

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3121

AN ORDINANCE ABOLISHING THE HELENA CITY COURT,
ESTABLISHING A MUNICIPAL COURT AND THE POSITION OF
MUNICIPAL COURT CLERK, AND SETTING COURT CIVIL FEES,
BY AMENDING VARIOUS CHAPTERS OF THE HELENA CITY CODE

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, AS FOLLOWS:

Section 1. The Helena City Code is hereby amended as follows:

1-6-5: **RECORDS ADVISORY COMMITTEE:** A records advisory committee, consisting of the clerk of the commission, a representative from the city attorney's office, and the clerk of ~~city~~ municipal court, is hereby established. The committee shall:

- A. Assist the records manager in the development and administration of the records and information management program.
- B. Prepare records and information management policies, systems, standards and procedures for approval by the city manager.
- C. Review the performance of the program on a biennial basis and propose changes and improvements if needed.
- D. Review and approve records retention schedules and amendments thereto as submitted by the records manager.
- E. Give recommendations to the city commission for the destruction of records in accordance with approved records retention schedules.

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F. Actively support and promote the records and information management program throughout the city. (Ord. 3077, 3-12-2007; amd. Ord. _____, __-__-____)

TITLE 2

BOARDS, DEPARTMENTS AND OFFICERS

CHAPTER 8

~~CITY COURT~~ MUNICIPAL COURT

SECTION:

2-8-1: Abolishment Of City Court And Establishment Of Municipal Court
2-8-2: Municipal Court Clerk And Duties
2-8-13: Duties; Deposit Of Fines
~~2-8-2: Reports~~
~~2-8-34: Bail Bond~~
2-8-45: Qualifications And Compensation
2-8-56: Court Fees Criminal
~~2-8-67: Court Fees Civil~~
2-8-78: Court Sessions And Office Hours

2-8-1: **ABOLISHMENT OF CITY COURT AND ESTABLISHMENT OF MUNICIPAL**

COURT:

A. The Helena City Court is hereby abolished and a municipal court for the City of Helena is hereby established pursuant to § 3-6-101, MCA.

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- B. A municipal court is established and governed as set forth in title 3, chapter 6, MCA, which is hereby adopted by this reference.
- C. The municipal court shall assume continuing jurisdiction over all pending city court cases.
- D. The position of city court judge is abolished and the city court judge shall serve as the municipal court judge for the remainder of the judge's term, until the office of municipal court judge is filled by election, as provided by law.
- E. One judge is required to operate the municipal court. Additional part-time assistant judges may be appointed by the judge with approval of the city commission as provided by law.

(Ord. _____, __-__-____)

2-8-2: **POSITION OF MUNICIPAL COURT CLERK AND DUTIES:**

- A. Pursuant to the requirements of § 3-6-301, MCA, the position of municipal court clerk is established within the municipal court.
- B. The City Manager is responsible for and has the authority for the hiring and, when necessary, the discipline and discharge of the municipal court clerk and municipal court staff. The municipal court judge is responsible for and has the authority

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to direct and supervise the municipal court clerk and municipal court staff on the operation of the court.

C. The city commission shall set the salary for the municipal court clerk and provide for other necessary expenses incurred in operating the court in the city's annual budget.

D. The municipal court clerk, under the direction of the municipal court judge, shall assist the municipal court judge in the recording and signing of court proceedings. The municipal court records must be created, kept, maintained, and retained by the clerk in the manner and fashion as provided by law. (Ord. _____, __-__-____)

2-8-13: **DUTIES; DEPOSIT OF FINES:**

A. The ~~city~~ municipal court judge shall perform such duties and have those powers as are prescribed by state law. The ~~city~~ municipal court judge shall keep a docket of and hear and determine all cases filed in ~~city~~ the municipal court.

