAL SERVICES	03/11/2024	503.16	503.16	03/15/2024
Total GMP CONSULTANTS LLC:					5,003.16	5,003.16	
HORIZON AUTO PARTS							
1920	HORIZON AUTO PARTS	994175	STUD REMOVAL KIT	03/07/2024	81.89	81.89	03/22/2024
1920	HORIZON AUTO PARTS	994195	STUD REMOVAL KIT RETURN	03/07/2024	81.89-	81.89-	03/22/2024
1920	HORIZON AUTO PARTS	994805	ARGON	03/14/2024	99.17	99.17	03/22/2024
Total HORIZON AUTO PARTS:					99.17	99.17	
IRRIGATION INNOVATIONS							
10002	IRRIGATION INNOVATIONS	8107	SNOW REMOVAL	03/09/2024	495.00	495.00	03/15/2024
Total IRRIGATION INNOVATIONS:					495.00	495.00	
JULIE RAMLJAK							
10006	JULIE RAMLJAK	10302285	REIMB-SUPPLIES	03/19/2024	29.82	29.82	03/22/2024
Total JULIE RAMLJAK:					29.82	29.82	
KEN'S EQUIPMENT REPAIR, INC							
1390	KEN'S EQUIPMENT REPAIR, IN	62116	Data Link	01/09/2024	897.45	897.45	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62224	HUB CAP	01/31/2024	92.75	92.75	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62291	COOLANT SEAL	02/14/2024	808.70	808.70	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62293	AIR4 GAUGE CLUSTER	02/20/2024	468.65	468.65	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62298	MODULE VALVE	02/15/2024	1,572.60	1,572.60	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62306	AIR FITTING	02/16/2024	260.00	260.00	03/15/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1390	KEN'S EQUIPMENT REPAIR, IN	62314	BHUBCAP PLUG	02/19/2024	20.25	20.25	03/15/2024
1390	KEN'S EQUIPMENT REPAIR, IN	62333	Data Link	02/21/2024	402.90	402.90	03/15/2024
Total KEN'S EQUIPMENT REPAIR, INC:					4,523.30	4,523.30	
LEHRKIND'S COCA-COLA							
2830	LEHRKIND'S COCA-COLA	2132011	Water	03/20/2024	32.00	32.00	03/22/2024
2830	LEHRKIND'S COCA-COLA	2132012	Water	03/20/2024	24.00	24.00	03/22/2024
Total LEHRKIND'S COCA-COLA:					56.00	56.00	
LIVINGSTON CHAMBER OF COMMERCE							
618	LIVINGSTON CHAMBER OF CO	30429A	JOB FEST 2024	12/31/2023	20.00	20.00	03/15/2024
Total LIVINGSTON CHAMBER OF COMMERCE:					20.00	20.00	
LIVINGSTON DAYCARE, LLC							
3407	LIVINGSTON DAYCARE, LLC	2024.4	Parking Lease	03/01/2024	3,000.00	3,000.00	03/15/2024
Total LIVINGSTON DAYCARE, LLC:					3,000.00	3,000.00	
MEYER ELECTRIC AND GROUNDS REPAIR, LLC							
3812	MEYER ELECTRIC AND GROUN	1228	WIRE SPLICE KIT/LABOR	03/07/2024	212.96	212.96	03/15/2024
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					212.96	212.96	
MISC							
99999	MISC	2024.3.13.1	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.10	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.11	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.12	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.13	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.14	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.15	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.16	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.17	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.18	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.19	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.2	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.20	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.3	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.4	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.5	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.6	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.7	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.8	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	2024.3.13.9	JURY DUTY	03/13/2024	12.00	12.00	03/22/2024
99999	MISC	CR2022-0022	Bond Refund	03/15/2024	590.00	590.00	03/15/2024
99999	MISC	TK2023-0067	Bond Refund	03/15/2024	1,830.00	1,830.00	03/15/2024
99999	MISC	TK2023-0114.2	RESTITUTION	03/15/2024	100.00	100.00	03/15/2024
99999	MISC	TK2023-0139.2	RESTITUTION	03/15/2024	100.00	100.00	03/15/2024
99999	MISC	TK2023-0289	Bond Refund	03/15/2024	285.00	285.00	03/15/2024
Total MISC:					3,145.00	3,145.00	
MOBILE REPAIR & WELDING, INC							
10	MOBILE REPAIR & WELDING, IN	34711	FABRICATION	03/06/2024	192.34	192.34	03/15/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MOBILE REPAIR & WELDING, INC:					192.34	192.34	
MOUNTAIN AIR SPORTS							
34	MOUNTAIN AIR SPORTS	11979	EMS CLOTHING	02/15/2024	783.00	783.00	03/22/2024
Total MOUNTAIN AIR SPORTS:					783.00	783.00	
MSU EXTENSION SERVICE							
3275	MSU EXTENSION SERVICE	24	ECONOMIC & COMMUNITY DEV	03/07/2024	2,680.05	2,680.05	03/22/2024
Total MSU EXTENSION SERVICE:					2,680.05	2,680.05	
MUNICIPAL EMERGENCY SERVICES							
2604	MUNICIPAL EMERGENCY SERV	IN2020867	SCBA REPLACEMENT	03/11/2024	18,250.00	18,250.00	03/22/2024
Total MUNICIPAL EMERGENCY SERVICES:					18,250.00	18,250.00	
NORMONT EQUIPMENT							
12	NORMONT EQUIPMENT	31309	SHOCKMOUNT	03/07/2024	280.69	280.69	03/22/2024
Total NORMONT EQUIPMENT:					280.69	280.69	
NORTHERN ENERGY							
59	NORTHERN ENERGY	0709880-9 202	200 River Drive - Pool	03/20/2024	.00	.00	
59	NORTHERN ENERGY	0709882-5 202	229 River Drive - Pump Civic Cent	03/20/2024	.00	.00	
59	NORTHERN ENERGY	0720122-1 202	400 North M	03/20/2024	.00	.00	
Total NORTHERN ENERGY:					.00	.00	
NORTHWESTERN ENERGY							
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	03/14/2024	467.40	467.40	03/22/2024
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	03/14/2024	467.39	467.39	03/22/2024
151	NORTHWESTERN ENERGY	0709794-2 202	WRF 316 Bennett	03/07/2024	2,270.62	2,270.62	03/22/2024
151	NORTHWESTERN ENERGY	0709796-7 202	97 View Vista Drive	03/14/2024	6.00	6.00	03/22/2024
151	NORTHWESTERN ENERGY	0709869-2 202	Carol Lane	03/14/2024	122.37	122.37	03/22/2024
151	NORTHWESTERN ENERGY	0709870-0 202	G Street Park - 422 S G	03/14/2024	275.82	275.82	03/22/2024
151	NORTHWESTERN ENERGY	0709871-8 202	Star Addition - Lights	03/14/2024	282.63	282.63	03/22/2024
151	NORTHWESTERN ENERGY	0709873-4 202	800 W CAMBRIDGE-PUMP STAT	03/14/2024	24.03	24.03	03/22/2024
151	NORTHWESTERN ENERGY	0709874-2 202	Werner Addition Pump	03/08/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709875-9 202	900 River Drive Pump	03/07/2024	3,152.04	3,152.04	03/22/2024
151	NORTHWESTERN ENERGY	0709876-7 202	132 South B Street - B St Well	03/11/2024	1,745.96	1,745.96	03/22/2024
151	NORTHWESTERN ENERGY	0709878-3 202	227 River Drive - Concessions sta	03/12/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709879-1 202	227 River Drive - Softball Field	03/12/2024	8.70	8.70	03/22/2024
151	NORTHWESTERN ENERGY	0709880-9 202	200 River Drive - Pool	03/20/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709882-5 202	229 River Drive - Pump Civic Cent	03/20/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709891-6 202	15 Fleshman Creek-Cemetery Wo	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709892-4 202	40 Water Tower Avenue	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	0709894-0 202	56 Water Tower	03/07/2024	638.07	638.07	03/22/2024
151	NORTHWESTERN ENERGY	0709914-6 202	1011 River Dr - Edge Water Sewe	03/08/2024	17.70	17.70	03/22/2024
151	NORTHWESTERN ENERGY	0719058-0 202	3 Rogers Lane Lift Station	03/08/2024	121.29	121.29	03/22/2024
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	03/07/2024	.00	.00	
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	03/07/2024	.00	.00	
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	03/07/2024	.00	.00	
151	NORTHWESTERN ENERGY	0720122-1 202	400 North M	03/20/2024	.00	.00	
151	NORTHWESTERN ENERGY	0720176-7 202	Weimer Park	03/14/2024	8.40	8.40	03/22/2024
151	NORTHWESTERN ENERGY	1134866-1 202	N 2nd & Montana & Chinook	03/14/2024	57.55	57.55	03/22/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	1134879-4 202	N 7th & Montana & Chinook	03/14/2024	27.89	27.89	03/22/2024
151	NORTHWESTERN ENERGY	1155965-5 202	229 River Drive	03/15/2024	6.00	6.00	03/22/2024
151	NORTHWESTERN ENERGY	1290352-2 202	School Flasher Park & 13th	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	1441030-2 202	D & Geyser Well House	03/07/2024	1,547.39	1,547.39	03/22/2024
151	NORTHWESTERN ENERGY	1452951-5 202	Starlow on Monroe	03/08/2024	504.34	504.34	03/22/2024
151	NORTHWESTERN ENERGY	1493850-0 202	412 W Callender	03/14/2024	107.46	107.46	03/22/2024
151	NORTHWESTERN ENERGY	1498936-2 202	I90 & 89S-ing	03/14/2024	6.28	6.28	03/22/2024
151	NORTHWESTERN ENERGY	1594141-2 202	9th & 10th Lift Station	03/08/2024	34.38	34.38	03/22/2024
151	NORTHWESTERN ENERGY	1613803-4 202	M & N on Callender	03/14/2024	49.99	49.99	03/22/2024
151	NORTHWESTERN ENERGY	1728687-3 202	Transfer Station 408 Bennett Stre	03/07/2024	466.99	466.99	03/22/2024
151	NORTHWESTERN ENERGY	1747570-8 202	D & E on Callender	03/14/2024	27.43	27.43	03/22/2024
151	NORTHWESTERN ENERGY	1747572-4 202	F & G on Callender	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	1893530-4 202	600 W Park	03/14/2024	54.45	54.45	03/22/2024
151	NORTHWESTERN ENERGY	1893536-1 202	E Street & Alley	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	1893541-1 202	18 W Park	03/14/2024	88.83	88.83	03/22/2024
151	NORTHWESTERN ENERGY	1906055-7 202	815 North 13th - Soccer Fields (Irr	03/14/2024	8.09	8.09	03/22/2024
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	03/14/2024	6.42	6.42	03/22/2024
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	03/14/2024	6.42	6.42	03/22/2024
151	NORTHWESTERN ENERGY	2024.3.12 3837	220 E PARK	03/12/2024	650.91	650.91	03/22/2024
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	03/14/2024	109.14	109.14	03/22/2024
151	NORTHWESTERN ENERGY	2138754-3 202	G Street Park - Mike Webb Park	03/14/2024	6.00	6.00	03/22/2024
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	03/07/2024	.00	.00	
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	03/14/2024	23.90	23.90	03/22/2024
151	NORTHWESTERN ENERGY	3093023-4 202	320 North Main	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	03/14/2024	30.14	30.14	03/22/2024
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	03/14/2024	18.56	18.56	03/22/2024
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	03/14/2024	6.00	6.00	03/22/2024
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	03/14/2024	562.30	562.30	03/22/2024
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglow Lift Station	03/07/2024	145.92	145.92	03/22/2024
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	03/07/2024	248.06	248.06	03/22/2024
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglow LN-	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	03/14/2024	42.97	42.97	03/22/2024
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	03/14/2024	28.16	28.16	03/22/2024
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	03/14/2024	26.30	26.30	03/22/2024
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	03/14/2024	6.06	6.06	03/22/2024
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	03/07/2024	16,575.75	16,575.75	03/22/2024
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	03/14/2024	61.74	61.74	03/22/2024
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	03/14/2024	41.43	41.43	03/22/2024
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	03/11/2024	.00	.00	
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	03/07/2024	703.90	703.90	03/22/2024
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres	03/14/2024	219.60	219.60	03/22/2024
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	03/14/2024	46.22	46.22	03/22/2024
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	03/14/2024	.00	.00	
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	03/07/2024	9.39	9.39	03/22/2024
151	NORTHWESTERN ENERGY	3950711-6 202	Scenic Drive & Sweetgrass Lane	03/14/2024	53.55	53.55	03/22/2024
151	NORTHWESTERN ENERGY	4094896-0 202	207 Antelope Drive Lift Station (Fe	03/08/2024	31.96	31.96	03/22/2024
151	NORTHWESTERN ENERGY	4134094-4 202	200 E Reservoir	03/14/2024	.00	.00	
Total NORTHWESTERN ENERGY:					32,256.29	32,256.29	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
O'CONNOR'S BODY SHOP, LLC							
1199	O'CONNOR'S BODY SHOP, LLC	7312	Repairs GMC	03/06/2024	424.00	424.00	03/15/2024
Total O'CONNOR'S BODY SHOP, LLC:					424.00	424.00	
ONE 7 INC							
10006	ONE 7 INC	2412	MOBILE PATHFINDER	02/14/2024	75,000.00	75,000.00	03/15/2024
Total ONE 7 INC:					75,000.00	75,000.00	
O'REILLY AUTOMOTIVE, INC							
2437	O'REILLY AUTOMOTIVE, INC	1558-343217	OIL	03/21/2024	5.99	5.99	03/22/2024
Total O'REILLY AUTOMOTIVE, INC:					5.99	5.99	
PARK COUNTY							
272	PARK COUNTY	2024_02	REIMBURSE FLAGS CITY/COU	02/29/2024	58.67-	58.67-	03/22/2024
272	PARK COUNTY	2024_02	CITY SHARE MATS	02/29/2024	47.13	47.13	03/22/2024
272	PARK COUNTY	2024_02	CITY SHARE MATS	02/29/2024	47.13	47.13	03/22/2024
272	PARK COUNTY	2024_02	JANUARY SNOW REMOVAL	02/29/2024	46.25	46.25	03/22/2024
272	PARK COUNTY	2024_02	PHONES - CITY/COUNTY COMP	02/29/2024	345.36	345.36	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - CITY/COUNTY COM	02/29/2024	2,680.77	2,680.77	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - CITY HALL	02/29/2024	836.16	836.16	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - PUBLIC WORKS	02/29/2024	194.29	194.29	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - PUBLIC WORKS	02/29/2024	194.29	194.29	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - PUBLIC WORKS	02/29/2024	194.29	194.29	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - PUBLIC WORKS	02/29/2024	194.29	194.29	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - PUBLIC WORKS	02/29/2024	194.29	194.29	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - CIVIC CENTER	02/29/2024	777.16	777.16	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - TRANSFER STATIO	02/29/2024	228.69	228.69	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - POOL	02/29/2024	228.69	228.69	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - STREET SHOP	02/29/2024	76.23	76.23	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - STREET SHOP	02/29/2024	76.23	76.23	03/22/2024
272	PARK COUNTY	2024_02	INTERNET - STREET SHOP	02/29/2024	76.23	76.23	03/22/2024
272	PARK COUNTY	2024_02	ANALOG LINE - LOBBY ELEVAT	02/29/2024	9.48	9.48	03/22/2024
272	PARK COUNTY	2024_02	ANALOG LINE - LOBBY ELEVAT	02/29/2024	9.48	9.48	03/22/2024
272	PARK COUNTY	2024_02	HVAC REPAIRS	02/29/2024	3,063.72	3,063.72	03/22/2024
272	PARK COUNTY	2024_02	IT CONSULTING - WIRELESS U	02/29/2024	1,518.75	1,518.75	03/22/2024
272	PARK COUNTY	2024_02	WATER LEAK	02/29/2024	127.12	127.12	03/22/2024
272	PARK COUNTY	2024_02	JANITORIAL SERVICE	02/29/2024	2,014.41	2,014.41	03/22/2024
272	PARK COUNTY	2024_02	FIRE ALARM REPAIRS	02/29/2024	264.18	264.18	03/22/2024
272	PARK COUNTY	2024_02	MONTHLY PORT SCANS	02/29/2024	37.50	37.50	03/22/2024
272	PARK COUNTY	2024_02	MAILROOM DOOR CLOSURE	02/29/2024	192.40	192.40	03/22/2024
272	PARK COUNTY	2024_02	FLAT PANEL LIGHTS	02/29/2024	532.30	532.30	03/22/2024
272	PARK COUNTY	2024_02	RECYCLING	02/29/2024	74.00	74.00	03/22/2024
272	PARK COUNTY	2024_02	REMOTE MANAGMENT & PLAT	02/29/2024	273.62	273.62	03/22/2024
272	PARK COUNTY	2024_02	JAN POWER BILL	02/29/2024	2,732.02	2,732.02	03/22/2024
272	PARK COUNTY	2024_02	FEB POWER BILL	02/29/2024	2,785.63	2,785.63	03/22/2024
272	PARK COUNTY	2024_02	CLEAN DRINKING FOUNTAINS	02/29/2024	81.40	81.40	03/22/2024
272	PARK COUNTY	2024_02	VIDEO CONF - DEC	02/29/2024	89.55	89.55	03/22/2024
272	PARK COUNTY	2024_02	STANDARD PHONE - DEC	02/29/2024	65.52	65.52	03/22/2024
272	PARK COUNTY	2024_02	IT CITY PORTION - DEC	02/29/2024	376.39	376.39	03/22/2024
272	PARK COUNTY	2024_02	REPAIR GENERATOR	02/29/2024	572.57	572.57	03/22/2024
272	PARK COUNTY	2024_02	REPAIR GENERATOR	02/29/2024	177.60-	177.60-	03/22/2024
272	PARK COUNTY	2024_02	JAN- CELL PHONE	02/29/2024	533.44	533.44	03/22/2024
272	PARK COUNTY	2024_02	FEB-CELL PHONE	02/29/2024	533.52	533.52	03/22/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total PARK COUNTY:					21,893.92	21,893.92	
SECURITY SOLUTIONS, INC.							
3020	SECURITY SOLUTIONS, INC.	18901-A	ALARM MONITORING	03/01/2024	96.00	96.00	03/22/2024
Total SECURITY SOLUTIONS, INC.:					96.00	96.00	
SPECIAL LUBE							
1814	SPECIAL LUBE	224-280-17023	Oil Change	03/12/2024	60.00	60.00	03/22/2024
Total SPECIAL LUBE:					60.00	60.00	
THE MAIN PRINT SHOP							
10006	THE MAIN PRINT SHOP	17852	BUSINESS CARDS - GARRICK	02/15/2024	26.95	26.95	03/22/2024
10006	THE MAIN PRINT SHOP	17852	BUSINESS CARDS-SKAGGS	02/15/2024	26.95	26.95	03/22/2024
10006	THE MAIN PRINT SHOP	17876	WORKSHOP FLYERS	02/20/2024	45.36	45.36	03/22/2024
Total THE MAIN PRINT SHOP:					99.26	99.26	
US POST OFFICE							
2596	US POST OFFICE	2024.3	Postage for Utility Bills	03/15/2024	2,500.00	2,500.00	03/15/2024
2596	US POST OFFICE	2024.3	Postage for Utility Bills	03/15/2024	2,500.00	2,500.00	03/15/2024
2596	US POST OFFICE	2024.3	Postage for Utility Bills	03/15/2024	2,500.00	2,500.00	03/15/2024
Total US POST OFFICE:					7,500.00	7,500.00	
VERIZON WIRELESS							
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	61.42	61.42	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	46.90	46.90	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	61.42	61.42	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	61.42	61.42	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	42.94	42.94	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	42.94	42.94	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	42.94	42.94	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	23.82	23.82	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	23.81	23.81	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	42.94	42.94	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	46.90	46.90	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	46.90	46.90	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	13.90	13.90	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	11.91	11.91	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	46.90	46.90	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	19.29	19.29	03/22/2024
879	VERIZON WIRELESS	9958652706	MARCH CELLPHONES	03/08/2024	52.40	52.40	03/22/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	64.00	64.00	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	.00	.00	
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	10.06	10.06	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	10.06	10.06	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	44.77	44.77	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	64.00	64.00	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	64.00	64.00	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	23.79	23.79	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	44.77	44.77	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	.00	.00	
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	44.77	44.77	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	12.42	12.42	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	64.06	64.06	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	44.77	44.77	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	12.42	12.42	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	12.42	12.42	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	12.42	12.42	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	12.42	12.42	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
879	VERIZON WIRELESS	9958652707	MARCH CELLPHONES	03/08/2024	20.12	20.12	03/22/2024
Total VERIZON WIRELESS:					1,670.28	1,670.28	
Grand Totals:					191,443.59	191,443.59	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

