

Ordinance No. 01-5140

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF BILLINGS, MONTANA, BE AMENDED BY REVISING SECTION 24-456, OF SAID CODE BY ELIMINATING TWO SUBSECTIONS OF THE ORDINANCE PERTAINING TO DEPOSITING COINS IN A PARKING METER TO EXTEND PARKING TIME BEYOND THE LEGAL MAXIMUM TIME FOR THE PARKING SPACE AND PARKING A VEHICLE IN A METERED SPACE LONGER THAN THE MAXIMUM AMOUNT OF TIME APPEARING ON THE FACE OF THE METER; AND BY REVISING SECTION 24-464, OF SAID CODE BY REVISING THE FINE SCHEDULE FOR VIOLATIONS, MAKING MINOR CHANGES IN STYLE AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That section 24-456 of the Billings Montana City Code be amended so that such section shall read as follows:

"Sec. 24-456. Violations--Designated.

(a) It is unlawful and a violation of the provisions of this division for any person to:

~~(1) Deposit or cause to be deposited in a parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal maximum parking time which has been established for the parking space;~~

~~(1) (2) Leave a vehicle parked at an expired meter between the times of 8:00 a.m. and 5:00 p.m., weekdays;~~

~~(3) Park or cause to be parked any vehicle in the space serviced by a parking meter for a period of time longer then the maximum permissible parking time as appears on the face of the meter;~~

~~(2) (4) Park or cause to be parked in any parking meter zone or parking garage a vehicle which does not display a valid and current license plate as required by state law;~~

(3) ~~(5)~~ Park or cause to be parked in any parking garage a vehicle which does not have a valid permit paid for within the first ten (10) days of the month. Said valid permit designates rental of the use of a space for parking for one month. Payment of parking fees upon exit from the parking garage shall also constitute a valid permit.

(b) Each meter shall show on its face the maximum ~~permissible~~ parking time ~~allowable in the space serviced by the meter~~ allowed per each deposit of coins. When any person violates any of the terms of this division, and such violation continues longer than the maximum ~~permissible parking time as appears~~ shown on the face of the meter ~~servicing such space~~, then ~~each~~ such period of time constitutes a separate violation.”

Section 2. That section 24-464 of the Billings Montana City Code be amended so that such section shall read as follows:

“Sec. 24-464. Penalties for violations.

(a) Any person who violates or permits or allows anyone to violate sections 24-454, 24-455, 24-456~~(a)(2)~~, or 24-462 is guilty of a misdemeanor and upon conviction ~~the minimum fine shall be: fined in the amount of two dollars (\$2.00) for each meter violation offense and five dollars (\$5.00) for each violation of section 24-456(a)(1), (a)(3), (a)(4), (a)(5) and (b).~~

<u>First Citation.</u>	<u>No charge</u>
<u>Second Citation.</u>	<u>\$5.00</u>
<u>Third Citation.</u>	<u>\$10.00</u>
<u>Fourth and Subsequent Citations.</u>	<u>\$20.00</u>

If fewer than thirty (30) days have elapsed between the issuance of the first citation and the issuance of the present citation, the fine will escalate from the previous citation as provided above. When thirty (30) or more days have elapsed from the issuance of the first citation, the fine for the present citation shall become the first citation and the above escalation provisions shall apply.

(b) Every person who violates the provisions of section 24-458 is guilty of a misdemeanor and upon conviction thereof shall be fined not more than three hundred dollars (\$300.00) or imprisoned for not more than ninety (90) days, or by both such fine and imprisonment.”

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinances are declared to be severable.

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Section 4. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.


Section 5. Effective Date. This ordinance shall be effective April 2, 2001, following second reading and final adoption as provided by law.

PASSED by the City Council on first reading this 8th day of January, 2001.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of January, 2001.

CITY OF BILLINGS

By *Charles F. Tooley*
 Charles F. Tooley, Mayor



ATTEST:

By *Marita Herold*
 Marita Herold, CMC/AE City Clerk