B. All fines imposed and collected by ~~city~~ the municipal court must be paid to the city treasurer in the finance division of the city's administrative services department within thirty (30) days of receipt thereof. (Ord. 2910, 6-4-2001; amd. Ord. _____, __-__-____)

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~~2-8-2:~~ **REPORTS:** ~~The city judge shall present a written report each month to the city manager and city commission, giving a statement for the preceding month of:~~

- ~~A. Number and classification of cases filed;~~
- ~~B. Number and classification of jury and nonjury trials; and~~
- ~~C. Amount of fines and forfeitures collected. (Ord. 2910, 6-4-2001)~~

2-8-34: **BAIL BOND:**

- A. The ~~city~~ municipal court judge is authorized and directed to set bonds for the various violations of city ordinances and state statutes within ~~city~~ the municipal court's jurisdiction and authorized by state law. The ~~city~~ municipal court judge shall provide a bond schedule to the chief of police.
- B. The ~~city~~ municipal court judge is authorized to receive bail bonds from, for, or on behalf of defendants charged with misdemeanors in ~~city~~ municipal court.
- C. Bonds collected by police officers or detention officers must be delivered to the ~~city~~ municipal court at the beginning of the next business day. The police officers or detention officers shall provide defendants or persons posting bond with receipts for bail and written notice of the time and place to appear before the ~~city~~ municipal judge. (Ord. 2910, 6-4-2001;

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amd. Ord. _____, __-__-____)

2-8-45: **QUALIFICATIONS AND COMPENSATION:**

- A. The qualifications of ~~and compensation for city~~ the municipal court judge are ~~as follows:~~
- ~~A. A citizen of the United States who has resided in the state for two (2) years immediately before taking office is eligible for the office of city judge.~~
- ~~B. The city judge must be a voter and a resident of the city at the time of election or appointment and while in office those~~ prescribed by state law.
- ~~B.~~ The annual salary and compensation of the city municipal court judge must be fixed by ordinance or resolution. (Ord. 2910, 6-4-2001; amd. Ord. _____, __-__-____)

2-8-56: **COURT FEES CRIMINAL:**

- A. The court fee for posting bond for any case pending in ~~city~~ municipal court is five dollars (\$5.00), in addition to the regular bond. This five dollar (\$5.00) court fee must be paid at the time of posting bond. If, at a later date, the ~~city~~ municipal court judge or a jury finds the defendant not guilty, the five dollar (\$5.00) court fee will be returned to the defendant. If the defendant forfeits the posted bond, the

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five dollar (\$5.00) court fee also will be forfeited.

- B. A twenty dollar (\$20.00) court fee, in addition to the regular fine and surcharges required by law, will be assessed against any person who appears in the ~~city~~ municipal court and is found guilty of the charges brought against him or her. This twenty dollar (\$20.00) court fee may not be assessed until a conviction has been reached by either the judge or a jury. This twenty dollar (\$20.00) court fee is to be paid along with the regular fine and surcharges, and is to cover the court costs incurred in the action. If a defendant has previously posted a court fee for posting bond, the defendant shall pay the difference between the amount of the bond fee and the twenty dollar (\$20.00) court fee upon receiving a guilty verdict.
- C. If a not guilty verdict is returned by either the judge or jury, ~~there shall be no~~ a court fee may not be assessed against the defendant.
- D. The ~~city~~ municipal court judge has no discretion in levying the court fee. All defendants who are found guilty either by plea, the judge, or a jury are responsible for said court fee.
(Ord. 3031, 6-27-2005; amd. Ord. _____, __-__-____)

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2-8-67: **COURT FEES CIVIL:** The ~~city~~ municipal court will charge the following fees and surcharges for civil cases:

- A. ~~Forty dollars (\$40.00)~~ Twenty-five dollars (\$25.00) to file a complaint, to be paid by the plaintiff.
- B. ~~Twenty dollars (\$20.00) to file an answer~~ Ten dollars (\$10.00) when the defendant appears, to be paid by the defendant.
- C. ~~Twenty dollars (\$20.00) to file a judgment after trial~~ Ten dollars (\$10.00) to be paid by the prevailing party when the judgment is rendered. In cases where judgment is entered by default, no charge except the twenty-five dollars (\$25.00) for the filing of the complaint may be made.
- D. Ten dollars (\$10.00) for all services in an action where judgment is rendered by confession.
- E. Ten dollars (\$10.00) for filing notice of appeal and transcript on appeal, justifying and approving undertaking on appeal, and transmitting papers to the district court with certificate.
- F. Additional user surcharges as provided by law. (Ord. 2910, 6-4-2001; amd. Ord. _____, __-__-____)

2-8-78: **COURT SESSIONS AND OFFICE HOURS:** ~~Notice of hours must be posted in the court's office.~~ The municipal court is in continuous session as provided by law. The hours for the court office must be