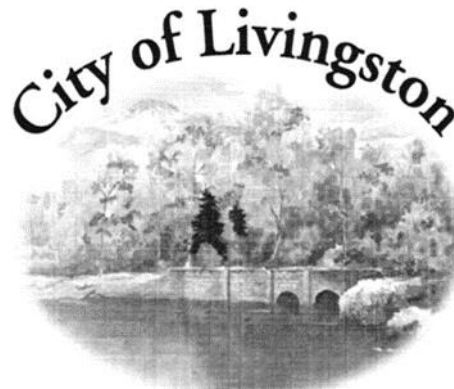
File Attachments for Item:

E. AGREEMENTS 20074, 20075 AND 20076 FOR LEASE OF ROPING ARENA

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chairperson
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
James Willich
Quentin Schwarz
Torrey Lyons

Date: 4/2/2024
To: Chair Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Agreements 20074, 20075 and 20076 for Roping Arena Leases

Recommendation and Summary

The City Manager is recommending approval of Agreements 20074, 20075 and 20076 which are for short-term lease of the City property commonly known as “the roping arena” by adoption of the following motion:

“I move to approve agreements 20074, 20075 and 20076 and authorize the City Manager to execute the agreements.”

The reasons for the recommendation are as follows:

- The City owns a parcel near the County Fairgrounds that is periodically used by event organizers to store equipment of performers and contestants.
- The City has received several requests from event operators for use of the parcel this summer.

Introduction and History

The City owns a parcel at 97 View Vista Drive, commonly referred to as “the old roping arena,” that is periodically used by event organizers for equipment storage and camping. As an example, the parcel is used by the Livingston Rodeo Association during their annual event for contestant and equipment storage. When not is such use, the parcel, which is adjacent to Mayor’s Landing, is used as parkland.

Analysis

The City has received three requests to use the parcel for events this summer. With no scheduled competing uses during the requested dates, the City has offered the use of the parcel at the rate historically charged (\$100 per day). The City will not prepare or protect the parcel for the planned uses. The proposed uses are:

- Agreement 20074: August 17-18, 2024, for Calamity’s Classic Rodeo
- Agreement 20075: June 30-July 5, 2024, for Livingston Rodeo Association (Rodeo)
- Agreement 20076: June 24-26, 2024, for Montana Tour (Road Bike Tour)

Fiscal Impact

The lease revenues included in the contract will be provided to the general fund.

Strategic Alignment

Clear lease agreements provide management the ability to effectively manage City affairs and assets in a manner consistent with Commission priorities.

Attachments

- A. Proposed Agreement 20074
- B. Proposed Agreement 20075
- C. Proposed Agreement 20076

LEASE AGREEMENT

AGREEMENT made and entered into as of the ____ day of _____, 2024,
by and between the City of Livingston, a municipal corporation and political subdivision of the State of Montana, with its principal office located at 220 E. Park Street, Livingston, Montana 59047, hereinafter referred to as the “City,” and Windy City Outlaws DBA Calamity’s Classic Rodeo, of PO Box 2035, Livingston, Park County, Montana 59047, hereinafter referred as “Lessee.”

Recitals.

WHEREAS, The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana; and

WHEREAS, The City is desirous of leasing to LESSEE and LESSEE is desirous of leasing from the City said property under the terms and conditions contained in this agreement; and

WHEREAS, LESSEE is desirous of leasing the property for use associated with the Calamity’s Classic Rodeo Event on August 17 and 18, 2024;

NOW THEREFORE; the lease of such property on such days by the Lessee is agreed as follows:

**SECTION ONE
Description of Property**

The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana.

**SECTION TWO
Inspection, Representations and Warranties**

LESSEE hereby acknowledges and agrees that it leases the property based upon its own inspection, knowledge and judgment and has not relied upon any representations or warranties, either expressed or implied, from the City, its officers, employees, or agents. LESSEE hereby holds the City, its officers, employees or agents harmless and agrees to indemnify the City from any and all damage or destruction or property to and/or injury or death to persons growing out of the lease of said property.

**SECTION THREE
Term and Rental Fees**

The term of this lease shall be for two days on August 17 and 18, 2024. LESSEE agrees to pay, without demand, to the City as rent for the property the sum of \$100.00 per day, on or before the 18th day of August. The LESSEE will have exclusive use of the premises on August 17 and 18, 2024.

