

Chapter 2.04

COUNCIL - RULES OF ORDER

Sections:

- 2.04.010 Order of business.
- 2.04.020 Duties of presiding officer.
- 2.04.030 Aldermen absentees
- 2.04.040 Calling member to order.
- 2.04.050 Voting procedure.
- 2.05.060 Presentation of petitions.
- 2.04.070 Seconding motion.
- 2.04.080 Votes entered in minutes.
- 2.04.090 Motions allowed when question pending.
- 2.04.100 Motion to adjourn or postpone.
- 2.04.110 Reconsideration of question.
- 2.04.120 Receipt of report.
- 2.04.130 Standing Committees.
- 2.04.140 Amendments.
- 2.04.150 Meetings.
- 2.04.160 Attendance.
- 2.04.170 Copy of ordinances.

2.04.010 Order of business. At the hour appointed for the meeting of the council, the mayor shall take the chair and direct a call of the members by the clerk, who shall note the absents. Upon appearance of a quorum the mayor shall call to order and proceed with the order of business:

- (1) Reading and approving minutes of last meeting;
- (2) Communications and reports of officers;
- (3) Petitions, remonstrances, and miscellaneous communications;
- (4) Reading ordinance and referring to committees;
- (5) Reports of committees;
- (6) Reports of special committees;
- (7) Unfinished business;
- (8) Adjournment.

The order of business shall not be changed unless by unanimous vote of all present. (Ord. 90, Sec. 1, 1980)

2.04.020 Duties of presiding officer. The presiding officer shall possess the power and perform the duties as hereinafter preserved.

- (1) He shall preserve order;
- (2) He shall decide all questions of order, subject to appeal to the council; on every appeal, he shall have the right in his place to assign his reasons for his division and any member may state his grounds for appeal;

(3) He shall appoint all committees. (Ord. 90, Sec. 2, 1980)

2.04.030 Aldermen absentees. Any alderman missing three meetings unless by permission of the mayor shall be automatically let out as an alderman, and it shall be the duty of the mayor to fill the vacancy. Any person appointed by the mayor must be approved by a majority vote of the rest of the aldermen. (Ord. 26, 1934)

2.04.040 Calling member to order. Any member may be called to order, in which case the member must sit down. The point of order shall be stated, at the request of the presiding officer, by the member raising it and shall be decided without debate. (Ord. 90, Sec. 3, 1980)

2.04.050 Voting procedure. Every member shall vote when a question is stated from the chair, unless excused by the council, and every member when voting shall be in his place. (Ord. 90, Sec. 4, 1980)

2.04.060 Presentation of petitions. Petitions and other papers may be presented by the presiding officer or any member. (Ord. 90, Sec. 5, 1980)

2.04.070 Seconding motion. No motion shall be debated or put until seconded, and no member shall make or second a motion unless he rises, and then seconds. The motion shall be stated by the presiding officer before being put on debate and shall be reduced to writing by any member making it, upon the request of any member or the presiding officer. It may be withdrawn at any time before decision by unanimous consent. (Ord. 90, Sec. 6, 1980)

2.04.080 Votes entered in minutes. If any two members require it, the yeas and nays upon any question shall be taken and entered on the minutes of the council. (Ord. 90, Sec. 7, 1980)

2.04.090 Motions allowed when question pending. When a question is pending, no motion will be entertained except as hereinafter specified.

- (1) For adjournment;
- (2) To lay on table;
- (3) To postpone indefinitely;
- (4) To postpone to a certain day;
- (5) To refer to a standing committee;
- (6) To refer to a special committee;
- (7) To amend. (Ord. 90, Sec. 8, 1980)

2.04.100 Motion to adjourn or postpone. A motion to adjourn or lay on the table shall be decided without debate and the several motions to postpone shall preclude debate. (Ord. 90, Sec. 9, 1980)

2.04.110 Reconsideration of question. When a question has been once put and decided, it will be permissible that any member who voted in the majority may move for reconsideration of the question. (Ord. 90, Sec. 10, 1980)

2.04.120 Receipt of report. No report shall be received unless the committee shall have considered the report. (Ord. 90, Sec. 11, 1980)

2.04.130 Standing Committees. The following standing committees shall be appointed by the mayor as soon as possible and practicable:

- (1) Ways and means;
- (2) Streets, alleys, and sidewalks;
- (3) Ordinances;
- (4) Printing;
- (5) Fire department;
- (6) Salaries;
- (7) Taxes and license;
- (8) Water. (Ord. 90, Sec. 12, 1980)

2.04.140 Amendments. No standing rule or order of the council shall be repealed, changed, or suspended, except by a vote of five members, and the same applies in adding and amending rules. (Ord. 90, Sec. 13, 1980)

2.04.150 Meetings. The regular meeting of the council shall be held on the second Thursday of each month at 7:30 o'clock, P.M.. Special meetings may be called by the mayor or any two aldermen. The clerk, upon their request, shall give notice of the same. (Ord. 90, Sec. 14, 1980)

2.04.160 Attendance. It shall be the duty of the members to attend every meeting and remain until the same is closed. The marshal shall attend all meetings of the council and shall carry out the instructions of the presiding officer in enforcing order and decorum. (Ord. 90, Sec. 15, 1980)

2.04.165 Quorum. A quorum is obtained to do business if there are two aldermen and the mayor present. If the mayor is unavailable, three aldermen comprise a quorum.

2.04.170 Copy of ordinances. Whenever any ordinance is proposed, it shall be the duty of the town attorney to furnish a copy thereof to the mayor and to each member of the Town Council at least ten days before adoption of the same. (Ord. 90, Sec. 16, 1980)

Chapter 2.08

TOWN OFFICERS

Sections:

- 2.08.010 Elected.
- 2.08.020 Appointed.
- 2.08.030 Bond.
- 2.08.040 Salaries.

2.08.010 Elected Officials. The town shall elect four aldermen and a mayor. The aldermen and the mayor shall compromise the Town Council. The mayor and the aldermen shall serve four year terms and have the qualifications and powers as provided in the Montana Code Annotated. The Town Council is elected at large. (Enacted, 1988)

2.08.020 Appointed Officers. The mayor may nominate and, with the consent of the rest of the Town Council, appoint a town marshall, water superintendent, clerk, treasurer, fire chief and attorney, who shall qualify within days after appointment. The appointed officers shall have the qualifications and powers as provided in the Montana Code Annotated. The offices of marshall, clerk and treasurer may be consolidated and held by one person. (Enacted, 1988)

2.08.030 Bond. The clerk and treasurer shall each have a bond in the amount of \$5,000. The bond of the marshall shall be in the amount of \$2,000. The bonds shall be executed by the officer and two or more sureties or by the principal and one or more surety companies licensed to do business in the state of Montana. The payments of the bond premiums shall be an obligation of the town. (Enacted, 1988)

2.08.040 Salaries. The salaries of all elected officials and appointed officers are to be set by the Town Council. (Enacted, 1988)

Chapter 2.12

MAYOR

(Reserved)

Chapter 2.16

VOLUNTEER FIRE DEPARTMENT

Sections:

- 2.16.010 Organization.
- 2.16.020 Composition.
- 2.16.030 Qualifications.
- 2.16.040 Appointment of assistant.
- 2.16.050 Duties of fire chief and assistant.
- 2.16.060 Exemptions.
- 2.16.070 Refusal to assist - Penalty.

2.16.010 Organization. Permission is hereby granted for the organization of a volunteer fire department in the town, such organization to be made under the provisions of this chapter and of the state statutes in such case made and provided. (Ord. 92, Sec. 1, 1980)

2.16.020 Composition. The volunteer fire department of the town shall consist of one chief of the fire department, one assistant to the chief, and not to exceed twenty-six firemen in addition to the chief and his assistant. (Ord. 92, Sec. 2, 1980)

2.16.030 Qualifications. Firemen shall be appointed by the fire chief.

2.16.040 Appointment of assistant. The chief of the fire department shall appoint the assistant chief from the regular members of the department, and such assistant chief shall serve during the chief's pleasure. (Ord. 92, Sec. 5, 1980)

2.16.050 Suspension. The mayor shall have the power and it shall be his duty to suspend the chief of the fire department for neglect of duty, or for the violation of any of the provisions of this chapter, or of any other ordinances which may hereafter be passed by the Town Council regulating fire department duties and activities. In case of such suspension, the person so suspended must be furnished with a copy of the charges against him, in writing, setting forth the reason for such suspension and such charges must be presented to the Town Council at their next regular meeting thereafter and a hearing had thereon, when the suspended person may appear either in person or by counsel and make his defense to such charges. If such charges are found proved by the council, the council, by a vote of the majority of the whole council, may impose such penalty as it shall determine the offense warrants. The penalty may be either

removal of the chief from the fire department, or the continuation of the suspension for a time limited. Should the charges be not presented to the next regular meeting of the council after the suspension, or should they be found not proven by the council, the suspended person shall be reinstated and entitled to his usual compensation for the time so suspended. (Ord. 92, Sec. 6, 1980)

2.16.060 Duties of fire chief and assistant. The chief of the fire department shall have the sole command and control over all persons connected with the fire department, shall have charge of and be responsible for all apparatus which the town furnished the fire department and see that they are at all times ready for use in the extinguishing of fires. The assistant chief shall aid the chief in the works of the department and in his absence shall perform his duties. (Ord. 92, Sec. 7, 1980)

2.16.070 Refusal to assist - Penalty. The chief of the fire department and in his absence the assistant chief, when in the discharge of their duties in extinguishing or fighting fires, shall have the authority to command any able-bodied citizen of the town to assist the department and any person so ordered by the chief or an assistant chief who refuses to obey such order shall, upon complaint and conviction thereof, be penalized according to the general penalty. (Ord. 92, Sec. 9, 1980)

Chapter 2.20

CONTRACTS

Sections:

- 2.20.010 Advertisement.
- 2.20.020 Opening bids.
- 2.20.030 Bond.
- 2.20.040 Preparation of contract.
- 2.20.050 Hours of receipt limited.

2.20.010 Advertisement. All contracts involving the expenditures of Ten Thousand Dollars (\$10,000) or more shall be advertised in a newspaper published in the county for such period as the council, by order, may direct, or the notice given must be posted in the town in three of the most public places. Fifteen days must elapse, including the day of posting, between the time of posting and the day set for considering the bids. The advertisement shall be in such form as the council may direct and shall contain therein a reference to the subject matter of the proposed contract, the terms and conditions together with such

specifications as the nature of the same will permit, or designation of the place where such specifications may be seen, and may require security with each bid. The advertisement shall state that sealed bids will be received by the clerk of the town at his office, until the hour of five p.m. of the day and date therein set forth, also that the council reserves the right of rejection, and the advertisement shall be signed by the town clerk. (Ord. 93, Sec. 1, 1980)

2.20.020 Opening bids. The bids shall be opened by the clerk in the presence of the Town Council while in actual session at a regular, adjourned, or special meeting. After the bids shall have been opened, the contract shall be let or awarded by the Town Council. The award shall be made to the lowest responsible bidder. (Ord. 93, Sec. 2, 1980)

2.20.030 Bond. The Town Council shall, upon awarding a contract as provided for above, fix the amount of bond or undertaking in such form as they shall so desire, to be given by the contractor or contractors, which undertaking or bond shall be for the faithful performance of the contract and which shall be provided by the mayor.

2.20.040 Preparation of contract. Upon receiving the statement of the awarding of a contract, it is hereby the duty of the town attorney to prepare a contract and bond in accordance with the statement. All contracts herein provided for shall be executed on the part of the town by the mayor and attested by the clerk, and together with the bond therefor shall be filed with the clerk of the town. (Ord. 93, Sec. 4, 1980)

2.20.050 Hours of receipt limited. The clerk shall not receive any bids left at his office after the hour of five p.m. of the day named in the advertisement. (Ord. 93, Sec. 5, 1980)

Chapter 2.28

CITY PLANNING BOARD

(Reserved)

Title 3

REVENUE AND TAXATION

Chapters:

3.04 Funds