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posted in the court office. (Ord. 2910, 6-4-2001; amd. Ord. _____, __-__-____)

4-1-8: **PROSECUTIONS; SPECIAL JUDGMENT:** Prosecutions for violations of this chapter shall be in the ~~city~~ municipal court, upon written complaint of the manager, director of finance, chief of police, or of any citizen of the city. In addition to the fine and imprisonment provided for in this code, special judgment for the amount of the license fees due and unpaid may be entered against the defendant, if found guilty, and the same may be enforced by the city, as provided herein. (Ord. 1263, 10-25-1937; amd. Ord. _____, __-__-____)

4-6-8: **FAILURE TO APPEAR; WARRANT OF ARREST:** In the event the owner, driver or occupant of any such motor vehicle unlawfully parked in violation of this chapter fails to appear at a time and place therein designated in said summons, a warrant of arrest may be issued by the judge of the ~~city~~ municipal court in the same manner as prescribed by law for the issuance of warrants of arrest for violation of any other provisions of this code. (Ord. 1593, 1-4-1960; amd. Ord. _____, __-__-____)

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5-2-15: ANIMALS DEEMED A NUISANCE:

- A. It is a public nuisance for any dog or other animal to chase vehicles in public streets, ways or parks; to cause annoyance to any person by prolonged barking, howling, yelping or other means; to run at large; or to be owned, kept or maintained without a current license. All female dogs or other animals in heat (estrus) shall be kept in a confined area not accessible to male animals which may be running at large.
- B. Any such nuisance animal may be taken up and impounded by the animal control officer or any law enforcement officer. It is unlawful for any person to own, harbor, keep or maintain any such nuisance animal, and it shall be the duty of the animal control officer and all law enforcement officers to issue tickets and file complaints for all such violations. Any person aggrieved by a nuisance may file a complaint in the ~~city~~ municipal court, charging the owner with the violation of this section. (Ord. 2193, 8-10-1981; amd. Ord. 2488, 1-23-1989; amd. Ord. _____, __-__-____)

5-2-16: VICIOUS ANIMALS; PROCEDURE:

- A. Whenever an affidavit is made before the animal control officer or the ~~city~~ judge that any dog or other animal has

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bitten a person and that the person bitten was not at the time trespassing upon the property of, or injuring or attempting to injure the person, family or the property of the owner, the animal control officer or ~~city~~ judge shall issue an order requiring the owner of such dog or other animal to surrender the same to a licensed veterinarian for quarantine within twenty four (24) hours after service of the order. Such order may be served by the animal control officer or any law enforcement officer, and, if the owner cannot be found at his place of residence, the order may be served by leaving it with a person of suitable age and discretion at, or by placing it in a prominent place at the front door of such residence. It is unlawful for any person to refuse or neglect to surrender any such vicious animal within twenty four (24) hours after the service of such order as provided in this section, and the animal control officer shall forthwith seize and impound such animal at a licensed veterinarian office at the owner's expense. In the event that the owner is unknown, upon the making of such affidavit, the animal control officer or any law enforcement officer shall seize and impound such animal without notice. All dogs or other animals impounded under this section shall be quarantined at a licensed veterinarian

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hospital in the city for the period and under the same conditions as stated in section 5-2-9 of this chapter. Nothing in this section or any other provision of this chapter shall be deemed to abrogate any of the rights of the city or its citizens as announced in sections 5-2-33 through 5-2-36 of this chapter. (Ord. 2488, 1-23-1989; amd. Ord. _____, ___-___-____)

5-2-35: **RESTRAINT; DECLARATION; DETERMINATION:**

- A. It is unlawful for an owner of a dangerous dog to permit the dog to be outside the property enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

- B. Dogs ~~shall~~ may not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted

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the dog or was committing or attempting to commit a crime.