**SECTION FOUR
Insurance/Hold harmless**

To the fullest extent allowed by law, LESSEE agrees to save, defend, indemnify and hold harmless the City, its officers, employees and agents from any and all claims, losses, expenses and damages, including, but not limited to, court costs and reasonable attorney fees, which may be asserted against the City arising of the negligence or negligent or intentional acts of LESSEE in connection with this agreement.

LESSEE agrees, at its sole expense, to obtain and keep in full force and effect adequate insurance against general liability, automobile liability and physical damage, naming the City as a named insured, with policy limits in the amount of not less than \$750,000.00 per person and \$1,500,000.00 per occurrence as currently provided by Mont. Code Ann. § 2-9-108, or such other amount as the State legislature may provide by amendment to said statute to cover loss, damage or injury to persons or property which might arise out of the performance of their duties under this agreement and shall provide a Certificate of

Insurance to the City.

**SECTION FIVE
Quiet Enjoyment**

City covenants that on paying the rent and performing the covenants herein contained, LESSEE shall peacefully and quietly have, hold and enjoy the demised premises for the agreed term.

**SECTION SIX
Use of Premises**

The demised premises shall be used and occupied by LESSEE for parking for contestants and temporary corralling of horses. LESSEE acknowledges hereby that the City hereby reserves the right to enter into additional leases with third parties, however, the City agrees that such leases shall not interfere with LESSEE’s Calamity’s Classic Rodeo event, or use of the leased property.

**SECTION SEVEN
Assignment**

Without the prior written consent of City, LESSEE shall not assign this Lease.

**SECTION EIGHT
Alterations and Improvements**

LESSEE may mow the grass and otherwise clean the site but no significant alterations or improvements are allowed without prior consent in writing from the City. All agreed upon alterations, changes, and improvements built, constructed, or placed on the demised premises by LESSEE, with the exception of fixtures removable without damage to the premises and moveable personal property, shall, unless otherwise provided by written agreement between City and LESSEE, be the property of City and remain on the demised premises at the expiration or sooner termination of this Lease.

**SECTION NINE
Maintenance and Repair**

LESSEE will, at their expense, keep and maintain the property in good condition and repair during the term of this Lease. Any structures replacement shall require the prior written approval of the City. LESSEE will remove organic and inorganic refuse, including manure by the end of August 19.

**SECTION TEN
Dangerous Materials**

LESSEE shall not keep or have on the leased premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the damager of fire on the leased premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

**SECTION ELEVEN
Right of Inspection**

City and its agents shall have the right at all reasonable times during the term of this Lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and any improvements thereon.

**SECTION TWELVE
Surrender of Premises**

At the expiration of the Lease term, LESSEE shall quit and surrender the premises hereby demised in as good state and condition as they were at the commencement of this Lease, reasonable use and wear thereof and damages by the elements excepted.

**SECTION THIRTEEN
Termination and Default**

In the event that any of the equipment installed by LESSEE interferes with the City or other governmental agencies, private entities, residents or organizations located adjacent thereto which are in existence as of August 2024, this lease shall become null and void, if said interference cannot be corrected by LESSEE.

This lease may be terminated by either party by giving six (6) days written notice to the other party.

**SECTION FOURTEEN
Binding Effect**

The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Lease.

**SECTION FIFTEEN
Notice**

Notices shall be mailed at the addresses set forth herein, or at such other address as the respective parties shall give to the other party by written notice of any such change. Notice shall be deemed complete when the notice is deposited into the United States Postal Service and addressed to the address provided by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

CITY OF LIVINGSTON

WINDY CITY OUTLAWS
DBA: CALAMITY’S CLASSIC RODEO

—

GRANT GAGER
City Manager

MICHAEL KLASING
President

APPROVED AS TO FORM:

JON HESSE
Livingston City Attorney

LEASE AGREEMENT

AGREEMENT made and entered into as of the ____ day of _____, 2024, by and between the City of Livingston, a municipal corporation and political subdivision of the State of Montana, with its principal office located at 220 E. Park Street, Livingston, Montana 59047, hereinafter referred to as the “City,” and Livingston Rodeo Association, of PO Box 800, Livingston, Park County, Montana 59047, hereinafter referred as “Lessee.”

Recitals.

WHEREAS, The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana; and

WHEREAS, The City is desirous of leasing to LESSEE and LESSEE is desirous of leasing from the City said property under the terms and conditions contained in this agreement; and

WHEREAS, LESSEE is desirous of leasing the property for use associated with the Association’s Rodeo Event June 30 through July 5, 2024;

NOW THEREFORE; the lease of such property on such days by the Lessee is agreed as follows:

**SECTION ONE
Description of Property**

The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana.

SECTION TWO
Inspection, Representations and Warranties

LESSEE hereby acknowledges and agrees that it leases the property based upon its own inspection, knowledge and judgment and has not relied upon any representations or warranties, either expressed or implied, from the City, its officers, employees, or agents. LESSEE hereby holds the City, its officers, employees or agents harmless and agrees to indemnify the City from any and all damage or destruction or property to and/or injury or death to persons growing out of the lease of said property.

SECTION THREE
Term and Rental Fees

The term of this lease shall be for two days on June 30 through July 5, 2024. LESSEE agrees to pay, without demand, to the City as rent for the property the sum of \$100.00 per day, on or before the first day of June 2024. The LESSEE will have exclusive use of the premises on the dates in this section.

SECTION FOUR
Insurance/Hold harmless

To the fullest extent allowed by law, LESSEE agrees to save, defend, indemnify and hold harmless the City, its officers, employees and agents from any and all claims, losses, expenses and damages, including, but not limited to, court costs and reasonable attorney fees, which may be asserted against the City arising of the negligence or negligent or intentional acts of LESSEE in connection with this agreement.

LESSEE agrees, at its sole expense, to obtain and keep in full force and effect adequate insurance against general liability, automobile liability and physical damage, naming the City as a named insured, with policy limits in the amount of not less than \$750,000.00 per person and \$1,500,000.00 per occurrence as currently provided by Mont. Code Ann. § 2-9-108, or such other amount as the State legislature may provide by amendment to said statute to cover loss, damage or injury to persons or property which might arise out of the performance of their duties under this agreement and shall provide a Certificate of

Insurance to the City.

**SECTION FIVE
Quiet Enjoyment**

City covenants that on paying the rent and performing the covenants herein contained, LESSEE shall peacefully and quietly have, hold and enjoy the demised premises for the agreed term.

**SECTION SIX
Use of Premises**

The demised premises shall be used and occupied by LESSEE for parking for contestants and temporary corralling of horses. LESSEE acknowledges hereby that the City hereby reserves the right to enter into additional leases with third parties, however, the City agrees that such leases shall not interfere with LESSEE’s Rodeo event, or use of the leased property.

**SECTION SEVEN
Assignment**

Without the prior written consent of City, LESSEE shall not assign this Lease.

**SECTION EIGHT
Alterations and Improvements**

LESSEE may mow the grass and otherwise clean the site but no significant alterations or improvements are allowed without prior consent in writing from the City. All agreed upon alterations, changes, and improvements built, constructed, or placed on the demised premises by LESSEE, with the exception of fixtures removable without damage to the premises and moveable personal property, shall, unless otherwise provided by written agreement between City and LESSEE, be the property of City and remain on the demised premises at the expiration or sooner termination of this Lease.

**SECTION NINE
Maintenance and Repair**

LESSEE will, at their expense, keep and maintain the property in good condition and repair during the term of this Lease. Any structures replacement shall require the prior written approval of the City. LESSEE will remove organic and inorganic refuse, including manure by the end of August 19.

**SECTION TEN
Dangerous Materials**

LESSEE shall not keep or have on the leased premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the damager of fire on the leased premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

**SECTION ELEVEN
Right of Inspection**

City and its agents shall have the right at all reasonable times during the term of this Lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and any improvements thereon.

**SECTION TWELVE
Surrender of Premises**

At the expiration of the Lease term, LESSEE shall quit and surrender the premises hereby demised in as good state and condition as they were at the commencement of this Lease, reasonable use and wear thereof and damages by the elements excepted.

**SECTION THIRTEEN
Termination and Default**

In the event that any of the equipment installed by LESSEE interferes with the City or other governmental agencies, private entities, residents or organizations located adjacent thereto which are in existence as of June 2024, this lease shall become null and void, if said interference cannot be corrected by LESSEE.

This lease may be terminated by either party by giving six (6) days written notice to the other party.

**SECTION FOURTEEN
Binding Effect**

The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Lease.

**SECTION FIFTEEN
Notice**

Notices shall be mailed at the addresses set forth herein, or at such other address as the respective parties shall give to the other party by written notice of any such change. Notice shall be deemed complete when the notice is deposited into the United States Postal Service and addressed to the address provided by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

CITY OF LIVINGSTON

LIVINGSTON RODEO ASSOCIATION

GRANT GAGER
City Manager

BRUCE BECKER
President

APPROVED AS TO FORM:

JON HESSE
Livingston City Attorney

LEASE AGREEMENT

AGREEMENT made and entered into as of the ____ day of _____, 2024, by and between the City of Livingston, a municipal corporation and political subdivision of the State of Montana, with its principal office located at 220 E. Park Street, Livingston, Montana 59047, hereinafter referred to as the “City,” and Montana Tour, of PO Box 1687, Red Lodge, Montana 59068, hereinafter referred as “Lessee.”

Recitals.

WHEREAS, The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana; and

WHEREAS, The City is desirous of leasing to LESSEE and LESSEE is desirous of leasing from the City said property under the terms and conditions contained in this agreement; and

WHEREAS, LESSEE is desirous of leasing the property for use associated with the Montana Tour Event on June 24 through June 26, 2024;

NOW THEREFORE; the lease of such property on such days by the Lessee is agreed as follows:

**SECTION ONE
Description of Property**

The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which is more particularly described by Certificate of Survey #1245 on file and of record in the office of the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property at 97 View Vista Drive, Livingston Montana.

**SECTION TWO
Inspection, Representations and Warranties**

LESSEE hereby acknowledges and agrees that it leases the property based upon its own inspection, knowledge and judgment and has not relied upon any representations or warranties, either expressed or implied, from the City, its officers, employees, or agents. LESSEE hereby holds the City, its officers, employees or agents harmless and agrees to indemnify the City from any and all damage or destruction or property to and/or injury or death to persons growing out of the lease of said property.

**SECTION THREE
Term and Rental Fees**

The term of this lease shall be for the period of June 24 through 26, 2024. LESSEE agrees to pay, without demand, to the City as rent for the property the sum of \$100.00 per day, on or before the first day of June. The LESSEE will have exclusive use of the premises on the dates in this section.

**SECTION FOUR
Insurance/Hold harmless**

To the fullest extent allowed by law, LESSEE agrees to save, defend, indemnify and hold harmless the City, its officers, employees and agents from any and all claims, losses, expenses and damages, including, but not limited to, court costs and reasonable attorney fees, which may be asserted against the City arising of the negligence or negligent or intentional acts of LESSEE in connection with this agreement.

LESSEE agrees, at its sole expense, to obtain and keep in full force and effect adequate insurance against general liability, automobile liability and physical damage, naming the City as a named insured, with policy limits in the amount of not less than \$750,000.00 per person and \$1,500,000.00 per occurrence as currently provided by Mont. Code Ann. § 2-9-108, or such other amount as the State legislature may provide by amendment to said statute to cover loss, damage or injury to persons or property which might arise out of the performance of their duties under this agreement and shall provide a Certificate of

Insurance to the City.

**SECTION FIVE
Quiet Enjoyment**

City covenants that on paying the rent and performing the covenants herein contained, LESSEE shall peacefully and quietly have, hold and enjoy the demised premises for the agreed term.

**SECTION SIX
Use of Premises**

The demised premises shall be used and occupied by LESSEE for parking for contestants and temporary corralling of horses. LESSEE acknowledges hereby that the City hereby reserves the right to enter into additional leases with third parties, however, the City agrees that such leases shall not interfere with LESSEE’s event, or use of the leased property.

**SECTION SEVEN
Assignment**

Without the prior written consent of City, LESSEE shall not assign this Lease.

**SECTION EIGHT
Alterations and Improvements**

LESSEE may mow the grass and otherwise clean the site but no significant alterations or improvements are allowed without prior consent in writing from the City. All agreed upon alterations, changes, and improvements built, constructed, or placed on the demised premises by LESSEE, with the exception of fixtures removable without damage to the premises and moveable personal property, shall, unless otherwise provided by written agreement between City and LESSEE, be the property of City and remain on the demised premises at the expiration or sooner termination of this Lease.

**SECTION NINE
Maintenance and Repair**

LESSEE will, at their expense, keep and maintain the property in good condition and repair during the term of this Lease. Any structures replacement shall require the prior written approval of the City. LESSEE will remove organic and inorganic refuse, including manure by the end of August 19.

