

ORDINANCE NO. 09-5490

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING ARTICLE 14-500 AND REVISING SECTIONS 27-614 AND 24-471 OF SAID CODE; PROVIDING FOR THE CLOSING OF HAZARDOUS FIRE AREAS AND PROHIBITING ENTRY AND DAMAGE TO OR REMOVAL OF POSTED NOTICES; UPDATING REFERENCES TO FIRE CODE

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

Section 1. That the Billings, Montana, City Code be amended by adding a new Article 14-500, to read as follows:

Article 14-500. Hazardous Fire Areas

Sec. 14-501. Hazardous Fire Areas

The Fire Chief or his designee is authorized to determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry.

Sec. 14-502. Posting of Hazardous Fire Areas

The Fire Chief or his designee shall post signs prohibiting entry into closed hazardous fire areas. Posting shall be accomplished by placing orange signs of not less than 50 square inches at each normal point of access to the area and at regular intervals of not less than every one-fourth mile along roadways with points of access to the closed area.

Sec 14-503. Criminal Trespass to Hazardous Fire Areas

A person commits the offense of Criminal Trespass to Hazardous Fire Areas if the person enters or remains unlawfully in a properly posted hazardous fire area. Exceptions: owners and occupants of private property within the closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas, telephone, water, and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.

Sec. 14-504. Tampering with signs, barricades, or locks

No person shall tamper with, mutilate, destroy or remove locks, barricades, or signs posting or closing hazardous fire areas.

Section 14-505. Penalty. A person convicted of a violation of this article shall be fined not to exceed five hundred dollars (\$500.00) or be imprisoned not to exceed six (6) months or both.

Section 2. That section 27-614 of the Billings, Montana City Code be amended so that such section shall read as follows:

Sec. 27-614. Temporary uses and structures.

(a) *Definitions.* For the purposes of this section, the definitions found in section 27-201 for both temporary uses and temporary structures shall be used in the regulation of such uses and structures. In addition, all uses contained in temporary structures shall be considered temporary uses of property and therefore must comply with the provisions of this section. All temporary uses and structures shall also comply with the adopted Uniform Fire Code.

Section 3. That section 24-471 of the Billings, Montana City Code be amended so that such section shall read as follows:

Sec. 24-471. Parking in fire lanes.

There are established fire lanes adjacent to buildings within the city when so required by ~~Section 10.207~~ of the adopted Uniform Fire Code. Said fire lanes will be clearly posted and identified pursuant to the directions of the Billings Fire Department. It is unlawful for any person other than fire department personnel to park, stop or stand a vehicle within any posted fire lane.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

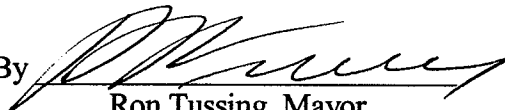
Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 13th day of April, 2009.

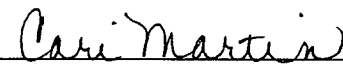
PASSED, ~~ADOPTED~~ and APPROVED on second reading this 27th day of April, 2009.



CITY OF BILLINGS

By 
Ron Tussing, Mayor

ATTEST:

By 
Cari Martin, City Clerk