- C. If a dog is determined to be a dangerous dog or a potentially dangerous dog the animal control officer will notify the owner of the dog of said status. Notification will either be accomplished through the regular United States mail or by personal delivery of the notice to the owner. If the owner disputes the classification of the dog, the owner may, within three (3) business days of receipt of the notification, request a hearing. The request must be filed with the clerk of ~~city~~ municipal court and a copy must be served on the animal control officer the same day the request is filed. Service on the animal control officer must be accomplished by either mailing the copy through the regular United States mail or by personal service. Within ten (10) business days of the request, a hearing must be held before the ~~city~~ municipal court unless continued as provided in this section. Pending the outcome of the aforementioned appeal process, the dog shall remain securely confined on the premises of the owner as hereinabove set forth. However, if the dog is in the possession of the city or the local humane society, it will remain in impoundment at the expense of the owner. The ~~city~~ judge may continue the hearing if the dog is:

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1. In the possession of the owner and is confined; or
2. Impounded and the owner pays the expenses of maintaining the dog in impoundment during the continuance period. (Ord. 3005, 11-22-2004; amd. Ord. _____, __-__-____)

5-9-7: **ABATEMENT OF NUISANCES:** Whenever any person ~~shall be~~ is convicted of committing or maintaining a nuisance pursuant to this chapter, the ~~city judge~~ court may order the city to abate the same and to certify the cost thereof to ~~him~~ the court; and ~~he~~ the court shall thereupon add the amount so certified to the fine imposed upon such person, and enforce the payment of the same in the manner provided for the collection of fines. (Ord. 2706, 5-23-1994; amd. Ord. _____, __-__-____)

7-11-5: **ABATEMENT AND MITIGATION:** The abatement or mitigation of conditions which constitute a public nuisance prohibited by this chapter shall be accomplished under the provisions of this section. Where an established use results in the storage of material otherwise prohibited in this chapter within public view due to an elevated public right of way or other circumstance beyond the control of the property owner, the condition shall be mitigated in accordance with the provisions of this section.

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- A. Initiation: Abatement or mitigation shall be initiated by the designated department.
- B. Inspection: Within thirty (30) days of receiving a signed, written complaint that a condition of community decay exists, the designated department shall conduct an inspection of the property alleged to be in violation of this chapter to determine whether there is, in fact, a violation.
- C. Notice: If it is determined that there is a violation of this chapter, the designated department shall notify the owner of the property of the violation, in writing and by certified mail, and order the abatement or mitigation of the violation or the submission of a plan for abatement or mitigation within thirty (30) days. The notice of violation shall:
 - 1. Include a statement specifically describing the violation;
 - 2. Specify that the owner, manager or lessee of the property has thirty (30) days from receipt of such notice to bring the property into compliance or to submit a plan to comply with this chapter by means of removal, shielding or mitigation of the condition(s); and
 - 3. Advise the owner, manager or lessee of the property that if the violation is not abated or mitigated, the designated department may undertake abatement or mitigation and assess

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the costs thereof to the owner of the property.

D. Plan Of Abatement Or Mitigation: The owner, manager or lessee of the property may, after receipt of a notice of violation, submit a plan of abatement or mitigation to the designated department which shall include:

1. The type of abatement, shield or mitigation to be undertaken;
2. The date for commencement of action; and
3. The date for completion of the abatement or mitigation.

The designated department may accept such a plan and defer further proceedings under this chapter pending abatement or mitigation.

E. Enforcement:

1. After thirty (30) days, or the date agreed to by the property owner and the designated department, which shall not exceed a total of ninety (90) days, the department shall determine whether the violation has been abated.
2. When enforcing this chapter, the city shall first pursue criminal sanctions and shall pursue abatement or mitigation procedures when necessary to protect the health, safety and welfare of the residents of the city.
3. If the owner fails to act, the designated department shall

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send a notice setting a date and time for a hearing before the ~~city~~ municipal court whereby the owner must appear and show cause why the violation has not been abated.

4. At any show cause hearing so scheduled, both the property owner and a representative of the department shall have the opportunity to give evidence. After the hearing, the ~~city~~ judge shall determine if proper notification was made to the property owner and whether a violation exists.

5. If the ~~city~~ judge finds that a violation does exist and that proper notification was given, the property owner shall be ordered to abate the violation within a reasonable, specified time.

6. If the property owner does not comply with the court ordered abatement the department shall send the owner written notification by certified mail, allowing ten (10) days to complete the abatement.

7. At the end of the ten (10) day period, if the property owner has still failed to comply, department representatives or contractors acting on the department's behalf may enter upon the owner's property for the specific purpose of abating, mitigating or shielding the violation, whichever the department deems appropriate.

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8. The city may assess the property owner for the actual costs of the abatement, mitigation or shielding.