**SECTION TEN
Dangerous Materials**

LESSEE shall not keep or have on the leased premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the damager of fire on the leased premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

**SECTION ELEVEN
Right of Inspection**

City and its agents shall have the right at all reasonable times during the term of this Lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and any improvements thereon.

**SECTION TWELVE
Surrender of Premises**

At the expiration of the Lease term, LESSEE shall quit and surrender the premises hereby demised in as good state and condition as they were at the commencement of this Lease, reasonable use and wear thereof and damages by the elements excepted.

**SECTION THIRTEEN
Termination and Default**

In the event that any of the equipment installed by LESSEE interferes with the City or other governmental agencies, private entities, residents or organizations located adjacent thereto which are in existence as of August 2024, this lease shall become null and void, if said interference cannot be corrected by LESSEE.

This lease may be terminated by either party by giving six (6) days written notice to the other party.

**SECTION FOURTEEN
Binding Effect**

The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Lease.

**SECTION FIFTEEN
Notice**

Notices shall be mailed at the addresses set forth herein, or at such other address as the respective parties shall give to the other party by written notice of any such change. Notice shall be deemed complete when the notice is deposited into the United States Postal Service and addressed to the address provided by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

CITY OF LIVINGSTON

MONTANA TOUR

—

GRANT GAGER
City Manager

BOARD PRESIDENT

APPROVED AS TO FORM:

JON HESSE
Livingston City Attorney

File Attachments for Item:

**A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA,
DECLARING NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK AS APRIL 14-20, 2024**



Proclamation

of the Livingston City Commission

Declaring April 14 – 20, 2024 as National Public Safety Telecommunicators Week in the City of Livingston

WHEREAS emergencies can occur at any time, requiring law enforcement, fire, or emergency medical services, and Public Safety Telecommunicators are the first and most critical contact for citizens in need of these services; and

WHEREAS the prompt response of law enforcement officers, firefighters, and paramedics is critical to protecting life and preserving property when emergencies occur; and

WHEREAS the safety of all law enforcement officers and firefighters depends on the quality and accuracy of information provided to the Livingston/Park County 911 Dispatch Center by citizen; and

WHEREAS Public Safety Telecommunicators serve as the vital link for law enforcement officers and firefighters by monitoring their activities via radio, providing them with information, and ensuring their safety; and

WHEREAS Public Safety Telecommunicators of the Livingston/Park County 911 Dispatch Center have substantially contributed to the apprehension of criminals, suppression of fires, and treatment of patients; and

WHEREAS each dispatcher has demonstrated compassion, understanding, and professionalism in the performance of their duties over the past year; and

NOW, THEREFORE, BE IT RESOLVED on behalf of the Livingston City Commission, I, Karrie Kahle, Chair, do hereby declare April 14-20, 2024, to be National Public Safety Telecommunicators Week in Livingston, Montana, in honor of the men and women whose diligence and professionalism keep our city and all of our citizens safe.

Signed this ___ day of April, 2024.

Karrie Kahle, Chair
Livingston City Commission

Emily Hutchinson,
City Clerk

File Attachments for Item:

**B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA,
DECLARING APRIL 6-12, 2024 AS THE WEEK OF THE YOUNG CHILD IN LIVINGSTON MONTANA**



Proclamation of the Livingston City Commission

Declaring April 6th – 12th, 2024 as the Week of the Young Child in the City of Livingston

WHEREAS, the first years of a child’s life are the period of the most rapid brain development and lay the foundation for all future learning.; and

WHEREAS, high-quality early care and education helps build strong developmental foundations for young children during the years of greatest brain development, leading to positive outcomes for individual children, and helping them be better prepared for school and more likely to succeed in life; and

WHEREAS, high-quality early childhood education depends on highly skilled, educated, competent, consistent, and compensated early childhood educators who ensure that children, supported by families, have the early experiences they need for a strong foundation; and

WHEREAS, Livingston, Montana, is dedicated to education and understands that early care and education is key for young children that need developmentally appropriate, accessible and available early care and education settings; and

NOW, THEREFORE, BE IT RESOLVED on behalf of the Livingston City Commission, I, Karrie Kahle, Chair, do hereby declare April 6-12, 2024, to be:

THE WEEK OF THE YOUNG CHILD LIVINGSTON, MONTANA

Further, I urge all members of our community to support efforts that increase children and families’ access to high-quality early childhood education.

We extend our gratitude to our local childcare providers, preschools, school teachers, and all those committed to helping young minds grow and develop: you are all essential to the community!

Signed this ___ day of April, 2024.

Karrie Kahle, Chair
Livingston City Commission

Emily Hutchinson,
City Clerk

File Attachments for Item:

A. RESOLUTION 5128: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, CREATING THE LIVINGSTON RECREATION FACILITY DISTRICT

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chairperson
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: 4/2/2024
To: Chair Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Resolution 5127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, CREATING THE LIVINGSTON RECREATION FACILITY DISTRICT

Recommendation and Summary

Staff is recommending the Commission Approve Resolution 5128 to create the Livingston Recreation Facility District by adopting the following motion:

“I move to approve Resolution 5128 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- The results of the March 19, 2024, election have been adopted by the City Commission.
- Montana Code Annotated requires action by the City Commission to create a district that has been approved by electors.

Introduction and History

At its meeting on December 19, 2024, the City of Livingston adopted Resolution 5124 (Attachment B) which called for a referendum on the establishment of the Livingston Recreation Facility District. At a special meeting on March 25, 2024, the City Commission adopted the results of the election as presented by the Election Administrator which are presented as Attachment C.

Analysis

Montana Code Annotated section 7-11-1013(2) provides that “To create a special district, the governing body shall issue an order or pass an ordinance or resolution in accordance with the resolution of intention introduced and passed by the governing body or in accordance with the terms of the referendum required under 7-11-1011. This must be done within 30 days of the end of the protest period or approval of the referendum.” Resolution 5128 will fulfill this requirement and create the district. Subsequent to adoption of the Resolution, City staff will work with the State to finalize creation of the district.

Fiscal Impact

There is no fiscal impact arising from creation of the district. The City currently expects that assessments for the district, as detailed in Attachment B, may begin in 2026.

Strategic Alignment

Adopting the Resolution will align the City with the intent of the voters as expressed in the March 19, 2024, special election.

Attachments

- A. Resolution 5128
- B. Resolution 5124, adopted 12/19/2024
- C. Election Results, adopted 3/25/2024

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of City of Livingston, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 5128, entitled: "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, CREATING THE LIVINGSTON RECREATION FACILITY DISTRICT" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City at a meeting on April 2, 2024 and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand officially this 2nd day of April, 2024.

City Clerk

RESOLUTION NO. 5128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, CREATING THE LIVINGSTON RECREATION FACILITY DISTRICT

BE IT RESOLVED by the City Commission (the “Commission”) of City of Livingston, Montana (the “City”), as follows:

Section 1. Passage of Resolution Ordering Referendum. Pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10, as amended (the “Act”), including Section 7-11-1011 thereof, a governing body of a local government may create a special district that is authorized by law to perform a single function or a limited number of functions, including by ordering a referendum on the matter.

As described in Resolution No. 5124, adopted by the Commission on December 19, 2023 (the “Initial Resolution”), the 4 Ranges Community Recreation Foundation Inc., a Montana nonprofit corporation (the “Foundation”), has undertaken to raise funds to build a multi-use community recreation complex, expected to include a recreational swimming pool, lap pool, gymnasium, running track, studio space, a large community room and additional related amenities (the “Recreation Facility”). The Foundation proposes to raise funds for the initial construction and equipping of the Recreation Facility, with the expectation that upon completion of the Recreation Facility, fee title to the Recreation Facility would be transferred to the City and costs of the ongoing operation and maintenance of the Recreation Facility would be the responsibility of the City.

The City proposed to create the Livingston Recreation Facility District (the “District”) to provide for the ownership and ongoing operation and maintenance of the Recreation Facility and, pursuant to the Initial Resolution, ordered a referendum on the creation of the District.

Section 2. Approval By Voters. On March 19, 2024, pursuant to a duly noticed and held election, the eligible electors of the District approved the creation of the District. The City understands that the county election administrator has or will soon file a certificate with the Montana Secretary of State stating that the proposition to create the District was adopted.

Section 3. Creation of the District. In accordance with Section 7-11-1013 of the Act, this Commission hereby approves creation of the District on the terms and conditions set forth in, and otherwise in accordance with, the Initial Resolution and the Act. The findings and determinations made in the Initial Resolution are hereby ratified and confirmed.

Section 4. Method of Assessment. As stated in the Initial Resolution, and in accordance with Section 7-11-1024 of the Act, the costs to provide the operation and maintenance to be undertaken with respect to the District shall be assessed against each lot or parcel of land, including the improvements thereon, for that part of the cost of the District that its taxable value bears to the total taxable valuation of property within the District. However, the City will not levy assessments until the Recreation Facility is substantially complete.

Section 5. Additional Actions. The City Clerk, City Manager and other City staff are authorized and directed to (i) deliver certified copies of the Initial Resolution, this Resolution, a legal description of the District, a map of the District’s current boundaries and a list of the property taxpayers or owners of real property within the District’s boundaries to the Department of Revenue in accordance with Section 7-11-1014 of the Act, and (ii) take such further action as may be necessary or desirable in connection with the creation of the District.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this 2nd day of April, 2024

Karrie Kahle
Chair

Attest:

Emily Hutchinson
City Clerk

RESOLUTION NO. 5124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ORDERING A REFERENDUM ON THE CREATION OF A CITYWIDE SPECIAL DISTRICT RELATING TO A RECREATION FACILITY

WHEREAS, under Montana Code Annotated, Title 7, Chapter 11, Part 10, as amended (the "Special District Act"), a governing body of a local government may create a special district that is authorized by law to perform a single function or a limited number of functions; and

WHEREAS, the City Commission (the "City Commission") of the City of Livingston, Montana (the "City") desires to provide additional recreational opportunities to inhabitants of the City; and

WHEREAS, the 4 Ranges Community Recreation Foundation Inc., a Montana nonprofit (the "Foundation"), has undertaken to raise funds to build a multi-use community recreation complex, expected to include a recreational swimming pool, lap pool, gymnasium, running track, studio space, a large community room and additional related amenities (the "Recreation Facility"); and

WHEREAS, the Foundation proposes to raise funds for the initial construction and equipping of the Recreation Facility, with the expectation that upon completion of the Recreation Facility, fee title to the Recreation Facility would be transferred to the City and costs of the ongoing operation and maintenance of the Recreation Facility would be the responsibility of the City; and

WHEREAS, to provide for the ownership and ongoing operation and maintenance of the Recreation Facility, the City has determined to order a referendum on the creation of the Livingston Recreation Facility District (the "District"), in accordance with the Special District Act and this resolution; and

WHEREAS, the City has determined that a referendum on the creation of the District pursuant to Section 7-11-1011 of the Special District Act and conducted in accordance with Montana Code Annotated, Title 13, Chapter 1, Part 5, is in the best interests of the City and the electors thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, that:

Section 1. Necessity of Creating District; Operation and Maintenance. The City proposes to establish the District for the purpose of owning and providing for the ongoing operation and maintenance of the Recreation Facility, including but not limited to: (1) operation, programming, maintenance (both routine and major maintenance), repair, replacement, upkeep, improvement, operational enhancement, construction, reconstruction, and implementation of measures required to maintain public health and safety or meet legal or regulatory requirements; and/or (2) purchasing, replacing, and/or maintaining equipment, tools or vehicles used to carry out the functions described herein; (3) any other functions, labor, training, supplies and/or

materials necessary for management, operation and maintenance of the Recreation Facility; and/or (4) funding a reserve account for repairs, maintenance, replacement or additions to the Recreational Facility (collectively, the “Operation and Maintenance”).

Section 2. Name of District; Boundaries; Duration. The District, if it shall be created and established, shall be known as the “Livingston Recreation Facility District.” The City has determined that the boundaries of the District shall be the boundaries of the City, as depicted on the map attached as Exhibit A, as such boundaries may be adjusted from time to time in accordance with Montana law. The District is a jurisdiction-wide special district under Section 7-11-1009 of the Special District Act.

The duration of the District shall be perpetual; provided that, the District may be dissolved in accordance with Section 7-11-1029 of the Special District Act.

Section 3. Property to be Assessed; Assessment Methodology. All properties located in the District are to be assessed to pay or finance a portion of the costs of the Operation and Maintenance described in Section 1. In accordance with Section 7-11-1024 of the Special District Act, the costs to provide the Operation and Maintenance (which may include paying debt service with respect to any financing of costs of the Operation and Maintenance) shall be assessed against each lot or parcel of land, including the improvements thereon, for that part of the cost of the District that its taxable value bears to the total taxable valuation of property within the District.

Section 4. Estimated Costs; Bonding; Proposed Assessments; Estimated Impacts on Property. Pursuant to Section 7-11-1009(3)(a) of the Special District Act, the City’s expectations regarding the District and the costs thereof are as follows:

- (a) If a full range of programs, services and improvements is implemented or made available, the City expects that the estimated total costs of the Operation and Maintenance to be funded over the duration of the District may be approximately \$1,100,000 each year, in perpetuity, subject to annual increases in an amount equal to the average of the total amount assessed in each of the previous 5 years multiplied by the average rate of inflation.
- (b) The City does not anticipate bonding for improvements with respect to the District.
- (c) The estimated annual rate or amount of assessments to be imposed with respect to the District is not expected to exceed 30 mills.
- (d) In the first fiscal year in which assessments would be levied, the City expects the maximum rate or amount of the initial proposed assessments to be imposed will be equal to 30 mills.
- (e) Based on the maximum initial proposed annual assessment of 30 mills, the annual assessment on a home with an assessed market value for tax purposes of \$100,000 would be \$40.80; of \$300,000 would be \$122.40 and of \$600,000 would be \$244.80.

Initial costs of constructing and equipping the Recreation Facility are proposed to be paid with amounts obtained through fundraising by the Foundation, the use of New Markets Tax Credits and/or other nongovernmental funds, and not by special assessments or fees. If the referendum on the District passes, the City intends to create the District, but will not levy assessments until the Recreation Facility is substantially complete.

Section 5. Governance. In accordance with Section 7-11-1021 of the Special District Act, the District will be administered by the City Commission of the City.

Section 6. The Referendum on District Creation. The City hereby calls and directs that the following question be placed on the ballot for an election to be held on March 19, 2024:

Shall the proposition to organize the Livingston Recreation Facility District (the “District”) be adopted?

DISTRICT – YES

DISTRICT – NO

By voting yes, you support creation of the District for the purpose of providing for the ongoing operation and maintenance of a multi-use community recreation complex, which is expected to be constructed with nongovernmental funds.

Section 7. Notice of Election. The notice of election relating to the referendum on the creation of the District in substantially the form attached as Exhibit B is hereby approved, with such changes as may be made prior to publication of the notice to better reflect details of and matters pertaining to such election. Appropriate officials of the City are authorized and directed to work with the County Election Administrator to complete and finalize the notice.

Section 8. Conduct of Election. As set forth in the election notice, an individual is entitled to vote if the individual (a) is a registered elector in Montana, and (b) is a resident of or owner of taxable real property in the proposed District. Appropriate officials of the City are authorized and directed to work with the County Election Administrator to ensure that the referendum on the creation of the District is conducted in accordance with the applicable provisions of Montana law.

Section 9. Effective Date. This resolution is effective as of the date set forth below and amends or supersedes the provisions of any resolutions previously adopted by the City Commission to the extent such provisions conflict with the provisions of this resolution.

ADOPTED by the City Commission of the City of Livingston, Montana, this 19th day of December, 2023.



Melissa Nootz, Chair
Livingston City Commission

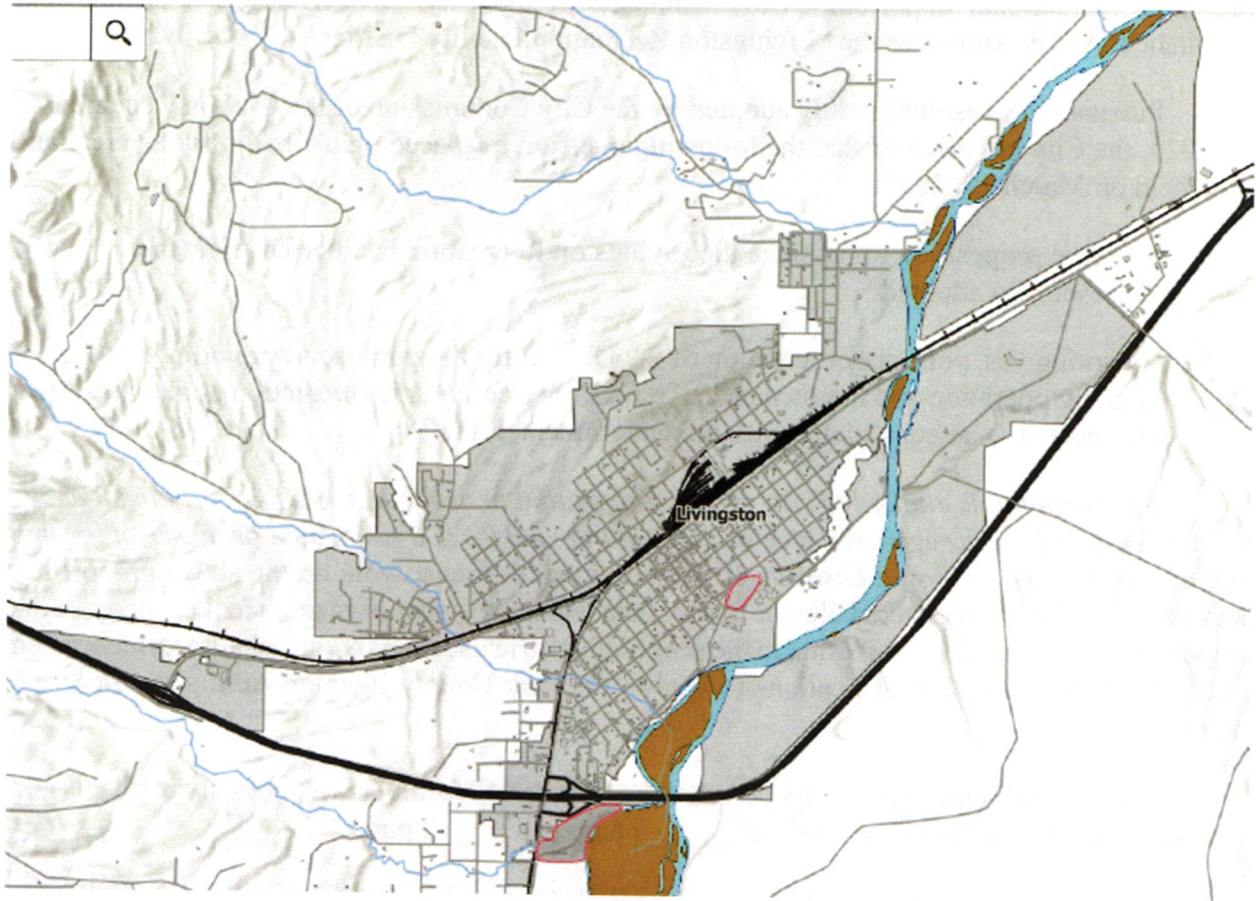
ATTEST:



Emily Hutchins
City Clerk

EXHIBIT A

MAP OF DISTRICT



The district shares a boundary with the City of Livingston.

EXHIBIT B

FORM OF NOTICE OF REFERENDUM ON THE CREATION OF A SPECIAL DISTRICT

NOTICE IS HEREBY GIVEN that the City Commission of the City of Livingston, Montana (the "City") proposes to create a special district (the "District") pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10, as amended (the "Special District Act"), to provide additional recreational opportunities to inhabitants of the City. The District, if created and established, will be known as the "Livingston Recreation Facility District."

Pursuant to a resolution duly adopted by the City Commission of the City on December 19, 2023, the City has directed that the following question be placed on the ballot for an election to be held on March 19, 2024:

Shall the proposition to organize the Livingston Recreation Facility District (the "District") be adopted?

By voting yes, you support creation of the District for the purpose of providing for the ongoing operation and maintenance of a multi-use community recreation complex, which is expected to be constructed with nongovernmental funds.

An individual is entitled to vote on the proposition to organize the District set forth above if the individual (a) is a registered elector in Montana, and (b) is a resident of or owner of taxable real property in the proposed District. If the individual desires to vote on the above proposition because he or she is a registered elector in Montana and is an owner of taxable real property in the proposed District, but does not reside in the proposed District, such individual shall provide written proof of the individual's qualifications to vote to the Park County Election Administrator by no later than [_____].

The polling places for the election shall be the normal polling places for City residents and polls shall be open between the hours of [_____] a.m. and [_____] p.m.

Absentee ballots may be obtained at the Park County Elections Office, 414 E. Callender Street, in Livingston, Montana, from [_____] until [_____]. Electors who miss the close of registration deadline may register late by appearing in person at the Park County Elections Office, 414 E. Callender Street, in Livingston, Montana, from [_____] through 8:00 pm on [_____].

DATED this ____ day of _____, 2024.

/s/ _____
Park County Election Administrator

Publish: [_____]: [_____] [3x no earlier than 40 days and no later than 10 days before the election].

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Livingston, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 5124, entitled: "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ORDERING A REFERENDUM ON THE CREATION OF A CITYWIDE SPECIAL DISTRICT RELATING TO A RECREATION FACILITY" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City at a meeting on December 19, 2023, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commission Members voted in favor thereof: Melissa Nootz, Karrie Kaulle, Mel Friedman, Quentin Schwarz, Torrey Lyons; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand officially this 19th day of December, 2023.

Emily Hutchinson
City Clerk

Summary Results Report
Special Election - Livingston Recreation District
March 19, 2024

UNOFFICIAL RESULTS

Park

STATISTICS	
	TOTAL
Registered Voters - Total	6,564
Ballots Cast - Total	3,303
Ballots Cast - Blank	1
Voter Turnout - Total	50.32%

Summary Results Report
Special Election - Livingston Recreation District
March 19, 2024

UNOFFICIAL RESULTS

Park

REFERENDUM ON DISTRICT CREATION

Vote For 1

	TOTAL
YES	2,064
NO	1,238
Total Votes Cast	3,302

SPECIAL ELECTION - Creation of Livingston Recreation District Facility March 19, 2024

BALLOT	ISSUED	NOT RETURNED	ACCEPTED	REJECTED	VOIDED	UNDELIVERABLE
58L1	1324	365	885	5	3	66
58L2	835	271	501	6	7	50
58L3	1056	337	657	3	8	51
58L4	827	276	495	5	7	44
58L5	1024	283	685	5	9	42
LAND OWN	83	3	80			
TOTAL	5149	1535	3303	24	34	253

File Attachments for Item:

B. ORDINANCE 3052: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IV OF CHAPTER 9 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING AND STANDING BY AMENDING CERTAIN SECTIONS TO CLARIFY PARKING REQUIREMENTS AND REMOVE REFERENCES TO FEE AMOUNTS WHICH ARE SET SEPARATELY BY RESOLUTION.

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chair
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: 04/02/2024
To: Karrie Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Ordinance 3052

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IV OF CHAPTER 9 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING AND STANDING BY AMENDING CERTAIN SECTIONS TO CLARIFY PARKING REQUIREMENTS AND REMOVE REFERENCES TO FEE AMOUNTS WHICH ARE SET SEPARATELY BY RESOLUTION.

Recommendation and Summary

Staff is recommending the Commission Approve Ordinance 3052 to update the municipal code provisions related to parking by adopting the following motion:

“I move to approve the first reading of Ordinance 3052 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- The City has recently adopted a fee resolution that contains all City fees and is in the process of removing fees from the Livingston Municipal Code.
- Additional revisions have been made to remove unnecessary references, clarify requirements and support the implementation of the new parking system.

Introduction and History

Ordinance 3052 amends the City’s parking regulations to: remove fees; remove unnecessary references; and clarify certain parking requirements. This ordinance is intended to provide clearer parking guidelines to support local businesses and residential areas.

Analysis

Aside from removing fees and unnecessary references, the ordinance clarifies certain parking prohibitions including that vehicles may not park on sidewalks or bicycle facilities.

Additionally, the ordinance modifies the time-restricted two-hour zone in two ways: (1) adds the opportunity for longer 3-hour spaces and (2) establishes that the two-hour limitation applies to a full block length and not an individual parking space. The addition of 3-hour spaces is being

proposed at the request of business owners as expressed during a business owner breakfast hosted by the City in the fall.

Fiscal Impact

There is no fiscal impact to the proposed revisions.

Strategic Alignment

The parking ordinance supports the city’s strategic goals as outlined in the 2021 Growth Policy by promoting efficient use of urban spaces, enhancing the safety and mobility of all city residents, and supporting economic vitality.

Attachments

- A. Ordinance 3052 REDLINE

ORDINANCE NO. 3052

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IV OF CHAPTER 9 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING AND STANDING BY AMENDING CERTAIN SECTIONS TO CLARIFY PARKING REQUIREMENTS AND REMOVE REFERENCES TO FEE AMOUNTS WHICH ARE SET SEPARATELY BY RESOLUTION.