9. If the assessment is not paid, it shall become a lien on the property and may be enforced the same as nonpayment of property taxes. (Ord. 2737, 2-13-1995; amd. Ord. _____, __-__-_____)

8-10-2: **SUMMONS; ISSUING TO MINOR:** Whenever any child under the age of eighteen (18) years shall unlawfully operate a motor vehicle in the presence of any police officer of this city, such officer may deliver to said child a form of summons describing the nature of the offense, with instructions thereon to report to the city municipal court; and the court shall be informed thereof by the delivery of a copy of said summons to the probation officer, who shall in turn deliver the same to the judge. (Ord. 2329, 1-16-1984; amd. Ord. _____, __-__-_____)

8-11-15: **NOTICE OF VIOLATION:** Any violation of this chapter, unless otherwise specified, shall constitute a misdemeanor under the laws of the state of Montana and this code. A notice shall be attached to any vehicle in violation of this chapter stating that

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it has been parked in violation of this chapter and instructing the owner thereof to pay to the city the sum of twenty dollars (\$20.00) for such violation. If the first such notice of violation is disregarded by failure to pay or appeal the notice of violation, a second notice shall be mailed to the owner of record of the vehicle, instructing the owner to pay to the city the sum of twenty dollars (\$20.00). If the second notice is disregarded, the director of parking and traffic division shall institute proceedings for the prosecution of the violation in ~~city~~ municipal court. (Ord. 2329, 1-16-1984; amd. Ord. _____, __-__-____)

8-12-7: **NOTICE OF VIOLATION:** Any violation of this chapter, unless otherwise specified, shall constitute a misdemeanor under the laws of the state and this code. A notice shall be attached to any vehicle in violation of this chapter, stating that it has been parked in violation of this chapter and instructing the owner thereof to pay to the city the sum of two dollars (\$2.00) for such violation. If the first such notice of violation is disregarded by failure to pay or appeal the notice of violation, a second notice shall be mailed to the owner of record of the vehicle, instructing the owner to pay to the city the sum of two dollars (\$2.00). If the second notice is disregarded, the director of parking and traffic

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division shall institute proceedings for the prosecution of the violation in ~~city~~ municipal court. (Ord. 2329, 1-16-1984; amd. Ord. _____, __-__-____)

8-13-5: **NOTICE OF VIOLATION:** Any violation of this chapter, unless otherwise specified, shall constitute a misdemeanor under the laws of the state of Montana and this code. A notice shall be attached to any vehicle in violation of this chapter stating that it has been parked in violation of this chapter and instructing the owner thereof to pay to the city the sum of two dollars (\$2.00) for such violation. If the first such notice of violation is disregarded by failure to pay or to appeal the notice of violation, a second notice shall be mailed to the owner of record of the vehicle, instructing the owner to pay or to appeal the city the sum of two dollars (\$2.00). If the second notice is disregarded, the director of the parking and traffic division shall institute proceedings for the prosecution of the violation in the ~~city~~ municipal court. (Ord. 2329, 1-16-1984; amd. Ord. _____, __-__-____)

8-14-15: **NOTICE OF VIOLATION:** Any violation of this chapter, unless otherwise specified, shall constitute a misdemeanor under

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the laws of the state of Montana and this code. A notice shall be attached to any vehicle in violation of this chapter stating that it has been parked in violation of this chapter and instructing the owner thereof to pay to the city the sum of twenty dollars (\$20.00). If the first such notice of violation is disregarded by failure to pay or appeal the notice of violation, a second notice shall be mailed to the owner of record of the vehicle, instructing the owner to pay to the city the sum of twenty dollars (\$20.00). If the second notice is disregarded, the director of the parking and traffic division shall institute proceedings for the prosecution of the violation in ~~city~~ municipal court. (Ord. 2329, 1-16-1984; amd. Ord. _____, __-__-____)

8-21-1: **IMPOUNDMENT:** When any owner or possessor of an automobile has violated any of the parking provisions contained in this title, and in order to enforce traffic regulations violated it becomes necessary for possession of the automobile to be taken, the procedure shall be as follows:

A. Any police officer is hereby authorized to take possession of any motor vehicle owned by any person who has violated, as to said vehicle, any of the traffic regulations of this city, and has authority to remove such vehicle from the streets, alleys

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or public places, where the violation occurred, and to store and keep possession thereof until the owner of such vehicle appears and claims the same. The cost of towing or removing such vehicle and the costs of storing the same shall be chargeable against the vehicle and the owner thereof and shall be paid by the owner of said vehicle before the same shall be released. The vehicle may be stored in a public or private place; if in a public place, the storage charges shall be the amount charged for such public storage; if stored on city property, the storage charge to be collected during the time said vehicle is in the possession of the police department shall be fifteen dollars (\$15.00) per day.