Preamble.

This ordinance is enacted to preserve the safety, orderliness, and accessibility of streets within the City of Livingston by regulating the use of street spaces for parking, vehicle repairs, and sales. It is designed to mitigate vehicular congestion, ensure the unobstructed flow of traffic, and protect pedestrian pathways, thereby safeguarding public welfare. Through establishing explicit prohibitions and requirements for vehicle parking and maintenance activities within public thoroughfares, this ordinance aims to enhance the living conditions for all city inhabitants and visitors. By delineating these regulations, the City of Livingston commits to maintaining its streets as safe, clean, and welcoming public spaces conducive to both community life and individual well-being.

WHEREAS, the city has experienced significant challenges related to vehicular congestion and the safety of pedestrians, which are exacerbated by vehicles being used or parked on streets for extended periods, whether for repairs, sales, or otherwise, without consideration for the impact on traffic flow and public safety; and

WHEREAS, the unrestricted parking of vehicles in certain areas, such as intersections, sidewalks, bicycle lanes, and other critical zones, poses a threat to the safety of pedestrians and cyclists, disrupts the aesthetic appeal of the community, and hampers the efficient use of public spaces; and

WHEREAS, the establishment of clear and enforceable parking regulations is essential for protecting public health, safety, and welfare, ensuring the free movement of emergency and maintenance vehicles, and upholding the quality of life for all residents and visitors of the city.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Livingston, Montana, that Chapter 9, Article IV, Sections 9-221 – 9-254 of the Livingston Municipal Code be hereby amended with additions underlined and deletions struck through, as follows:

SECTION 1

Sec. 9-221. Unlawful parking generally, repairs or for sale.

- A. It is unlawful for any person to use or occupy any portion of any street within the restricted or congested area limits of the City for the purpose of setting up, assembling, experimenting with, overhauling or repairing

any engine or machinery of any sort, for any implements, any vehicles or washing or greasing any vehicle, or to stand, keep or park any motor vehicle in the possession or custody of any garage, on any street, or for displaying any vehicle for sale.

- B. It is unlawful to make repairs or conduct maintenance on motor vehicles on any public street other than emergency repair which is defined as the required repair sufficient to get a temporarily stalled vehicle to a repair shop or garage.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-222. Parking prohibited in certain places generally.

It shall be a civil offense for the operator of a vehicle to stop, stand or park such vehicle or trailer in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal:

- A. Within an intersection. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- B. On or within twenty (20) feet of any crosswalk, ~~sidewalk or boulevard.~~ ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- C. On any sidewalk.
- D. On any boulevard.
- E. In, or drive a motorized vehicle upon, a bicycle facility.
- F. ~~Upon the approach to an intersection within ten (10) feet of the inside boundary line of the sidewalk, or if no sidewalk is in place within twenty (20) feet of the intercepting roadway, except that this provision shall not apply to alleys.~~ Within Twenty (20) feet of an intersection. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- G. Within twenty (20) feet of the driveway entrance to any fire station. ~~The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).~~
- H. Within fifteen (15) feet of a fire hydrant. ~~The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).~~
- I. ~~In front of a functional private driveway. A functional private driveway means a driveway capable of actually being used by a motor vehicle to access a garage or private parking area and not merely a curb cut.~~ In front of a public or private driveway. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- J. Alongside or opposite any street excavation or construction when such standing or parking would obstruct traffic. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- K. ~~In an alley when to so stop in such alley would obstruct traffic through such alley or obstruct access to a garage, driveway or entryway.~~ In an alley so as to hinder or block traffic. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- L. In any City owned, leased, or operated parking lot in violation of a posted no parking sign or a no parking sign after designated hours. ~~The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).~~
- M. In any parking space designated by sign that reserves the parking space for handicapped persons only. ~~A fine of not less than One Hundred Dollars (\$100.00) shall be imposed upon any person violating this Section.~~

- N. Any designated fire zone adjoining any public school or any public building. ~~The minimum civil penalty under this subsection shall be Twenty Five Dollars (\$25.00).~~
- O. No parking shall be allowed on either side of Park Street between 5th Street and 6th Street. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- P. No parking shall be allowed on either side of "H" Street between Butte Street and View Vista Drive. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- Q. It is unlawful for any unauthorized vehicle or equipment to park in any parking space that is properly marked or barricaded with a permit issued under Section 9-248. The minimum civil penalty under this subsection shall be ~~Twenty Dollars (\$20.00)~~ shall be set by the City Commission by separate resolution and the vehicle shall be subject to impoundment.
- R. No parking shall obstruct general maintenance upon the public rights-of-way within the City when notified by the City in advance of such work.
- S. In front of or within five (5) feet either direction of a mailbox.
- T. At any place where official traffic control devices prohibit or limit such stopping, standing or parking. It shall be prohibited for any vehicle to remain stopped, standing or parked past the time limit prescribed on each official traffic control device.
- U. A No parking, tow-away zone is hereby established on the south side W. Clark Street ~~adjacent to Wilcoxson's~~ to the alley. It is unlawful for vehicles or equipment to park within this designated tow-away zone and shall be subject to removal therefrom at the owner's expense. Law Enforcement is authorized to have violators towed and impounded.

Any person convicted of violating the provisions of subsection 9-222 O. shall pay for all towing charges incurred by the City and pay a ~~minimum civil penalty of Twenty Five Dollars (\$25.00)~~ civil penalty.

(Code 1958, 28-56; Ord. 1463, 6/80; Ord. 1505, 12/6/82; Ord. 1568, 4/6/87; Ord. 1729, 12/7/92; Ord. 1756, 12/6/93; Ord. 1811, 7/3/95; Ord. 1901, 7/3/2000; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2009, § 1, 1/5/09; Ord. No. 2012, § 1, 4/20/09; Ord. No. 2036, § 1, 3/6/12; Ord. No. 2049 , § 1, 3/18/14; Ord. No. 2081 , § 1, 8/6/19)

Sec. 9-224. Vehicles exceeding eighteen feet in length to park parallel.

No vehicle of greater length than eighteen (18) feet shall be parked upon the streets within the Restricted or Congested Area limits, except upon those streets where parking is parallel with the curb. The "Restricted or Congested Area" is defined by Section 9-1 of the Livingston Municipal Code. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 9-58: Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-225. Manner of parking.

All motor vehicles parked upon any street in this City shall be parked as follows:

- A. Whenever any motor vehicle is parked upon any street in this City, it shall be headed as though proceeding upon the right side of the street.

- B. Motor vehicles shall be parked head-in to the curb at the angle and between painted stripes or other markings upon the pavement where such head-in parking is indicated.
- C. Motor vehicles shall be parked parallel with the curb where such parallel parking is indicated by a painted strip or other markings upon the pavements, and the entire vehicle shall be within such painted strip or other marking.
- D. Whenever the owner or driver of a vehicle discovers that their vehicle is parked immediately in front of or close to a building to which the Fire Department has been summoned, they shall immediately remove such vehicle from such area.
- E. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
(Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-226. Proximity to curb; position.

Except when necessary in obedience to, traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park, such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within eighteen (18) inches of the edge of the roadway, except as permitted for loading and unloading. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-66: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-227. Parking in alley in fire district/Fire limits, description of area included.

No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of person or materials for longer than thirty (30) minutes at ~~anyone~~ any one time in any alley within the Fire Limit District of the City. The Fire Limit District is defined below:

The following blocks and parts of blocks are declared to be within the fire limits of the city:

All of Blocks Sixty (60), Sixty-one (61), Sixty-two (62), Seventy-eight (78), Seventy-nine (79), Eighty (80), Ninety-five (95), and Ninety-six (96); and Lots one (1) to six (6) inclusive and lots twenty-three (23) to thirty-two (32) inclusive, in Block Sixty-three (63), and lots seventeen (17) to thirty-two (32) inclusive in Block Seventy-seven (77), all of the above being in the Original Townsite of the City of Livingston, County of Park, State of Montana; otherwise described as: Beginning at the intersection of the center lines of Park Street and Third Street of the Townsite of Livingston, Park County, Montana, thence North 52°30' East along the center line of Park Street to its intersection with the center line produced, of the alley between B Street and C Street, thence South 37°30' East, along the said center line of the alley between B Street and C Street and said center line produced, to its intersection with the center line of Lewis Street, thence South 52°30' West, along the said center line of Lewis Street to its intersection with the center line of B Street, thence South 37°30' East along the said center line of B Street to its intersection with the center line of Clark Street, thence South 52°30' West, along the said center line of Clark Street to its intersection with the center line of Second Street, thence north 37°30' West along the said center line of Second Street to its intersection with the center line of Lewis Street, thence South 52°30' West along the said center line of Lewis Street to its intersection with the center line of Third Street, thence North 37°30' West along the said center line of Third Street to its intersection with the center line of Park Street, the place of beginning.

~~The minimum civil penalty under this subsection shall be Twenty Five Dollars (\$25.00).~~

(Code 1958, 28-60, 28-116; Ord. 1135, 12/7/64; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1983, 2/20/07; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14; Ord. No. 2053 , § 1, 12/23/14)

Sec. 9-228. Double parking prohibited; exception for delivery of merchandise.

No driver or operator of a motor vehicle shall stop such motor vehicle abreast of another vehicle parked parallel to the curb or edge of the roadway, nor at the back or rear of any vehicle parked at an angle to the curb or edge of the roadway where such angle parking is permitted; provided double parking shall be permitted, not to exceed ten (10) minutes duration, for the purpose of delivery of merchandise provided the full street is not obstructed. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-61; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-229. Parking for loading and unloading.

When it is necessary to place the rear of any motor truck against the curb on any street in this City for the purpose of actually loading or unloading of heavy freight, household goods, office equipment or other large items, such motor truck shall be parked at an angle of forty-five (45) degrees from the curb, and headed in the same direction as vehicular traffic upon any such street, and the front of any such motor truck shall project a minimum distance into the line of vehicular traffic. Further, such vehicle shall not remain backed up to the curb except while actually loading and unloading and in no case longer than the actual loading or unloading required. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-62: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-230. Parking illegally in loading zones.

No person shall stop, stand or park a vehicle in any zone designated as a loading zone for any purpose other than loading or unloading passengers or material. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-115; Ord. 1133, 12/7/64; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-231. Parking as to impede traffic.

It shall be unlawful for any operator to stop, stand or park any vehicle that hinders the free movement of vehicular traffic, except that this provision shall not apply to the operator of a vehicle stopped momentarily during the actual loading or unloading of passengers if such stopping does not actually impede traffic, nor shall it apply to a necessary stop in obedience ~~to traffic~~ to traffic regulations or traffic signs or signals of a police officer. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-65; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-232. Restricted parking zones—designation and marking; regulations.

- A. The City Commission is authorized and directed at any time, when in their judgment it shall be necessary, to designate restricted parking areas within the City, and they may in such restricted parking areas prohibit the parking of vehicles, or fix a time limit for the parking of such vehicles.
- B. It shall be unlawful for any operator of a vehicle to park the same on any of the streets of the City in violation of a posted restricted parking area. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-67; Ord. 1708, 5/18/92: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-234. Restricted parking zones—fifteen (15) minute parking zones.

The operator of any vehicle shall not park such vehicle for more than fifteen (15) minutes at any one (1) time in the following described fifteen (15) minute parking zones:

- A. On the west side of Second Street from the intersection of Second Street and Callender Street, north to the driveway on the ~~northly~~ northerly boundary of the United States Post Office during the hours of nine (9) a.m. to five (5) p.m. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- B. In the designated fifteen (15) minute parking zone on the easterly side of Second Street in front of ~~American Bank~~, 120 North 2nd Street, Livingston, Montana. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- C. In the two (2) parking spaces designated for fifteen (15) minute parking on the southerly side of Callender Street just west of its intersection with 2nd Street, ~~which parking spaces are adjacent to First Interstate Bank~~. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- D. ~~The City Manager is authorized to add and remove fifteen (15) minute parking zones as deemed necessary by the Manager.~~

(Code 1958, 28-63; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14; Ord. No. 2052 , § 1, 10/7/14; Ord. No. 2057 , § 1, 6/18/15)

Sec. 9-235. Restricted parking zones—commercial vehicles in residential districts at night.

- A. For the purpose of this Section a commercial vehicle is defined as any motor vehicle or trailer weighing greater than sixteen thousand (16,000) pounds as such weights are stamped on vehicles according to the laws of the State, and requiring a Montana license plate thereof designating the vehicle as a truck or trailer by having stamped or imprinted on the plate the letter "T" or "TR" as part of the license plate numbering.
- B. For the purposes of this Section residential districts are defined as all of the streets in the City other than the following: Main Street from Park Street to Geyser Street, Second Street from Park Street to Clark Street, B street from. Park Street to Clark Street, Park Street from Third Street to the City Limits on the easterly end of Livingston, Callender Street from Third Street to B Street Lewis Street from Third Street to. B Street Lewis Street from Third Street to B Street, and Clark Street from Second Street to B Street.
- C. Between the hours of six (6) p.m. and eight (8) a.m. there shall be no parking of commercial vehicles as herein defined.

D. Emergency vehicles, which are defined as ambulances, automobile wreckers, public utility service trucks, hearses and fire trucks are excepted from this Section.

E. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-68—28-70; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-236. Storage on streets—not licensed or inoperable motor vehicle.

It shall be a civil offense for any owner or operator of a motor vehicle, ~~not licensed or which is wrecked, dismantled, in a partially dismantled condition, inoperative, i.e. not capable of moving under its own power or in an unsafe conditions as defined by 61-9-101 et seq. of the Montana Code Annotated to park.~~ to store or leave the same upon any street of the City for more than ~~seventy-two (72) hours~~ five (5) consecutive days. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958, 28-72; Ord. 1113, 9/16/63; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-237. Storage on streets—trailers, motor homes, etc.

It shall be a civil offense for any owner or person in possession of a trailer or trailer house or motor home to store or leave the same upon any street of the City for more than five (5) consecutive days. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Code 1958; Ord. 1115, 10/7/63; Ord. 1656, 5/8/90; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-238. Parking in depository driveways.

A. The purpose of this Section is to provide the public with safe and secure access from City Streets to places of deposit with financial institutions and to hereby protect life and property.

B. It shall be a civil offense for any owner or operator of a motor vehicle to park or stop a motor vehicle in a driveway area designated by a financial institution and the Chief of Police as a depository driveway lane between the hours of eight (8) a.m. and five-thirty (5:30) p.m. Monday through Friday. This section shall not apply to any person parking or stopping in the driveway lane for the purpose of using depository services.

C. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Ord. 1332, 8/16/76; Ord. 1334, 10/18/76; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-240. Parking—City Park property.

No person shall park a motor vehicle upon any street or road in or around the perimeter of Sacajawea or Miles Park, upon City Park grounds, or upon City park parking areas after eleven (11) p.m. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

This Section shall not apply to persons who have been given authorization from the City Commission for camping overnight or overnight stays pursuant to Section 10-26.

(Ord. 1361, 9/6/77; Ord. 1366, 8/1/77; Ord. 1622, 3/20/89; Ord. 1641, 1/18/90; Ord. 1659, 5/21/90; Ord. 1901, 7/3/2001; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-241. Parking overnight or camping.

No person may park a motor vehicle, **camper, trailer, or motorhome** upon the City streets for purposes of camping or remaining in the vehicle overnight. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~

(Ord. 1346, 12/20/76; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-242. Loading/unloading zones established.

- A. A loading/unloading zone for one (1) parking spot is hereby established for the purpose of dropping off and picking up residents adjacent to Counterpoint on South. B St. No non-Counterpoint Vehicles shall park in this designated parking space. ~~The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).~~
- B. A loading/unloading zone for one (1) parking spot is hereby established ~~for the purpose of dropping off and picking up children attending Dorothy's Daycare~~ at 905 W. Clark St. ~~adjacent to Grace United Methodist Church. The minimum civil penalty under this subsection shall be twenty dollars (\$20.00).~~
- C. A loading/unloading zone for one (1) parking spot is hereby established ~~for the purpose of commercial loading and unloading~~ at 116 East Geyser ~~Street adjacent to Core Control during business hours. The minimum civil penalty under this subsection shall be Twenty dollars (\$20.00).~~

(Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14; Ord. No. 2070, § 1, 8/7/18; Ord. No. 2078 , § 1, 4/2/19; Ord. No. 2079 , § 1, 4/2/19; Ord. No. 3024 , § I, 11/16/21; Ord. No. 3030 , § I, 4/19/22)

**Sec. 9-243. Restricted parking zones—Reserved spaces for handicapped or disabled persons—
Reserved parking space for Angel Line—Reserved Spaces for Windrider bus—
Reserved parking spaces for electric vehicle charging.**

- A. Definitions.
 - 1. For the purpose of this Section, "special parking spaces" are defined as on street parking spaces reserved for disabled persons who were issued a permit, license plate, or placard by the State of Montana in accordance with MCA 49-4-302 Montana Code Annotated (MCA) which entitles a person to park a motor vehicle in a special parking space reserved for a person with a disability, whether on public property or on private property available for public use, when the person for whom the permit was issued is using the special parking space to enter or exit the vehicle.
 - 2. "Special reserved parking spaces" are defined as restricted on street parking spaces reserved for the personal use of a disabled person(s) who has been issued a special parking permit by the State of Montana under MCA 49-4-301(1).
 - 3. "Electric vehicle" hereby defined as a battery-powered electric vehicle operated solely by electricity of a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

4. "Electric vehicle charging station" means any facility or equipment that is used to charge a battery or other energy storage device of an electronic vehicle.

B. Special Parking Spaces. Any person requesting an on-street special parking space shall make written application to the Public Works Department using a form provided by the City. The application shall state the name and address of the applicant, the location of the requested space and the reason for the request. All eligible applications will be reviewed by City staff and submitted to the City Commission for approval.

1. The following factors will be taken into consideration and used as criteria in approving signs for special parking spaces on public streets:

- a. Existing parking problems in the area where the sign is being requested.
- b. Overall availability of parking in the area where the sign is being requested.
- c. The availability of reasonably accessible and practicable off street parking in close proximity to the area where the sign is being requested.
- d. The nature and use of the adjacent buildings.
 - i. The requested space must comply with applicable regulations and legal mandates in terms of dimensional requirements and location as specified in 49-4-302 MCA as follows:

In accordance with subsection (2) of 49-4-302 MCA, the governing body of a city, town, or county or appropriate state agency may impose all, but not less than all, of the following requirements with respect to any special parking space constructed after September 30, 1985, and reserved for a person with a disability or a permit holder on ways of this state open to the public, as defined in 61-8-101 MCA:

- (a) The space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs.
- (b) If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the rear, by at least five (5) feet of striped no-parking area.
- (c) If at an angle to curbside, the parking space must be at least eight (8) feet wide and free of obstruction if located at the end of a line of angle parking spaces, and each other angle parking space designated for a person with a disability must be at least thirteen (13) feet wide.
- (d) A parking space reserved for a person with a disability must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and stating the penalty for a violation. In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have attached a decal stating the penalty for a violation. The sign must be attached to a wall or post in a way that it is not obscured by a vehicle parked in the space.

This Section shall not limit the City from exercising its own discretion in establishing special parking spaces on public streets at other locations as deemed appropriate and as approved by the City Commission.

2. Once approved by the City Commission, the special parking space must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and having a decal stating the penalty for a violation. The sign must be attached to a wall or post in a way that is not obscured. The parking space shall be in compliance with any other applicable regulations and legal mandates in terms of dimensional requirements and location.

3. A special parking space may be removed, as approved by the City Commission, if there is a change in the circumstances such that the parking space shall no longer be appropriate under the criteria referred to herein.
- C. Special Reserved Parking Space. A disabled person may request an on-street special reserved parking space restricted for their personal use in a residential area outside of the two-hour parking zone. The application shall be made in writing to the Public Works Department using a form provided by the City. The application shall state the name and address of the applicant, the location of the requested space, the reason for the request, and list the license number(s) of the vehicle(s) authorized to use the space. All eligible applications will be reviewed by City staff and submitted to the City Commission for approval. If the City Commission approves the personalized special parking space, the applicant will be notified and shall submit a non-refundable ~~fifty dollar (\$50.00)~~ fee [set by the City Commission by separate resolution](#) to pay for the installation of the sign. The sign will be installed after payment of the fee.
1. The criteria for designating an on street special reserved parking space restricted for the personal use of disabled persons outside of the two-hour parking zone shall be as follows:
 - a. The applicant must show that (1) they operate a vehicle(s), registered under MCA 61-3-332(9) or MCA 61-3-458(3)(b) or (3)(i) , that displays a specialty inscribed license plate issued by the state of Montana to disabled persons and displaying a wheelchair symbol or the letters "DV" issued to disabled veterans or; (2) they possess a permit issued under MCA 49-4-301(1) and MCA 49-4-304 . A copy of the vehicle registration or permit must accompany the application;
 - b. The requested special reserved parking space must be adjacent to the applicant's permanent residence.
 - c. No more than one (1) special reserved parking space shall be provided to any one (1) individual, or more than one (1) special reserved parking space provided per dwelling unit.
 - d. No more than two (2) vehicle may be designated as being authorized to use the space.
 - e. No reserved parking space shall be provided within the downtown two-hour parking zone, as identified in Section 9-246 of this Chapter.
 - f. No reserved parking space shall be provided if reasonably accessible and practicable off street parking exists at the requested location.
 - g. The requested space must be able to comply with the requirements of 49-4-302(4) MCA as follows:

In accordance with subsection (2) of 49-4-302 MCA, the governing body of a city, town, or county or appropriate state agency may impose all, but not less than all, of the following requirements with respect to any special parking space constructed after September 30, 1985, and reserved for a person with a disability or a permit holder on ways of this state open to the public, as defined in 61-8-101 MCA:

 - i. The space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs.
 - ii. If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the rear, by at least five (5) feet of striped no-parking area.
 - iii. If at an angle to curbside, the parking space must be at least eight (8) feet wide and free of obstruction if located at the end of a line of angle parking spaces, and each other angle parking space designated for a person with a disability must be at least thirteen (13) feet wide.

- iv. A parking space reserved for a person with a disability must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and stating the penalty for a violation. In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have attached a decal stating the penalty for a violation. The sign must be attached to a wall or post in a way that it is not obscured by a vehicle parked in the space.
- 2. Once approved by the City Commission, the special reserved parking space must be designated by a sign displaying the license plate number(s) of the vehicle(s) authorized to park in the special reserved parking space and stating the penalty for violation. The sign must be attached to a wall or post in a way that is not obscured.
- 3. Reapplications to maintain special reserved parking space must be made by December 31st of each year. A fee ~~of five dollars (\$5.00)~~ shall be set by the City Commission by separate resolution and is required with each reapplication. If the reapplication is not received by December 31st, the person will be notified by mail and an application form shall accompany such notice. The sign will be removed if the reapplication is not received within thirty (30) days.
- 4. If a person who has been provided a special reserved parking space moves to a new residence within the City limits, and a space is needed for the new residence, the City will relocate the sign to the new location without additional fee if the City is promptly notified of the change of address and provided that the new address is in a residential area outside of the two-hour parking zone.
- 5. A special reserved parking space shall promptly be removed if there is a change in the circumstances such that the parking space shall no longer be appropriate under the criteria referred to herein.
- D. Angel Line Reserved Parking Spot. The City Commission hereby establishes and designates a reserved parking zone for Angel Line exclusive use twenty-four (24) hours per day, three hundred sixty-five (365) days per year in front of the Senior Center of Park County, 206 South Main Street, Livingston, Montana, which reserved parking zone shall be of sufficient length to accommodate the Angel Line's Van. ~~The penalty for parking in the Angel Line's parking spot is one hundred dollars (\$100.00).~~
- E. Windrider Reserved Parking Spaces. The City Commission hereby establishes and designates two (2) bus loading/unloading zones as described below:
 - 1. On the south side of Lewis Street between Main Street and Second Street adjacent to the alley in Block 95.
 - 2. On the north side of Callender Street between Second Street and Third Street, in front of the City-County Library.

The penalty for parking is either of the Windrider spaces ~~is one hundred dollars (\$100.00)~~ shall be set by the City Commission by separate resolution.
- F. Reserved Parking for electric vehicle charging. The City Commission hereby establishes and designates two (2) two-hour reserved parking spaces exclusively for the charging of electronic vehicles as described below:
 - 1. On the north side of West Clark Street between Main Street and 2nd Street, adjacent to ~~the Neptune's Tap house and Eatery located at~~ 232 South Main St, Livingston, Montana.

No person shall stop, stand or park a vehicle for any purpose other than charging an electric vehicle within this. ~~The minimum civil penalty under this subsection shall be Forty Dollars (\$40.00) per offense.~~

(Ord. No. 2012, § 1, 4/20/09; Ord. No. 2036, § 1, 3/6/12; Ord. No. 2066, § 1, 11/7/17; Ord. No. 2082, § 1, 9/17/19)

Sec. 9-244. Parking restrictions for B Street parking lot.