- B. Upon taking possession of any such vehicle, the police department shall notify the owner thereof that such vehicle has been impounded and is being held for the towing and storage charges. This notice shall be given to the person to whom said vehicle is licensed in accordance with the registration list furnished by the registrar of motor vehicles. The notice shall be given by certified mail and a charge of five dollars (\$5.00) for the giving of such notice shall be collected at the time the vehicle is returned to the owner thereof.

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- C. The taking of possession of a vehicle for a traffic violation shall not prohibit the filing of a complaint for the traffic violation in addition to the impounding of the vehicle as hereinabove provided.
- D. If the vehicle is not claimed and all charges paid within thirty (30) days after the police officer has taken possession of such vehicle an action may be commenced in the ~~city~~ municipal court before the ~~city~~ judge or in any other court by the city attorney, in the name of the city as plaintiff, and against the name of the owner as defendant for the amount of the charges due and after judgment is obtained in favor of the city said vehicle may be levied upon and sold for the purpose of satisfying the judgment as required by law. Any vehicle held in possession of the police department as a result of a violation of any parking provision of this title for a period of two (2) months, unclaimed by the owner or when the owner is unknown, shall be sold by the chief of police at public auction to the highest bidder after publication of a notice of sale in at least one publication of a newspaper published in the city, said notice specifying the description of the vehicle to be sold, date and place of sale, said date of sale to be not less than ten (10) days nor more than fifteen (15)

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days from the first date of publication. (Ord. 3011, 2-14-2005; amd. Ord. _____, __-__-____)

8-21-2: **AUTHORIZATION TO TOW OR IMMOBILIZE VEHICLE:** In addition to, or as an alternative to towing, the HPC is authorized to use a vehicle immobilizer ("boot") to immobilize any vehicle that is parked in a city parking space or along any right of way within the city limits and that has an unpaid parking ticket for parking in an accessible space for persons with disabilities or other unpaid parking tickets, provided that the HPC has sent the registered owner of the vehicle a final written notice of the unpaid parking tickets or a citation has been issued through ~~city~~ municipal court charging the registered owner with unpaid parking tickets and no person has appeared pursuant to the citation. (Ord. 3011, 2-14-2005; amd. Ord. _____, __-__-____)

8-21-5: **HEARING:**

A. After a vehicle has been immobilized pursuant to this chapter, the registered owner and any other persons who reasonably appear to have an interest in the vehicle are entitled to a speedy hearing in ~~city~~ municipal court to determine if the

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vehicle was immobilized in accordance with sections 8-21-1 and 8-21-2 of this chapter. Such hearing must be requested within five (5) days of the immobilization or towing. The hearing must be held as soon as all parties can be present, but no more than ten (10) business days after the request is made.

- B. If the ~~city~~ court finds that the immobilization was invalid or unjustified, the court shall order the vehicle released immediately, and the owner or any other persons who have an interest in the vehicle will not be held liable for the immobilization fee.
- C. If the ~~city~~ court finds that the immobilization was valid and justified, the court shall order that the immobilization device remain on the vehicle until payment is received for the immobilization fee and all unpaid parking tickets, or the court will order forfeiture of the bond posted, plus fees for towing and storage, if appropriate. However, when a vehicle with an immobilization device attached remains immobilized for a period of forty eight (48) hours and a release has not been obtained, the vehicle will be towed and impounded.
- D. The decision of the ~~city~~ court is the final decision by the city. (Ord. 3011, 2-14-2005; amd. Ord. _____, __-__-_____)

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Section 2. This ordinance is effective March 1, 2010.

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,
THIS 7th DAY OF December, 2009.

ATTEST: /S/ James E. Smith
MAYOR

/S/ Debbie Havens
CLERK OF THE COMMISSION

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 11th DAY OF January, 2010.

ATTEST: /S/ James E. Smith
MAYOR

/S/ Debbie Havens
CLERK OF THE COMMISSION