No parking of vehicles, trailers or equipment shall be allowed between the hours of three (3) a.m. and six (6) a.m. in the B Street Parking Lot which is described as being Lots 17 through 27 of Block 77 of the Original Townsite to the City of Livingston, Montana. ~~The minimum civil penalty under this subsection shall be twenty dollars (\$20.00).~~

(Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14)

Sec. 9-245. Parking upon City- or County-owned or leased premises.

No person shall park their motor vehicle upon a parking area or lot owned by the City or County except in designated parking stalls which shall be denoted by white painted lines upon the parking surface. [The City of Livingston is authorized to issue permits for parking in lots as deemed necessary.](#) ~~The minimum civil penalty under this subsection shall be twenty dollars (\$20.00).~~

(Ord. 1416, 8/8/78; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049 , § 1, 3/18/14; Ord. No. 3005 , § 2, 4/20/21)

Sec. 9-246. Two-hour parking zones.

A. Downtown Two (2) Hour Parking Zone.

1. The following streets or portions of streets are designated as two (2) hour parking zones between the hours of nine (9) a.m. and five (5) p.m., except upon Sundays and legal holidays:
 - a. B Street from Park Street to Lewis Street;
 - b. Third Street from Park Street to Callender Street;
 - c. West Lewis from Main to Third Street;
 - d. West side of south Second Street from Lewis Street to the south line of Lot 10 in Block 94 of the Original Townsite;
 - e. East side of south Second Street from Lewis Street to Clark Street;
 - f. Callender Street from Third Street to B Street;
 - g. South side of east Callender Street from B Street east for three (3) parking places;
 - h. North side of east Callender Street from B Street east two (2) parking spaces;
 - i. The south side of Park Street from Third to B Street;
 - j. East Lewis Street from Main Street to B Street;
 - k. Main Street from Park Street to Clark Street;
 - l. The West side of Main Street in front of Lots, 1 thru 10, of Block 111 (Between Clark and Geysler Streets) of the Original Town site to the City of Livingston, as well as a loading zone in front of Lots 12 and 13 for the dropping off and picking up of children;
 - m. The Eastside of Main Street in front of Lots 29 and 30 of Block 110 of the Original Townsite to the City of Livingston;
 - n. Second Street from Park Street to Lewis Street;

- o. The north side of Clark Street from the alley between Main and B Streets to the alley between Main and Second Streets;
 - p. The south side of Clark Street from the alley between Main and Second Street to Main Street;
 - q. The south side of Geyser Street from the alley in the 100 Block of East Geyser to Main Street.
2. ~~The minimum civil penalty under this subsection shall be twenty dollars (\$20.00).~~ The City Manager is authorized to add and remove three (3) hour parking spaces within the two (2) hour zone as deemed necessary.
 3. Within the two-hour parking zone, the time limit cannot be accrued throughout the day and a vehicle is only entitled to one (1) two-hour parking session once per day per block.
- B. City-County Complex Two (2) Hour Parking Zone.
1. Designation of City-County Complex Parking Zone. The following lots, streets or portions of streets are designated as two-hour parking zones between the hours of nine (9) o'clock a.m. and five (5) o'clock p.m., except upon Sundays and legal holidays, as follows:
 - a. The paved public parking lot immediately behind and adjacent to the City-County Complex;
 - b. That portion of "D" Street running north from the alley between Callender Street and Lewis Street only on that side of "D" Street which is adjacent to and abuts the lots upon which the City-County Complex is situated;
 - c. That portion of "E" Street running north from the alley between Callender Street and Lewis Street only on that side of "E" Street which is adjacent to and abuts the lots upon, which the City-County Complex is located; and
 - d. Both sides of Callender Street between "D" Street and "E" Street which has not been zoned for fifteen-minute parking.
 2. Parking Violations and Exceptions.
 - a. It is a civil offense for any person. between the hours of eight (8) a.m. and five (5) p.m. on Monday through Friday, to park their vehicle in the City-County Complex designated two (2) hour parking zone in excess of two (2) hours per day on each and every day the parking restriction is in effect; the two (2) hour parking limitation is the total time allotment per day per vehicle thereby having the effect of preventing vehicles being moved to gain an additional two (2) hours of parking.
 - b. Persons called for jury trial in any of the courts situated in the City-County Complex shall be exempted from the punishment set forth hereinafter upon written proof to the Clerk of the City Court that they were called for jury service at the date and time they received the citation for violating the two (2) hour parking zone.
 - c. City or County employees that respond to an emergency shall be exempted from the punishment set forth hereinafter upon written proof to the Clerk of the City Court that they were responding to an emergency at the date and time they received the citation for violating the two (2) hour parking zone.
 - d. Drivers of vehicles legally parking in a parking spot designated for official vehicles by the City-County Complex parking plan are also exempted from the regulations and punishment set forth herein.
 3. Punishment. The civil penalty for violating subsection (B)(2)(a) shall be ~~by fine only in the amount of Twenty Dollars (\$20.00) per violation.~~ Set by separate resolution by the City Commission.

- C. Exception to Two-Hour Downtown Parking Zones. Persons, firms or entities are exempt from the requirements of this Section upon obtaining a permit authorized in Section 9-248.

(Ord. 1543, 11/13/85; Ord. 1632, 11/89; Ord. 1733, 2/1/93; Ord. 1846, 1/6/97; Ord. 1901, 7/3/2000: Ord. 1910 § 1, 4/6/02: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2009, § 1, 1/5/09; Ord. No. 2030, § 1, 5/2/11; Ord. No. 2042, § 1, 11/6/12; Ord. No. 2049, § 1, 3/18/14; Ord. No. 2055, § 1, 4/23/15; Ord. No. 2098, § 1, 1/19/21; Ord. No. 3005, § 2, 4/20/21)

Sec. 9-247. Enforcement Officer.

Personnel, in addition to regularly appointed peace officers, upon being duly appointed by the City Manager, may issue a parking ticket for violations that may be placed upon any vehicle in violation of Article IV, Parking, Stopping and Standing.

(Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2049, § 1, 3/18/14)

Sec. 9-248. Extended parking permit.

- A. A person, firm or entity, engaged in construction or remodeling of a premises located in a restricted two-hour parking zone may obtain a permit for extended parking or reserving a parking space adjacent to the property under construction.
 - 1. Permits for extended parking will be issued on a per day basis and may be utilized by vehicles or equipment involved with the construction project. The person, firm or entity obtaining the permit will be responsible for placing a City provided placard or sticker on the vehicle or equipment which shall be conspicuously displayed.
 - 2. Permits for reserving a parking space will be issued on a per day basis and apply to a designated parking space or spaces adjacent to the property under remodel or construction. The City will provide signs and/or barricades for each reserved space.
- B. Permits shall be obtained from the ~~Building Department~~ City. Fees for the extended parking permits and reserved parking spaces will be set by resolution of the City Commission.

(Ord. No. 2009, § 1, 1/5/09)

Sec. 9-249. Vicarious liability.

- A. All violations of the parking ordinances are deemed an absolute liability upon the registered owner of the motor vehicle.
- B. It shall be no defense to any parking violation that the motor vehicle was illegally parked by another unless it is shown the vehicle was being used without the consent of the registered owner. (See City of Missoula v. Shea, 661 P.2d 410 (Mont. 1983).

(Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-250. Vehicle immobilization authorized.

The City of Livingston Police Department or City of Livingston Code Enforcement Official is authorized to use a vehicle immobilizer, hereinafter referred to as the "boot," to immobilize any vehicle that is parked upon a City street, alley or parking lot open to the public which has received five (5) or more parking tickets which are due and

have not been paid, ~~or and at least one (1) of the~~ a total of \$100.00 in unpaid parking tickets ~~that has been unpaid for thirty (30) days or more.~~

Prior to immobilizing a vehicle, the City shall mail to the registered owner of the vehicle at the address provided by the State of Montana Department of Motor Vehicles a notice which will state the following:

- A. That there are five (5) or more unpaid parking tickets which are due and outstanding ~~and that at least one (1) of which has been unpaid for thirty (30) days or more~~ or a total of \$100.00 in unpaid parking tickets;
- B. That the vehicle will be immobilized if all of the unpaid parking tickets which are due are not paid within ten (10) days of the notice's date;
- C. That if the vehicle is immobilized, the City will charge an immobilization fee ~~of Fifty Dollars (\$50.00)~~ that shall be set by the City Commission by separate resolution.; and
- D. That if release of the vehicle is not obtained within forty-eight (48) hours of immobilization, the vehicle will be towed and impounded which will result in towing charges and impound fees being imposed in addition to the parking fines and immobilization fees.

Service of notice shall be deemed effective on the date of mailing to the address of the vehicle's registered owner as maintained by the Montana Department of Motor Vehicles.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-251. Procedure for vehicle immobilization and release.

- A. After the ten (10) day period provided in the notice has ~~past~~ passed without payment, the Finance Officer will thereafter notify the ~~Police Chief~~ City of Livingston Code Enforcement Official to immobilize the vehicle. The City of Livingston Code Enforcement Official when immobilizing the vehicle shall affix a conspicuous notice to the vehicle notifying the driver of the following:
 - 1. That the vehicle has been immobilized pursuant to Section 9-250 of the Livingston Municipal Code;
 - 2. That the vehicle will be released from immobilization by paying all outstanding parking tickets and immobilization fee during business hours at the Livingston City Offices located at ~~414 East Callender~~ 220 E. Park Street;
 - 3. That if the release of the vehicle is not obtained within forty-eight (48) hours, the vehicle will be towed and impounded as provided in Section 9-252 of the Livingston Municipal Code and that a towing fee and impound fee will be charged;
 - 4. That any attempt to remove or attempt to remove the boot before obtaining the release as herein provided is unlawful and punishable as a misdemeanor and that if any damage is done to the boot, additional charges will be assessed to repair or replace the boot; and
 - 5. That a hearing on the immobilization, towing or impound may be requested by filing a written request with the City Court to determine if the City did not follow the procedures set forth in this Section, Sections 9-250 or 9-252 of the Livingston Municipal Code.
- B. An immobilized vehicle shall not be released by the City until all outstanding and due parking fines and the immobilization fee are paid, or by posting a bond.
- C. A towed and impounded vehicle will not be released by the City until all outstanding and due parking fines, immobilization fee, towing charges and impound fees are paid, or by posting a bond.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-252. Towing and impound.

- A. Any vehicle which has not been released from immobilization after forty-eight (48) hours as provided by Section 9-251 will be towed and impounded by the City.
- B. In the event the vehicle is towed and impounded, the City will notify the registered owner of the vehicle by mail of the fact that the vehicle has been towed and impounded and the procedure to obtain the vehicle's release.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-253. Appeal of immobilization, towing and impound.

Following immobilization, towing and impound of a vehicle, the registered owner may request a hearing before the City Court by filing a request setting forth the name of the person making the request, the facts and circumstances upon which the request is based and the relief requested. A copy of the request will be mailed or delivered to the City Attorney. The City Judge shall attempt to timely schedule a hearing to determine whether the immobilization, towing or impound was in violation of Sections 9-250, 9-251 or 9-252 of the Livingston Municipal Code. If the City Judge finds that the immobilization, towing or impounding was in violation of Sections 9-250, 9-251 or 9-252 of the Livingston Municipal Code, the vehicle will be immediately released and the registered owner or any other person having an interest in the vehicle shall not be held liable for any fees or costs incurred and in that event any fees or costs paid shall be refunded to the person paying the fees or costs; however, any such release shall not excuse payment of unpaid fines for any outstanding parking tickets.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-254. Criminal offense and penalty.

A person commits the offense of unauthorized release of an immobilized vehicle if they purposely or knowingly removes or attempts to remove the immobilizing device (boot) from a vehicle before obtaining the vehicle's release from the Livingston Police Department. A person convicted of unauthorized release of an immobilized vehicle may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) and/or imprisonment in the County Jail for a term not to exceed six (6) months. In addition, if damage is done to the boot, the Court may impose restitution for the repair or replacement of the boot.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 3005 , § 2, 4/20/21)

Secs. 9-255—9-314. Reserved.

SECTION 2

Statutory Interpretation and Repealer:

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

SECTION 3

Severability:

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

SECTION 4

Savings Provision:

This ordinance does not affect the rights or duties that matured, penalties and assessments that were incurred or proceedings that begun before the effective dates of this ordinance.

SECTION 5

Effective date:

This ordinance will become effective 30 days after second 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 2nd day of April, 2024.

Karrie Kahle, CHAIR

ATTEST:

Emily Hutchinson
City Clerk

PASSED, ADOPTED AND APPROVED, by the City Commission of the City of Livingston, Montana, on a second reading at a regular session thereof held on the 16th day of April, 2024.

ATTEST:

APPROVED TO AS FORM:

Karrie Kahle, CHAIR

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney