

CITY OF THOMPSON FALLS NEW CUSTOMER PACKET

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|--|--|--|--|--|
| NAME & ADDRESS | | | | |
| | | | | |
| Improvement Placement Permit (\$50.00) | | | | |
| Zoning Ordinance & MAP | | | | |
| SET BACK ORDINANCE | | | | |
| | | | | |
| New Water Service (\$2,000.00) | | | | |
| New Sewer Service (not in SID)(\$2,000.00) | | | | |
| Sewer/Water Regulations | | | | |
| New Account Changes Form | | | | |
| Water/Sewer Payment Agreement | | | | |
| Dog Tag Brochure | | | | |
| Chicken, Rabbit, Ducks & Coturnix Quail Animal Permit & Ordinance | | | | |
| Burning Regulations | | | | |
| Camper Permit | | | | |
| Camper Living Ordinance | | | | |
| Fee Schedule | | | | |
| | | | | |
| | | | | |

SID SEWER PHASE 1 \$277.00 PER YEAR (1.25%) ON TAXES OVER 20 YEARS TOTAL \$4,579.00
SID SEWER PHASE 2 \$301.00 PER YEAR (1.25%) ON TAXES OVER 20 YEARS TOTAL \$4,986.00
SID SEWER PHASE 3 \$356.00 PER YEAR (1.375%) ON TAXES OVER 20 YEARS TOTAL \$5,914.00
SID SEWER PHASE 4 \$279.00 PER YEAR (1.25%) ON TAXES OVER 20 YEARS TOTAL \$4,687.50
WATER RATE: \$42.75 FOR 2,000 GALLONS \$1.50 PER THOUSAND AFTER 2,000 GALLONS
SEWER RATE: \$59.50 FOR 2,000 GALLONS \$4.10 PER THOUSAND AFTER 2,000 GALLONS

CITY OF THOMPSON FALLS
APPLICATION FOR IMPROVEMENTS PLACEMENT, TINY HOME,
AND MOBILE HOME PERMIT

Name: _____

Mailing Address: _____

E-mail Address: _____

Street Address: _____

Phone Number: _____

Residential A _____ **Central Business** _____ **Commercial** _____
Residential B _____ **Mixed Commercial Residential** _____ **Industrial** _____

Fee: \$50.00

This permit shall be displayed in a visible place on the building site until the project is completed.

Description of Improvements:

Mobile Home requirements:

20 years old or newer and at least 400 square feet.

The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within 60 days.

Meets Requirements: _____ **Yes** _____ **No**

Tiny Home requirements:

Permanent, single family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

Meets requirements: _____ **Yes** _____ **No**

Drawing of Placement of Improvements on Property: (Include distances from the improvement to the property boundaries, street boundaries and buildings on the property.) It is the owner's responsibility to determine where property boundaries are located. All structures must meet setback line, no building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots. For all new builds, there shall be no less than two off-street parking spaces per unit, 10' wide by 20' deep per vehicle. "B" Residential there shall be a maximum limit of 2 tiny houses per lot separated by 10" each connected individually to water, sewer and power.

Meets setback requirements: _____ **Yes** _____ **No**

Refer to Zoning Ordinance No. 352 regarding all restrictions/requirements in each district.
Available at City Hall 108 Fulton St. or online at Cityofthompsonfalls.com

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

Signature of Applicant Date

Approval of application: _____ DATE: _____

Mayor approval of application: _____ DATE: _____

TOTAL PERMIT FEE PAID: \$ _____

CHECK # _____ CASH _____

OTHER _____

Comments/Follow up: _____

ORDINANCE NO. 358

**AN ORDINANCE GENERALLY AMENDING TITLE 10,
CITY OF THOMPSON FALLS MUNICIPAL CODE, THE CITY ZONING
ORDINANCE TO INCORPORATE REVISIONS**

WHEREAS Title 76, Chapter 2, Part 3, MCA, empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS the city council deems it necessary to amend Title 10 for the purpose of promoting the health, safety, or general welfare and to facilitate adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements of the city; and

WHEREAS the Zoning Commission has previously divided the City into districts, which shall remain unchanged; and

WHEREAS the Zoning Commission has prepared amended regulations pertaining to such districts; and

WHEREAS the city council, pursuant to the provisions of Title 76, Chapter 1, Part 6, MCA, has adopted a comprehensive plan for the jurisdictional area, and the amended regulations have been prepared in accordance with the plan, and

WHEREAS all requirements of Title 76, Chapter 2, Part 3, MCA, with regard to the preparation of a zoning ordinance and amendments thereto, and subsequent action of the city council have been met.

WHEREAS the ordinance shall be in full force and effect thirty (30) days after its final adoption, passage, approval, recording, and publication as provided by law.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTANA AS FOLLOWS:

Title 10, Thompson Falls Municipal Code, the City Zoning Ordinance, is hereby amended to add a new Title 10, as set forth on Exhibit "A" to incorporate revisions. All other portions of Title 10 Thompson Falls City Code, not in conflict herewith, shall remain unchanged.

This Ordinance shall take effect from and after 30 days of its passage on second by City Council.

Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording, and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THOMPSON FALLS, MONTANA, AT A REGULAR SESSION THEREOF HELD ON THE 8TH OF JULY, 2024.



Rusti Leivestad, Mayor

ATTEST:



Chelsea Peterson, Clerk/Treasurer

EXHIBIT "A"

TITLE 10

ZONING ORDINANCE OF THE CITY OF THOMPSON FALLS, MONTANA

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10-1-1. Short Title.

This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Thompson Falls, Montana."

10-1-2. Authority.

This Zoning Ordinance is adopted under the authority of the Municipal Zoning Enabling Act (76-2-301 through 76-2-328, MCA).

10-1-3. Purpose and Intent of Zoning Ordinance.

The Purpose of this zoning Ordinance is to repeal and replace the existing zoning ordinance for the City and to promulgate and adopt regulations that:

1. Are designed in accordance with a comprehensive plan.
2. Are designed to lessen congestion in the streets.
3. Will secure safety from fire, panic, and other dangers.
4. Will protect health and general welfare.
5. Will provide adequate light and air.
6. Will avoid undue concentration of the population.
7. Will facilitate the adequate provision of transportation, water, sewage, waste disposal, schools, parks, and other public requirements.
8. Give reasonable consideration to the character of the district and of the city and preservation of the character of the city.
9. Give reasonable consideration to the district's peculiar suitability for particular uses.
10. Give reasonable consideration to conserving the value of the building.
11. Will encourage the most appropriate use of land throughout the jurisdictional area.
12. Ensure that the land uses of the community are properly situated in relation to one another, providing adequate space for each type of development and preventing problems associated with incompatible uses.
13. Control the density of development in each area of the community so that property can be adequately serviced by such public facilities as streets, schools, recreation, and utility systems.
14. Improve the quality of the physical environment of the community.
15. Protect and maintain property values.
16. Preserve and develop the economic base of the community.
17. Encourage the provision of affordable housing for families of all income levels.

10-1-4. Jurisdictional area.

The zoning jurisdiction of the City of Thompson Falls shall include all land within the corporate limits of the City of Thompson Falls.

10-1-5. Incorporation of Official Zoning Map.

1. The Official Zoning Map of the City of Thompson Falls, Montana, and all notations, references, and other information shown on the map are hereby incorporated by reference and made a part of this Ordinance.
2. The Official Zoning Map shall be kept in City Hall and shall be the controlling authority as to the current status of zoning districts in the City of Thompson Falls.
3. Whenever any changes are made to the district boundaries in accordance with the procedures of the Ordinance, those changes approved by the City Council shall be promptly entered on the Official Zoning Map, and a signed and dated certification shall be attached to the Map. No amendment to district boundaries shall become

effective until those changes are presented to the City Council and approved by them.

4. No changes of any nature shall be made to the Official Zoning Map, except in conformity with the procedures specified in this Ordinance.

10-1-6. Definitions. When used in this title, the following words and phrases shall have the meaning ascribed to them in this section:

4 Plex - also known as a quadplex, is a multi-family home with four different living spaces and separate entrances.

Accessory building - A subordinate building or portion of the main building which is located on the lot of the main building, and the use of which is clearly incidental to the use of the main building.

Accessory Building - A subordinate building, the use of which customarily is incidental to the main building or the main use of the premises such as granges and tool sheds.

Accessory Dwelling Unit - A smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home.

Adult Daycare - A facility, freestanding or connected to another health care facility, that provides adults, on a regularly scheduled basis, with the care necessary to meet the needs of daily living but that does not provide overnight care.

Adult-oriented businesses - A business that primarily relies on the sale of products, media or entertainment of a sexual nature, including, but not limited to: adult toys, pornographic photos, photographic videos, stripping, tease performances, lap dances and nudity.

Apartment—A room or suite of rooms suitable for occupancy as a residence for one family. An apartment is a residential unit that is part of one (or several) residential buildings or a separate dwelling within a house with its own entrance and bathroom.

Assisted Living - A congregate residential setting that provides or coordinates personal care, health-related services, scheduled and unscheduled 24-hour supervision and assistance, and activities.

Bed & Breakfast - A house in which the resident owner offers overnight accommodations and breakfast meal service to guests for compensation. The number of daily guests served does not exceed 18.

Building - A structure having a roof supported by columns or walls and which is placed on a permanent foundation for the support or enclosure of persons, animals or chattels.

City - Shall mean the City of Thompson Falls, Montana.

Clear Sight Triangle- A clear sight triangle is an area of unobstructed vision at the intersection of two (2) or more vehicular use areas where drivers can view oncoming traffic from either direction.

Community Residential Facility –

1. A community group home for developmentally, mentally, or severely disabled persons that does not provide skilled or intermediate nursing care;
2. A youth foster home, a kinship foster home, a youth shelter care facility, a transitional living program, or youth group home as defined in MCA 52-2-602;
3. A halfway house operated in accordance with regulations of the department of public health and human services for the rehabilitation of alcoholics or drug dependent persons;
4. A licensed adult foster family care home; or
5. An assisted living facility licensed under MCA 50-5-227.

Conex Boxes –Is a storage container made from industrial-grade steel and is also known as a sea can, container express, Conex box or ConEx box.

District - A section of the city for which the regulations governing the use of buildings and premises are the same.

Day Care – Care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular or irregular basis, as applicable, for daily periods of less than 24 hours, whether that care is for daytime or nighttime hours. 52-2-703(2).

Day-care center - An out-of-home place in which daycare is provided to 16 or more children on a regular or irregular basis. The term does not include a place where daycare is provided if a parent of a child for whom daycare is provided remains on the premises.

Day-care facility - A person, association, or place, incorporated or unincorporated that provides daycare on a regular basis or a place licensed or registered to provide daycare on an irregular basis, as provided for in subsection (3)(a), or for children suffering from illness. The term includes a family day-care home, a day-care center, a group day-care home, or a facility providing care in a child's home for the purpose of meeting registration requirements for the receipt of payments as provided in 52-2-713. The term does not include:

1. A person who limits care to children who are related to the person by blood or marriage or under the person's legal guardianship, unless registration or licensure as a day-care facility is required to receive payments as provided in 52-2-713; or
2. Any group facility established chiefly for educational purposes that limits its services to children who are 3 years of age or older.

Family day-care home – a private residence in which daycare is provided to three to eight children on a regular basis.

Group day-care home – a private residence or other structure in which daycare is provided to 9 to 15 children on a regular basis.

School-age care – an adult-supervised program that is provided for school-age children during non-school hours.

76-2-412. Relationship of foster homes, kinship foster homes, youth shelter care facilities, youth group homes, community residential facilities, and day-care homes to zoning.

1. Foster home, kinship foster home, youth shelter care facility, or youth group home operated under the provisions of 52-2-621 through 52-2-623 or a community residential facility serving eight or fewer persons is considered a residential use of property for purposes of zoning if the home provides care on a 24-hour-a-day basis.
2. A family day-care home or a group day-care home, as defined in 52-2-703, is considered a residential use of property for purposes of zoning.
3. The facilities listed in subsections (1) and (2) are permitted use in all residential zones, including but not limited to residential zones for single-family dwellings. Any safety or sanitary regulations of the Department of Public Health and Human Services or any other agency of the state or a political subdivision of the state that is not applicable to residential occupancies, in general, may not be applied to a community residential facility serving 8 or fewer persons or to a day-care home service 15 or fewer children.

Duplex – A duplex home is a small type of multifamily building with two connected dwellings that have separate entrances on a single property. Each dwelling is considered a duplex apartment. Often, a duplex looks like a house with two front doors, either split between floors (with one apartment upstairs and the other downstairs) or split down the middle of the building.

Foundation – A concrete footing with a concrete or cinder block and mortar wall and anchored to the structure.

Fence - Any structure, materials, or vegetation planted that prevents or restricts movement or visibility from public right-of-way.

Home Occupation - Any occupation or profession carried out by members of a family residing on the premises which is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof. Home occupations do not include equipment or processes that create noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the lot. In the case of electrical interference, no equipment or process is used that creates visual or audible interference in any radio or television receivers or causes fluctuations in line voltage off the premises.

Lot - Land occupied or to be occupied by one building and accessory buildings and uses, including open spaces required under this title.

Lot lines - Lines bounding a lot.

Manufactured homes -A single-family dwelling, which is a structure constructed off-site with the intention of the same being transferred on wheels and axles in one or more sections. Said home must meet the U.S. Department of Housing and Urban Development code or the Uniform Building Code, in its construction with a 400 square feet minimum.

Mixed-use development – A development consisting of residential and nonresidential uses in which the nonresidential uses are less than 50% of the total square footage of the development and are limited to the first floor of buildings that are two or more stories.

Motel –

1. A building or structure kept, used, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, or public lodging house;
2. A place where sleeping accommodations are furnished for a fee to transient guests, with or without meals.76-2-3-304

Multi-family - Multiple separate housing units for residential inhabitants are contained within one building or several buildings within one complex.

Multiple-unit dwelling - A building designed for five or more dwelling units in which the dwelling units share a common separation like a ceiling or wall and in which access cannot be gained between units through an internal doorway, excluding common hallways.

Nonconforming use - A use of a building or premises that does not conform with the regulations of the use district in which it is situated.

Preschool - A half-time or full-time program to prepare children for entry into kindergarten and governed by standards adopted by the board of public education. 20-7-117(3)(b).

Rear yard - An open space unoccupied except for accessory buildings on the same lot with a main building, between the rear lines of the main building and the rear line of the lot, for the full width of the lot.

RV or Recreational Vehicle - A vehicular type of unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own mode of power or is mounted on or towed by another vehicle, including but not limited to a:

1. Travel trailer.
2. Camping trailer;
3. Truck camper; or
4. Motor home.

Setback - The minimum horizontal distance between the street wall of a building and the street line or the wall of a building and the adjacent lot line.

Short-Term Rental - Any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, timeshare, or owner-occupied residential home that is offered for a fee for 30 days or less.

Side yard—An open, unoccupied space on the same lot with a building between the building and the sideline of the lot extending from the front building line to the rear yard or to the rear line of the lot where no rear yard is required.

Single-family dwelling - A detached building having accommodations for and occupied by one family only. It also means a detached building used as a foster home, boarding home, or community residential facility.

Single-family residence – A structure maintained and used as a single dwelling unit. A dwelling unit that shares one or more walls with another dwelling unit is a single-family residence if it has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment, or any other essential facility or service with another dwelling unit.

Street line - The boundary where the property meets the City's right of way.

Street wall - The main wall nearest to and fronting a street, including sun parlors, but not including bay windows or porches, which are not closed in and extend less than 5 feet from the main wall of the building.

Temporary structure - A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the structure was erected has ceased. A temporary structure must adhere to the same setback requirements as permanent structures, determined by the particular zoning of the property, and have a maximum time limit of 18 months, with a provision to apply for a one-time 6-month extension.

Tiny House - A permanent, single-family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

Zoning Compliance Officers— The Public Works Director and/or his designee, approved by the mayor.

10-1-7. Administration.

1. Prior to locating any improvement on property within the City limits, the owner of such property shall make an application to the City Clerk for a zoning compliance

permit on a form supplied, therefore. There shall be an application fee as established in the Schedule of Fees of the City of Thompson Falls. The application shall include the property description, the owner of the property, and a narrative description of the proposed improvement. A sketch of the property showing the proposed location of the improvement shall be included with the application. The sketch shall show distances from the improvement to the property boundary. The applicant shall be required to establish property boundaries to the satisfaction of the Zoning Compliance Officer. The Zoning Compliance Officer shall be charged with the enforcement of this title.

10-1-8. Appeals.

1. Appeal from the rulings of the Zoning Compliance Officer concerning the enforcement of the provisions of this title may be made to the Board of Adjustment within 30 days. The appellant shall file with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Compliance officer shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed was taken.
2. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment that a proceeding shall not be stayed except by a restraining order from the Board of Adjustment or from a court of record.

10-1-9. Use Districts Generally.

Use districts designated. For the purpose of classifying and regulating the use of real property, in the City limits, use districts are identified as follows:

"A" Residential
"B" Residential
Commercial
Central Business District
Mixed Commercial-Residential District
Industrial

10-1-10. District Boundaries.

1. The boundaries of the use districts shall be as shown on the use district map on file in the City Clerk's office.
2. The use district map is adopted and incorporated as fully as if reproduced in this title.
3. No land shall be used, and no building shall be erected or altered within a use district except in conformance with the regulations provided in this title.

10-1-11. "A" Residential

1. **Conformance with provisions required.** No building shall be erected or altered in "A" Residential district except in conformity with the regulations prescribed in this chapter.
2. **Permitted uses.** In any "A" residential district, no land shall be used, and no building shall be erected or altered except for the following uses:
 - a. Schools.
 - b. Parks, recreation buildings, and country clubs are not conducted as a business or for profit.
 - c. Accessory uses incident to the uses listed in this section, including private garages.
 - d. Fire departments.
 - e. Churches and temples.
 - f. Libraries
 - g. Senior Centers
 - h. Multi-Family Dwellings - Duplexes and/or Apartments
 - i. Single-family residences, including manufactured homes and mobile homes of any size that meet or exceed the construction standards promulgated under the Uniform Building Code or by the U.S. Department of Housing and Urban Development (USC 42 Sec. 5401) that are 20 years old or newer where lots allow for minimum setbacks. The tongue, axles, transportation lights, and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises, and a weather-resistant skirting, compatible with the exterior siding, shall be installed around the perimeter of said home within 60 days.
 - j. Home Occupation
 - k. Assisted Living
 - l. Group Home
 - m. Family Daycares
 - n. Preschools
 - o. Short-Term Rentals & Bed and Breakfast Business
 - p. Tiny Houses
 - q. Community Residential Facility
 - r. Conex boxes are allowed, but a placement permit must be obtained to ensure compliance with setback requirements.
3. **Development standards—General.** In "A" residential district, the following standards apply:
 - a. **Building Area.** Except as otherwise provided in this chapter, no building with its accessory buildings shall be erected or altered so as to occupy more than 50 percent of the area of a corner lot.

- b. Rear Yards. Except as otherwise provided in this chapter, every building shall have a rear yard, the depth of which shall not be less than 10 feet for all lot sizes.
 - c. Side Yards. Except as otherwise provided in this chapter, every lot shall have 2 side yards, each of not less than 5 feet in width.
 - d. Height. Except as otherwise provided in this chapter, no building shall exceed 35 feet in height.
 - e. Setback Line. No building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots.
 - f. For all new buildings, there shall be no less than two off-street parking spaces per unit, 10' wide by 20' deep per vehicle.
 - g. All permanent dwellings must be connected to City water and sewer and approved electric. Generators shall not be the main source of power for any dwelling in any zone within the city limits. Generator use must be limited to use as a temporary power supply during emergency situations or construction.
 - h. It is the responsibility of the property owner to comply with insurance requirements.
 - i. Prior to erecting any fence, the property owner shall locate survey pins indicating property boundaries. A placement permit so our public works department can approve it before building the fence.
4. **Development standards—Schools, churches, temples, libraries, senior centers, and fire departments.**
- a. For the purpose of erecting schools, churches, temples, libraries, senior centers, or fire departments, two or more adjoining lots shall be considered a single lot (hereinafter called a "plot"), provided, that the sideline, rear yard, and building setback provisions are observed.
 - b. Two side yards of not less than 5 feet in width shall be provided on each plot.
 - c. The depth of the rear yard of the plot shall not be less than 10 feet.
 - d. The street wall of the building erected on the plot shall be placed no closer than 10 feet to the street line and 15 feet on corner lots.
 - e. The building shall not exceed 35 feet in height.

10-1-12. "B" Residential District

Conformance with provisions required. No building shall be erected or altered in a "B" residential district except in conformity with the regulations prescribed in this chapter.

1. **Permitted uses.** In any "B" residential district, no land shall be used, and no building shall be erected or altered except for the following uses:
- a. Any use permitted in an "A" residential district.
 - b. Manufactured homes and mobile homes of any size that meet or exceed the construction standards promulgated under the Uniform Building Code or by the U.S. Department of Housing and Urban Development (USC 42 Sec.

5401) that are 20 years old or newer and at least 400 square feet. The tongue, axles, transportation lights, and removable towing apparatus shall be removed from any such home within thirty days of it being placed upon the premises, and a weather-resistant skirting, compatible with the exterior siding, shall be installed around the perimeter of said home within sixty days.

- c. Apartment houses and multiple-family dwellings.
 - d. Hospitals.
 - e. Police Departments.
 - f. Professional or commercial offices.
 - g. Tiny Houses.
 - h. Funeral home
 - i. Parks
 - j. Conex boxes are allowed, but a placement permit must be obtained to ensure compliance with setback requirements.
2. **Development standards. In a "B" residential district, the following standards apply:**
- a. **Building Area.** No building with its accessory buildings shall be erected or altered so as to occupy more than 50 percent of the area of an interior lot or more than sixty percent of the area of a corner lot.
 - b. **Rear Yards.** Every building shall have a rear yard, the depth of which shall not be less than 10 feet for all lot sizes.
 - c. **Side Yards.** 2 side yards shall be provided on every lot. The width of each side yard shall not be less than 5 feet from adjoining property lines.
 - d. **Setback Line.** No building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and 15 feet on corner lots. No accessory building shall be erected nearer than fifteen feet from the street line.
 - e. **Height.** No building shall exceed 35 feet in height. (Prior code Sections 10-3-03—10-3-07)
 - f. For all new builds, there shall be no less than two off-street parking spaces per unit 10' by 20' deep per vehicle.
 - g. All permanent dwellings must be connected to City water and sewer and approved electric.
 - h. Generators shall not be the main source of power for any dwelling in any zone within the city limits. Generator use must be limited to use as a temporary power supply during emergency situations or construction.
 - i. It is the responsibility of the property owner to comply with insurance requirements.
 - j. Prior to erecting any fence, the property owner shall locate survey pins indicating property boundaries. If property pins cannot be located, a survey must be conducted first.

- k. There shall be a maximum limit of 2 tiny houses per lot separated by 10' each connected individually to water, sewer, and power. A placement permit will be required.
- l. Recreational Vehicles (RV's) refer to ordinance # 343.

10-1-13. Commercial District.

- 1. **Conformance with provisions required.** No building shall be erected or altered in a Commercial district except in conformity with the regulations prescribed in this chapter.
- 2. **Permitted Uses.** In any commercial district, no land shall be used, and no building shall be erected or altered except for the following uses:
 - a. Any use permitted in an "A" or "B" residential district.
 - b. Light manufacturing carried on within an entirely closed building, and which creates no objectionable noise, odor, smoke fumes, vapor, dust, or gas.
 - c. Residential single-family homes may be permitted where such residential use is in support of an attendant to a commercial business or enterprise. A residential single-family home shall be defined as a frame dwelling with at least one bedroom and bathroom or a manufactured home of four hundred square feet in size with tongue and axles removed and placed upon a foundation consistent with municipal building codes.
 - d. Conex boxes are allowed but must obtain a placement permit to ensure compliance with setback requirements.
- 3. **Prohibited uses.** The following uses are prohibited in the Commercial District:
 - a. Storage yards for scrap, bulk, or raw materials
 - b. Railroad yards;
 - c. Livestock corrals or feed lots.
 - d. Junkyard
 - e. Dry Cleaning and dyeing
 - f. Adult-oriented businesses.
- 4. **Screening and Buffering.** Whenever a non-residential use or off-street parking area abuts a residential use, the use shall be effectively screened at the property line on all sides which adjoin or face the residential district or institutional use by a sight-obstructing wall, fence, or planting screen, acceptable to the Zoning Compliance Officer, not less than 4 feet nor more than 8 feet in height and shall be maintained in good condition.

10-1-14. Central Business District.

- 1. **Permitted uses.** In any "Central Business" district, no land shall be used, and no building shall be erected or altered except for the following uses:
 - a. Amusement and recreational facilities in enclosed buildings and parks.
 - b. Attached apartments.

- c. Auditoriums, theaters.
 - d. Businesses or services conducted primarily within enclosed buildings.
 - e. Financial institutions.
 - f. Government, educational, and institutional uses.
 - g. Professional clinics and offices.
 - h. Museums and art galleries.
 - i. Police and fire stations.
 - j. Libraries.
 - k. Restaurants.
 - l. Bars, taverns, lounges, nightclubs.
 - m. Senior Citizen centers.
 - n. Other uses commensurate with the above uses and compatible with the purposes of this District.
 - o. Marijuana Sales- medical and recreation. No cultivation or manufacturing permitted.
 - p. Liquor stores.
 - q. Conex boxes are allowed, but a placement permit must be obtained to ensure compliance with setback requirements.
2. **Prohibited Uses.** In any "Central Business" district, no land shall be used, and no building shall be erected or altered for the following uses:
- a. Detached living quarters.
 - b. Storage yards for scrap, building, or raw materials.
 - c. Livestock corrals or feed lots
 - d. All businesses that create objectionable noise, odor, smoke, fumes, vapor, dust, or gas.
 - e. Adult-oriented businesses.
 - f. No manufacturing or cultivation of Marijuana.

10-1-15. Industrial District.

1. **Permitted Uses.** Buildings and premises may be used for any of the following industrial operations as hereinafter defined shall be permitted with Zone "Industrial" of the City zoning area:
- a. The construction, maintenance, and operation of wood and metal product manufacturing plants.
 - b. The storage of finished products and the movement thereof.
 - c. The processing of manufactured products.
 - d. The construction, maintenance and operation of machinery and physical plant for manufacturing purposes.
 - e. Includes only those industries that manufacture, produce, process, or fabricate materials.
 - f. Railroad.
 - g. Conex boxes are allowed, but a placement permit must be obtained to ensure compliance with setback requirements.

2. **Prohibited Uses.** No building or occupancy permit shall be issued for any of the following uses, until and unless the location of such uses shall have been approved by the Council:
 - a. Wood pulp or paper processing plant.
 - b. Acid manufacture.
 - c. Distillation of bones, coal, or wood.
 - d. Explosive manufacture or storage.
 - e. Fat rendering.
 - f. Fertilizer manufacture.
 - g. Garbage, offal, or dead animal reduction.
 - h. Petroleum refining.
 - i. Smelting of any metals or ores.
 - j. Stockyards or slaughter animals.

10-1-16. Mixed Commercial/ Residential District

1. **General Requirements.** This provides area for a compatible mixture of business and residential land uses.
 - a. Height: Buildings shall not be more than 35 feet.
 - b. Setbacks/Yards: No front, back, or side yards shall be required for commercial buildings in this district. Residential buildings shall comply with setback regulations as otherwise provided in this Code.
 - c. Lot Area Per Family: Every building hereafter erected, structurally altered, or maintained for residential purposes shall provide a lot area of not less than 3,480 square feet per family.
 - d. Use: No building, structure, or premises shall be used, and no building or structure shall be erected, structurally altered, or maintained unless otherwise provided in this article, except for one or more of the uses listed below. No business, trade or industry shall be permitted in this district which is noxious or offensive by reason of the emission of odor, dust, smoke, gas, vibration, or noise, or which imposes any extraordinary hazard to life or property.
2. **Permitted Uses.** The following uses are permitted in a Mixed Commercial/Residential area:
 - a. Any use permitted in the "B" Residential District along with any specific requirements therein.
 - b. Apartments, condominiums, and city houses. Apartments or condominiums may be located above retail or business operations. The minimum lot area per family in subsection C above and the design standards located in the "B" residential district do not apply when located above retail or business operations. The minimum living area per family unit is 500 square feet. When one or more residences are located above a business, one off-street parking space 10' by 20' per unit is required.

- c. Amusement arcade providing games of skill to patrons at a cost where wholly contained within the building.
- d. Art galleries and studios.
- e. Assembly hall.
- f. Automobile repair shops, garages and sales
- g. Bakery
- h. Bank
- i. Bar
- j. Barber shop/Beauty parlor
- k. Boarding house
- l. Bowling alley
- m. Building supply store
- n. Business or professional office
- o. Car wash
- p. Casino
- q. Coffee shop, café, espresso stand
- r. Computer services
- s. Electronic service and repair
- t. Florist shop
- u. Feed store
- v. Food products or preparation, except such uses as are involved in handling live animals or fowls to finished products.
- w. Furniture store
- x. Gasoline or oil retail supply station, including filling station
- y. Gift store
- z. Greenhouse
- aa. Grocery store
- bb. Governmental, cultural and institutional facilities
- cc. Hardware store
- dd. Health studio, gym
- ee. Hospitals, clinics and related medical goods and services
- ff. Hotels, motels and other hospitality and entertainment uses.
- gg. Ice plant or ice storage for less than 5 tons
- hh. Laundry
- ii. Light manufacturing in connection with uses herein permitted, provided that no more than 25% of the total floor space of the building or structure in this district is not used for manufacturing
- jj. Liquor store
- kk. Machine shop
- ll. Motor vehicle sales
- mm. Marijuana sales
- nn. Music and video music studio

- oo. Public or private garage or parking area
- pp. Newspaper publishing, printing and bookbinding
- qq. Radio or television broadcasting station
- rr. Retail sales and service
- ss. Restaurant
- tt. Senior citizen center
- uu. Sheet-metal working
- vv. Shoe-shining or shoe repairing
- ww. Signs
- xx. Sporting goods store
- yy. Storage facility
- zz. Theater
- aaa. Upholstery and drapery shops
- bbb. Veterinarian office, small animal
- ccc. Wireless communication facility with one or all antennae located on an existing tower or monopole or attached to an existing building or structure, camouflaged and/or hidden to the extent possible, collocated to the extent possible and not greater than 70 feet in height.
- ddd. Wholesale business
- eee. Parking Lots
- fff. Conex boxes are allowed, but a placement permit must be obtained to ensure compliance with setback requirements.

10-1-17. Nonconforming Uses Generally.

1. **Application of Chapter.** The provisions of this chapter shall apply to buildings, structures, lands, and uses that are nonconforming, as defined.
2. **Nonconforming Lots of Record.**
 - a. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any vacant single lot of record, with the county clerk and recorder, on the effective date of adoption or amendment of the ordinance codified in this chapter. The lot must be in separate ownership and not contiguous frontage with other lots in the same ownership. This section shall apply although the lot fails to meet the requirements for area or width, or both, generally applicable in the district, except that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district.
 - b. If two or more vacant lots or combinations of lots and portions of lots with contiguous frontage are in single ownership of record at the time of passage or amendment of the ordinance codified in this chapter, and if all or part of the lots do not meet the requirements for lot widths and areas as

established by this chapter, the lots shall be deemed to be an undivided parcel for the purpose of this chapter, and no portion of said parcel which does not meet lot widths and area requirements established by this chapter shall be used for a building site. No division of the lots shall be made, which leaves any remaining lot with a width or area smaller than the requirements in this chapter.

3. Nonconforming uses of land.

A lawful use of land existing on the effective date of adoption or amendment of any ordinance or district regulation governing its use, or change of district boundaries, made no longer permissible by such adoption, amendment, or change in district boundaries, may be continued so long as it remains otherwise lawful, subject to the following conditions:

- a. No such nonconforming use shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of any ordinance or change in district boundaries.
- b. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of any ordinance or change in district boundaries.
- c. If the nonconforming use of land ceases for any reason for a period of two years, subsequent use of such land shall conform to the regulations specified by this chapter for the zone in which the land is located.

4. Nonconforming Structures.

A lawful structure existing on the effective date of adoption or amendment of the ordinance codified in this chapter which could not be built under this chapter by reason of restriction on area, lot coverage, height, yards, or other characteristics of the structure or its location on that lot, may be continued so long as it remains lawful, subject to the following conditions:

- a. No such structure may be enlarged or altered in a way which increases its nonconformity unless an enlargement or structural alteration is required by law.
- b. Any such structure destroyed by any means to an extent that the cost of replacement is more than fifty percent of the cost of replacing the entire structure at the time of destruction shall not be reconstructed or replaced except in conformity with the provisions of all applicable ordinances.
- c. Any structure moved for any reason for any distance whatever shall thereafter conform to the regulation for the district in which it is located after it is moved.
- d. Any structure may be altered if necessary to adapt a nonconforming building to a new technologies or equipment pertaining to uses housed in such building, but any enlargement necessary to adapt to new technologies shall be authorized only by a variance.

10-1-18. Alteration of Zoning Regulations – Protest.

1. A regulation, restriction, and boundary may be amended, supplemented, changed, modified, or repealed. The provisions of § 76-2-303 (MCA) relative to public hearings and official notice apply equally to all changes or amendments.
2. An amendment may not become effective except upon a favorable vote of two-thirds of the present and voting members of the city or town council or legislative body of the municipality if a protest against a change pursuant to subsection (1) is signed by the owners of 25% or more of:
 - a. the area of the lots included in any proposed change; or
 - b. those lots or units, as defined in § 70-23-102 (MCA), 150 feet from a lot included in a proposed change.
3. For purposes of subsection (2), each unit owner is entitled to have the percentage of the unit owner's undivided interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in § 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located.

The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change pursuant to subsection (2) or by the presiding officer of the association of unit owners 76-2-303.

10-1-19. Variances.

1. A Board of Adjustment is established as provided by MCA Sections 76-2-321/76-2-328. It shall consist of 5 members appointed by the mayor, with the approval of the City Council, for terms of 3 years. It shall hold its meetings in the Main City Hall or at such other place as may be designated by its chairman in the city, and the presence of 4 members shall be necessary to constitute a quorum. Its duties and powers shall be as defined by state law, and it shall be the duty of other departments of the city to render such assistance as may be reasonably required.
2. Changes in the regulations, restrictions, and boundaries of districts may be made only by the City Council and in the manner designated by law.
3. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this chapter, or any amendment thereto, the Board of Adjustment shall have the power, after public notice and hearing, in a specific case, to vary or modify any of the regulations or provisions relating to the construction, structural changes or alterations of buildings or structures in harmony with their fundamental purpose and intent, or any use thereof, so that the public health, safety and general welfare may be conserved and substantial justice done.
4. In every case, however, where a permit is either granted or revoked by the Board of Adjustment, it must be affirmatively shown that an unnecessary

hardship or practical difficulty exists, and the records of such board shall clearly indicate in what particular and specific respects an unnecessary hardship or practical difficulty would be created.

10-1-20. Conditional Use.

Generally: A Conditional Use Permit may be required when a resident operates a business or function that is not permitted in a particular zone designation.

1. An application and Guidelines for Conditional Use is available from the City Clerk.
2. Completed application, supporting documentation, and fees must be submitted to the Zoning Compliance Officer before an application will be considered by City Council. See Appendix: Table of Fees.
3. Applicant must show proof that the Conditional Use will not negatively impact the community and provide affidavits of approval from residents and property owners impacted by the Conditional Use.
4. Upon reviewing the application for Conditional Use and supporting documentation, the City Council may grant approval for the Conditional Use.
5. Conditional Use is temporary, having a start date and end date.
6. The Conditional Use Permit may be renewed, pending review by the City Council.

10-2-1. Fencing.

1. **Purpose.** Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property. The negative effects of fences can include the creation of street walls that inhibit public safety, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones. These standards are applicable to all Zoning designations within the City of Thompson Falls.
2. **Materials.** Perimeter fences and walls shall not be constructed of or contain any material that will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as follows:
 - a. Barbed wire is permitted on top of a 6-foot-tall fence in industrial and commercial zones. The total height of the fence and barbed wire is limited to 8 feet. Barbed-wire-only fences are prohibited except as allowed in subsection B.
 - b. Large Animal Containment. Where cattle, sheep, horses, or other livestock are permitted or existed when the property was annexed to the City, barbed wire is permitted within 6 inches from the top of a fence at least 4 feet tall that is used to contain or restrict large animals.

- c. Deer Fence. A fence installed for the purpose of excluding deer from a property must not restrict drivers' vision of the roadway or intersection. The total height of the fence is limited to 6 feet and must be open wire.
- d. Electrically charged fences are not permitted as perimeter fences except for around beehives, chickens, ducks, quail, rabbits, and garbage cans. Any electric-charged fence permitted under this section shall be noticed and clearly identified as being electrically charged.

3. Standards in Residential zones

- a. A placement permit is required and needs to be approved by Public Works Director and Mayor
- b. Fences shall be no taller than 6 feet.
- c. On corner lots, in all districts, no solid fence that obstructs vision around a corner, wall, or planting in excess of 30 inches above the street centerline grades is permitted within a triangular area defined as follows: beginning at the intersection of the projected curb lines of two intersecting streets, thence 15 feet from the property pin along one property line, thence diagonally to a point 15 feet from the point of beginning on the other property line, then to the point of beginning. Any permitted fence within the clear sight triangle must be able to be seen through, such as chain-link fences or a wire fence. No privacy slats, tarps, or shrubs that would obstruct vision are permitted.
- d. All fences must be on or behind the property line.
- e. Interior fences shall not be regulated.

4. Standards in Commercial and Industrial Zones:

Fences in front yards. Fences shall be no taller than 6 feet in the required front yards. 6-foot fences containing barbed wire on top or fences taller than 6 feet are not permitted in the front yards.

5. Standards for All Fences:

- a. In no instance or zone shall a fence exceed 6 feet except when permitted in the Fence Ordinance,
- b. In no instance shall a fence extend beyond the property line.
- c. Should an existing structure sit on a common property line, no fence shall be placed that prevents the use of existing or required emergency exits.
- d. No fences shall restrict a driver's vision of the roadway.

6. Measuring Fence Height.

Fence height shall be measured from the average height of the grade adjacent to where the fence is to be located. If a fence is to be constructed on top of a berm, the height shall be measured from the bottom of the berm. Fence height includes the height of the fence, wall, or picket and does not include the posts, or arbors, and trellises at entrance gates.

7. Maintenance.

Every fence, whether required or not, will be maintained. No fence is allowed to become or remain in a condition of disrepair, including, but not limited to,

noticeable leaning, missing slats, broken supports, and overgrowth of weeds or vines.

8. Non-conforming Fences.

Existing fences that were constructed legally and/or that were in place at the time the property was annexed to the City that do not meet the current fencing standards shall be considered a legal non-conforming use, provided that the barbed wire or upturned barbed selvage does not extend over a street or alley and where it does slant toward the public right-of-way it shall not be located less than 1 foot from said right-of-way.

10-3-1 Violations, enforcement, and remedies

Enforcement of Zoning Provisions. The effective enforcement of adopted standards is necessary to accomplish their intended purpose. The city has a variety of options for the enforcement of this Zoning Code. The zoning compliance officer may select the option which, in their opinion, is most suitable to the circumstance and violation. More than one enforcement option may be used to attain compliance with the standards of this Zoning Code when deemed appropriate. The remedies and enforcement powers established in this Zoning Code are cumulative, and the city may exercise them in any order and combination.

1. If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used in violation of this part or of any ordinance or resolution adopted under this part, the city, in addition to other remedies, may institute any appropriate action or proceedings to:
 - a. Prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use.
 - b. Restrain, correct, or abate a violation.
 - c. Prevent the occupancy of the building, structure, or land; or
 - d. Prevent any illegal act, conduct, business, or use in or near the premises.

For the purposes of enforcing subsections (a) through (c), the city shall attempt to obtain voluntary compliance at least 30 days before filing a complaint for a violation of this part that is subject to penalties under **76-2-315**.

The Public Works Director or his designee shall be the enforcing officers to supervise and enforce the provisions of the zoning resolutions.

2. Municipal infractions. A first and second violation of this Zoning Code is a municipal infraction and may be punishable by a civil penalty of \$100 for the first offense and \$300 for a second offense. Each day such violation continues is considered a separate offense and is punishable as such.
3. Criminal Penalties. A third violation of the provisions of this Zoning Code or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with the grant of variances or special review uses or any of the required conditions imposed by the review authority is a misdemeanor and shall be fined not to exceed \$500 or be

imprisoned in the county jail for any term not to exceed 6 months, or both. Each day such violation continues is considered a separate offense and is punishable as such.

4. Prosecutions for violation of this Zoning Code shall be in the Municipal Court of the City, upon written complaint of the Zoning Compliance Officer, or the City Council, or in the Court having the appropriate jurisdiction.

10-4-1 Other Provisions

1. **Ordinances in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. **Severability.** The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

OFFICE OF THE

CLERK OF COURTS

1000 COMMERCIAL AVENUE, SUITE 1000

MEMPHIS, TN 38103

901.527.1000

WWW.COURTS.TN.GOV

MEMPHIS

LABS

ORDINANCE NO. 324

AN ORDINANCE AMENDING ORDINANCE 313 ESTABLISHING A SETBACK DISTANCE FOR ALL STRUCTURES, RESIDENCES AND OTHER IMPROVEMENTS LOCATED ON REAL PROPERTY IN THE CITY OF THOMPSON FALLS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMPSON FALLS:

SECTION 1. Purpose. It is the purpose of this ordinance to regulate the location of mobile homes, buildings, residences and other improvements (hereinafter collectively "improvements") a sufficient distance from the exterior boundaries of parcels of land, to provide sight distance at intersections, fire protection for adjoining land, no encroachments upon adjoining city property, and to protect the safety of the residents of Thompson Falls.

SECTION 2. Setback. All improvements shall be setback fifteen feet (15') from streets and ten feet (10') from adjoining property lines and alleys for corner lots. Ten feet (10') from streets and ten feet (10') from adjoining property lines and alleys for non-corner lots. For purposes of measurement, setbacks from streets and alleys shall be from property lines. This requirement shall not apply to fences, provided the fence does not block the view of traffic at an intersection.

SECTION 3. Application. Prior to locating an improvement on property in Thompson Falls, the owner shall make application to the City Superintendent, at City Hall. There shall be an application fee of **\$25.00**. This fee may be waived or modified in the discretion of the City Superintendent, if he determines that it only requires a summary review. The application shall include the property description, the owner of the property, and a narrative description of the proposed improvement. A sketch of the property showing the proposed location of the improvement shall be included with the application. The sketch shall show distances from the improvement to the property boundary. The applicant shall be required to establish property boundaries to the satisfaction of the City Superintendent. There shall be a **\$50.00** fine for not having a permit construct within city limits.

SECTION 4. Exception. Section 2 of this ordinance shall have no application on the south side of Main Street on lots abutting Main Street.

SECTION 5. Violation. An improvement placed in violation of the setback distances shall be relocated by the owner to fit the distances required herein. Anyone who places an improvement on his property in violation of this ordinance shall be deemed guilty of a misdemeanor.

SECTION 6. Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. Invalidity. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 8. Effective Date. The ordinance shall be in full force and effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

AMENDED, PASSED AND APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA
THIS 14TH DAY OF JULY, 2008.

SECTION 2. Setback. All improvements shall be setback **fifteen feet (15')** from streets and **ten feet (10')** from adjoining property lines and alleys for corner lots. **Ten feet (10')** from streets and **ten feet (10')** from adjoining property lines and alleys for non-corner lots. For purposes of measurement, setbacks from streets and alleys shall be from property lines. This requirement shall not apply to fences, provided the fence does not block the view of traffic at an intersection.

SECTION 3. There shall be a \$50.00 fine for not having a permit construct within city limits.

CERTIFICATE OF POSTING

I, Chelsea LaBelle, Clerk of the City of Thompson Falls, Montana, hereby certify that on the 14th day of July, 2008, I posted the Agenda at the First Security Bank, Thompson Falls City Hall, Valley Bank, Thompson Falls Library and the Sanders County Courthouse, within Sanders County, Montana. Copies of the attached Ordinance titled, "ORDINANCE NO. 324, AN ORDINANCE ESTABLISHING SETBACK DISTANCE FOR ALL STRUCTURES" are in the office of the City Hall. I further certify that this notice was posted until the 14th day of July, 2008 on official posting boards at the above named locations.

DATED THIS 14th day of JULY, 2008


Chelsea LaBelle, City Clerk

(SEAL)



PASSED AND APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA THIS 9TH DAY OF OCTOBER, 2000, THE COUNCIL VOTING AS FOLLOWS:

AYE: 5

NAY: 0

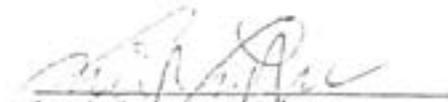
ABSENT: 1

PASSED AND APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA THIS 23RD DAY OF OCTOBER, 2000, THE COUNCIL VOTING AS FOLLOWS:

AYE: 6

NAY: 0

ABSENT: 0


Louis R. LaRock, Mayor

Attest:


Kathryn Denke, City Clerk

CERTIFICATE OF POSTING

I, Kathryn Denke, Clerk of the City of Thompson Falls, Montana, hereby certify that on the 26th day of September, 2000, I posted at the Thompson Falls Post Office, Thompson Falls City Hall and the Sanders County Courthouse, within Sanders County, Montana, copies of the attached Ordinance titled, "ORDINANCE NO. 324, AN ORDINANCE ESTABLISHING SETBACK DISTANCE FOR ALL STRUCTURES". I further certify that this notice was posted until the 22nd day of November 2000 on official posting boards at the above named locations.

DATED THIS 10th day of OCTOBER, 2000


Kathryn Denke, City Clerk

(SEAL)

ORDINANCE - Page Two
ORDINANCE ORD324-000

APPLICATION FOR WATER SERVICE
City of Thompson Falls
P.O. Box 99, 108 Fulton Street, Thompson Falls, MT 59873
(406) 827-3557 FAX (406) 827-3090



Application Date: _____

Owner: _____ Phone _____

Mailing Address: _____

Property Location (Address) _____

Description of Property: Lot _____ Block _____ Addition _____

If necessary, please describe by reference to city limits and other landmarks: _____

Contractor: _____ Phone _____

____ New owner, continue service only, no charge.

I am requesting: _____ New Water Service at the above location.

Charges:

Connection Fee \$2,000

____ Resumption of Existing Water at the above location.

Turn On/Off Fee: \$50.00

ALL FEES MUST BE PAID TO THE CLERK WITH THIS APPLICATION PRIOR TO WATER CONNECTION.

I have received and reviewed the "WATER AND SEWER SYSTEM REGULATIONS OF THOMPSON FALLS, MONTANA". I will abide by and accept all the provisions by the regulations as conditions governing the use of the City Water supply and Sewer system.

Applicant Signature

FOR PUBLIC WORKS DEPARTMENT USE ONLY:

Water Line Size: _____ Type of Connection: _____ Connected on Date: _____

Inspected By: _____ Approved / Denied (circle one) Approval Date: _____

FOR UTILITY BILLING CLERK USE ONLY:

Create New Account # _____ Create Route # _____

PAID ____ Yes ____ No

APPLICATION FOR SEWER CONNECTION SERVICE

City of Thompson Falls
P.O. Box 99, 108 Fulton Street, Thompson Falls, MT 59873
(406) 827-3557 FAX (406) 827-3090



Application Date: _____

Owner: _____ Phone _____

Mailing Address: _____

Property Location (Address): _____

Description of Property: Lot _____ Block _____ Addition _____

If necessary, please describe by reference to city limits and other landmarks: _____

Contractor: _____ Phone _____

I am requesting: _____ New Sewer Connection Service at the above property location.

Service Connection Fee: \$2,000

ALL FEES MUST BE PAID TO THE CLERK WITH THIS APPLICATION PRIOR TO WATER CONNECTION.

I have received and reviewed the "WATER AND SEWER SYSTEM REGULATIONS OF THOMPSON FALLS, MONTANA". I will abide by and accept all the provisions by the regulations as conditions governing the use of the City Water supply and Sewer system.

Applicant Signature

FOR PUBLIC WORKS DEPARTMENT USE ONLY:

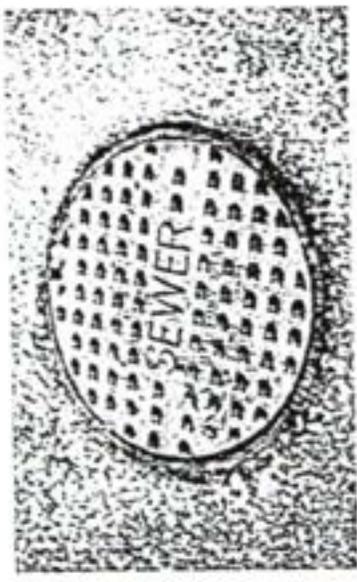
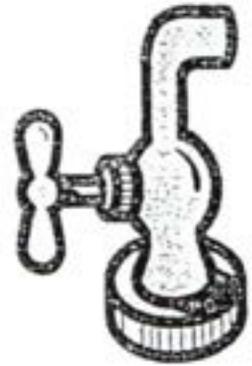
Water Line Size: _____ Type of Connection: _____ Connected on Date: _____
Inspected By: _____ Approved / Denied (circle one) Approval Date: _____

FOR UTILITY BILLING CLERK USE ONLY:

Create New Account # _____ Create Route # _____
PAID ____ Yes ____ No

CITY OF THOMPSON FALLS

WATER & SEWER REGULATIONS



**Please check website
for full regulations.*

April 10, 2023

WATER ACCOUNT CHANGES

Date: ____/____/____

Account #: _____

Street Address: _____

Current Customer Name: _____

Person Authorizing Adjustment/Change: _____

Person Authorizing Adjustment/Change Telephone #: _____

OLD ACCOUNT/ADDRESS:

NEW ACCOUNT/ADDRESS:

Name: _____

Name: _____

Mailing Address: _____

Mailing Address: _____

Telephone #: _____

Telephone #: _____

Adjustment and/or Change Needed: _____

Customer Signature

____/____/____
Date

City of Thompson Falls Employee Signature

____/____/____
Date Work Completed

Approved By

Date _____

City of Thompson Falls



WATER/SEWER PAYMENT AGREEMENT

DATE: _____ NAME: _____

The total amount owing on my bill is \$_____. I agree to pay \$_____ on _____ (date) by _____ (time).

I understand that if I fail to make the agreed upon payment my water **WILL BE SHUT OFF** on _____ (date & time).

If the water is turned off, I understand that it will not be reconnected until the **FULL BALANCE PLUS A \$50.00 TURN ON FEE IS PAID.**

Signature: _____

Phone Number: _____

City Employee: _____

Date of Council Approval: _____

**CITY OF
THOMPSON FALLS
DOG
LICENSING**

406-827-3557

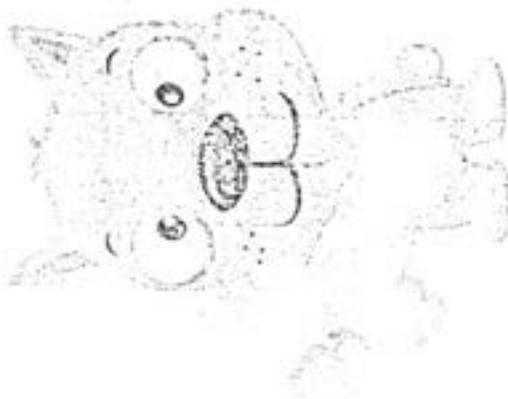
The dog owner has 72 hours to redeem the dog or it may be subject to a humane disposition. The owner is responsible for all costs incurred for the animal while it is impounded.

PENALTIES

Minimum fines for violations of the City Dog Ordinance are as follows:

1st Offense-----\$50.00

2nd Offense-----\$75.00



The complete dog code is located at the City Office at 108 Fulton St Thompson Falls, Montana

Any sums due for payment of required license fees and boarding costs shall also be payable at the time of payment of the fine if not already paid.

LICENSE AND REGISTRATION

A person keeping, harboring or maintaining a dog over **five months** of age in the City of Thompson Falls must register and license the dog.

LICENSE FEES

Annual license fees are **\$5.00** for unneutered male and unspayed female dogs.

Annual license fees are **\$5.00** for neutered male and spayed female dogs.

Replacement tags are **\$1.00**

ALL DOGS MUST HAVE A RABIES VACCINATION. Proof is required.

Annual licenses expire on December 31st each year. If a dog is kept, maintained or harbored in the City of Thompson Falls after

Feb. 15th and the owner did not obtain a license, the license fee **will increase by \$20.00.**

The late fee does not apply to dogs obtained after the Feb. 15th deadline.

TAGS AND COLLAR

Any dog found off the owner's premises without a license tag will be considered unlicensed.

License tags are **not** transferrable from one dog to another and it shall be unlawful for any person to cause or permit a license tag to be placed upon a dog for which it was not issued.

Any dog found with a license issued to another dog shall be deemed to be not licensed.

No refund shall be made on any dog license fee

due to the death of the dog or the owner leaving town before the expiration of the license period.

DOGS RUNNING AT LARGE

Dogs running at large within the city limits of Thompson Falls are a nuisance, harmful

to property, and an interference in the orderly administration of the school systems and the conduct of affairs with the city and is hereby prohibited.

No person owning or having the control or possession of a dog shall permit such dog to be at large within the city limits at any time.

"At Large" shall mean off the premises of the owner and not under the immediate control of the owner or a member of his family either by leash, cord or chain not to exceed six feet in length. Any dog not so restrained shall be considered to be at large except those dogs which are at all times at the obedience of their master by being confined within a vehicle or by being "at heel" shall not be considered "at large".

IMPOUNDMENT AND REDEMPTION

Unlicensed dogs found to be at large and not under restraint may be impounded by any means deemed effective and appropriate by the enforcement officer.

The owner of an impounded dog may redeem said dog by paying the license fee, if appropriate, and an impoundment fee.

ANIMAL KEEPING PERMIT/APPLICATION

City of Thompson Falls
108 Fulton Street, Thompson Falls, MT 59873
406-827-3557

Applicant: _____ Phone #: _____

Physical Address: _____

Mailing Address: _____

Date: _____

Annual Permit Fee: \$10.00(per animal type) _____ Paid New _____ Renewal _____

Total number of animals: _____

Statement of Purpose (ie. Egg production, meat production, both, neither, pet) _____

* Application for animal permits shall authorize periodic inspections by the animal control officer to insure compliance with the code and insure the health and welfare of the animals.

* Only one permit shall be issued per household.

* The structure and surround shall adhere to the Setback Ordinance #324.

I have received and reviewed Ordinance No. 350, regulating the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (3 does and 2 bucks) in the City of Thompson Falls and Ordinance No. 324, Setback Ordinance.

I agree to abide by and accept all the provisions of said Ordinance.

Applicant Signature

Date: _____

City Clerk/Treasurer or Assistant Clerk Signature

Date: _____

Ordinance No. 350



An ordinance amending Ordinance 332, to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (being three (3) does and two (2) bucks) in the city of Thompson Falls, MT, and providing a penalty for violation thereof.

Be it ordained by the City Council of Thompson Falls, Montana:

Section 1. Purpose. Ordinance No. 332 of the City of Thompson Falls, Montana (dated March 15, 2011) is hereby amended to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (3 does and 2 bucks).

Section 2. Conditions of having chickens, ducks, Coturnix Quail in the City Limits. Chickens, ducks, or Coturnix Quail within the city limits of the City of Thompson Falls shall be kept in the following manner:

- A. The chickens, ducks, and Coturnix Quail must be kept on a single-family parcel(s) and may be kept on a parcel(s) under one ownership with more than one dwelling if all residents and the owner consent in writing to allowing them on the property. When chickens, ducks, or Coturnix Quail are kept on a multi-dwelling parcel(s) the owner shall keep a copy of the signed approval document for inspection upon request by animal control personnel.
- B. The owner must obtain an annual permit from the City Clerk. The permit shall be per the fee schedule of the city of Thompson Falls. Chickens, ducks, and Coturnix Quail require separate permits.
- C. Chicken, duck, Coturnix Quail requirements:
 - (1) The chickens, ducks, or Coturnix Quail shall be provided with a covered, predator proof chicken, duck, Coturnix Quail house that is thoroughly ventilated, of sufficient size to allow free movement of the chickens, ducks, or quail, designed to be easily accessed, cleaned, and maintained by the owners and be at least 2 square feet per chicken or duck and 1 square foot per quail in size. House must allow space for food and water bowls.
 - (2) Chickens and ducks shall be confined to the enclosure at night, from sunset to sunrise. Coturnix Quail are to remain in their enclosure throughout the day and night.
 - (3) During daylight hours, chickens and ducks will have access to the chicken or duck house and, weather permitting, shall have access to an outdoor enclosure on

the owner's property, which will be adequately fenced to contain the chickens or ducks to prevent access to chickens or ducks by dogs or other predators.

D. Rabbit Requirements:

- (1) The rabbits shall be provided with a predator-proof rabbit hutch that is thoroughly ventilated, of sufficient size to allow free movement of each rabbit housed, allowing rabbits to lie with legs stretched, and allowing for litter trays, and food and water bowls. Hutch size requirements will depend on size of rabbits based on breed and number of rabbits housed. Hutch size must be long enough to allow rabbits to take at least 3-4 hops without bumping noses on the end. Hutch must be designed to be easily accessed, cleaned, and maintained by owners.
 - (2) The rabbits shall not be allowed to run free on the owner's premises or access adjoining property.
 - (3) The owner must obtain an annual permit from the city clerk. The permit for rabbits shall be per fee schedule of the City of Thompson Falls.
- E. No chicken, duck, Coturnix Quail, or rabbit house/hutch shall be located closer than 20 feet to any residential structure occupied by someone other than the chicken, duck, Coturnix Quail, or rabbit owner, custodian, or keeper.
- F. Stored feed must be kept in a rodent and predator-proof container.
- G. Remains of butchered animals or fowl are to be disposed of in enclosed garbage cans or taken to refuse facility. Remains are not to be retained at a residence long enough for noxious odors to occur which could attract animals or be noticed by neighbors.
- H. Butchering is not to be done within view of the public.
- I. It is unlawful for the owner, custodian, or keeper of any chicken, duck, Coturnix Quail, or rabbit to allow them to be a nuisance to any neighbors, including but not limited to: noxious odors from their enclosure; noise of a loud, persistent, and habitual nature. Animal Control will determine whether or not a nuisance exists on a case by case basis.

Section 3. Notice of Violation and Order to Take Corrective Action. Upon receiving a complaint of a possible violation, Animal Control will investigate and determine if a violation exists. When Animal Control determines a violation of the Code has occurred, Animal Control May issue written "Notice of Violation and Order to Take Corrective Action" to the owner, custodian, or keeper, either personally or by certified mail. Such notice shall specify the provision or provisions alleged to have been violated, along with a short and plain statement of the facts that constitute the violation. Animal Control will revisit the owners address within 10 days of issuing the notice of violation. If the owner, custodian, or keeper has failed to comply with the "Notice of Violation and Order To Take Corrective Action", Animal Control may issue a citation to the owner, custodian, or keeper for failure to comply with the "Notice of Violation and Order To Take Corrective Action" as well as failure to comply with any other applicable requirement of this ordinance.

Section 4. Penalty – Fines. The City Judge of Thompson Falls shall assess animal violation fines. An owner, custodian, or keeper of a chicken, duck, Coturnix Quail, or rabbit who is found guilty of any provision of this ordinance shall be guilty of a misdemeanor and fined an amount not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00). Failure to comply with a properly issued "Notice of a Violation and Order to Take Corrective Action" shall be counted as a separate offense from a citation issued after the compliance date described in the order. Each day an offense exists shall constitute a separate offense pursuant to this ordinance.

Section 5. Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

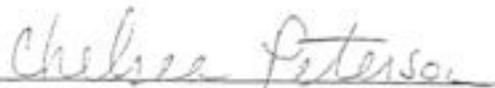
Section 6. Severability. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

Section 7. Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA, AT A REGULAR SESSION THEREOF HELD ON THE JUNE 30, 2021.



Mark Sheets, Mayor

Attest: 

Chelsea Peterson, City Clerk/Treasurer



CITY
OF
THOMPSON
FALLS
BURNING
REGULATIONS

BURNING SEASON:

SPRING:

MARCH, APRIL

FALL:

SEPT, OCT & NOV

SUMMER:

(as conditions allow)
Per Forest Service

PERMIT REQUIRED IF
FIRE LARGER THAN 4' X 3'

PERMITS AVAILABLE
AT CITY OFFICE
Mon-Fri 9am-5pm

For information call
827-3557



ORDINANCE NO. 330

AN ORDINANCE TO AMEND ORDINANCE NO. 312 REGULATING OUTDOOR BURNING IN THOMPSON FALLS, MONTANA, AND REQUIRING THE ISSUANCE OF A PERMIT FOR CERTAIN BURNING.

BE IT OBTAINED BY THE CITY COUNCIL OF THE CITY OF THOMPSON FALLS:

SECTION 1. Definitions.

- A. "Burn Permit" means a permit for outdoor burning issued by the Thompson Falls Fire Department.
- B. "Residential Burning" means the burning of small outdoor fires consisting of leaves, grass, pruning's and other yard and gardening refuse burned on lands immediately adjacent go and in close proximity to a human dwelling by the property owner or his designees. No garbage, railroad ties or tires may be burned. A small firepit shall be allowed.

SECTION 2. Residential Burning. There shall be no outdoor burning within the city, except residential burning which may be permitted only under the conditions set out in this ordinance.

SECTION 3. Permit. A fire permit must be obtained prior to the commencement of any residential burning larger than four feet (4') in diameter and three feet (3') in height. Any fire permit so obtained may be cancelled by the Thompson Falls Fire Department upon its finding that this chapter is not complied with or that the residential burning causes a hazard or a nuisance. Upon the cancellation of a fire permit, any fire started pursuant to that permit shall be extinguished immediately.

SECTION 4. Precautions. The following precautions shall be taken:

- A. The fire shall be attended at all time.
- B. Sufficient means to extinguish the fire shall be provided at all times, i.e. Water, shovel, bucket, etc.
- C. No fire shall be started earlier than ten o'clock a.m., nor burned after sundown except for firepits.
- D. No fire shall be closer than ten feet (10') to any structure.
- E. No fire shall endanger persons or property.
- F. The property owner shall be responsible should the fire cause damage to other property or if the Fire Department must be called out. Property owner may be billed at the discretion of the Fire Chief or his designated representative.
- G. Open burning shall comply with all Forest Service regulations and dates..
- H. This permit covers pile burning only. Lot burning must be inspected and specifically approved by the Fire Chief.

SECTION: 5. Prohibited. The burning of any material not described in Section 1B is prohibited.

SECTION 6. Violation - Penalty. Any person who violates or fails to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor.

SECTION 7. Ordinances in Conflict. All ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION 8. Invalidity. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 9. EMERGENCY. An emergency exists in that the present health, safety and welfare of the citizens of the city of Thompson Falls demand the immediate passage of this ordinance, and it shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THOMPSON FALLS, MONTANA THIS 13th day of September, 2010.

BURN PERMIT / APPLICATION

City of Thompson Falls

Fee: \$10.00

Applicant: _____ Phone #: _____ Address: _____

Burn Date: _____ Alternate Date: _____

Burn location if different than above: _____

I have received and reviewed Ordinance No. 330, regulating outdoor burning in Thompson Falls.
I agree to abide by and accept all the provisions of said Ordinance.

Applicant Signature Date: _____ Neil Harnett, Thompson Falls Fire Chief or Nate Saint, Asst. Fire Chief

RCVD BY: _____ DATE: _____ Copy to Fire Chief Copy to Applicant Original to City Clerk
RCVD BY POLICE: _____ DATE: _____ INSPECTION DATE: _____

BURNING SEASON YOU MUST CALL DEQ AT 1-800-225-6779 OR CHECK THEIR WEBSITE AT WWW.S.FOREFHU.ORG BEFORE BURNING WITHIN THE CITY LIMITS. Permit must be presented at burn site upon request. Permit not valid until approved.

CITY OF THOMPSON FALLS

APPLICATION/PERMIT FOR RECREATIONAL VEHICLE

Name: _____

Mailing Address: _____

Address of Camper Location: _____

Phone Number: _____

Vehicle License Plate #, Make, Model and VIN#: _____

Length of Stay: _____

Sewage Plan: _____

I have read Ordinance #348 and agree to all of the terms and regulations. Yes _____ or No _____

I agree my camper tanks are empty. Yes _____ or No _____

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

Signature of Applicant _____ Date _____

APPROVAL: _____ DATE: _____

\$30.00 TOTAL PERMIT FEE PAID: \$ _____

CHECK # _____ CASH _____ OTHER _____

This permit shall be displayed in a visible place on the building site until the project is completed.

ORDINANCE NO. 348



AN ORDINANCE ADOPTED FOR THE REGULATION OF STORAGE, MAINTENANCE AND OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY OF THOMPSON FALLS

WHEREAS, the City of Thompson Falls has determined in order to preserve and protect the health and safety of its citizens, minimum standards, provisions, and requirements shall be established by the city for storage, maintenance, and occupation of recreational vehicles located within the city of Thompson Falls.

BE IT ORDAINED AS FOLLOWS BY THE CITY OF THOMPSON FALLS, MONTANA:

1. No person shall place, keep, maintain a recreational vehicle, camper, or trailer on any street, alley, or lot as a residence or temporary living accommodation, within the corporate limits of the city for more than 30 days, except in a licensed trailer court or as otherwise stated below.
2. Recreational vehicle means a vehicular unit designed as temporary living quarters for recreation, camping, travel, seasonal or temporary use, with or without motive power or is mounted on, or towed by, another vehicle. Such vehicles are not limited to camping trailers, fifth-wheel trailers, motor homes, park trailers, travel trailers, and truck campers. Unoccupied recreational vehicles in long term or temporary storage are not included in this ordinance if they are operable, licensed, and legally parked, or stored on private property.
3. The following rules are hereby adopted and apply to recreational vehicles as described above:
 - a. A recreational vehicle used by the occupant while employed by a private company, a recreational vehicle occupied during construction (including remodeling or reconstruction of a residence or commercial building containing a residence), or a recreational vehicle used in the city for employment purposes within the city limits shall obtain a temporary occupancy permit from the City and may not be occupied until permit is issued.
 - b. Permits for temporary recreational vehicle occupancy must be filed in writing with City clerk on approved City form containing the following information: Location where recreational vehicle is to be temporarily occupied, make, model, license plate number, VIN number, length of occupation.
 - c. Recreational vehicles to be occupied must comply with the Community Decay Ordinance (Ordinance 345) adopted by Thompson Falls, Montana.

- d. Vehicles must be connected to city water and sewer or applicant must disclose on the permit where sewage or waste water generated in the recreational vehicle will be disposed. Disposal of sewage and waste water must be at an approved, permitted facility located within the county.
 - e. Applicant will pay a permit fee specified in the Fee Schedule Resolution as part of permission request to reside temporarily in recreational vehicle. Permit will be valid for 30 days. Extensions of 30 days must be requested prior to expiration of current permit and must provide reason for requesting extension of time. Extensions shall be approved on a case by case basis by the Mayor.
4. A violation of this ordinance will be a civil matter enforced in accordance with the provisions 7-1-4150 MCA. A civil penalty of \$100 will be imposed for initial violation of this ordinance. Penalty for second offense within a six-month period will be \$200, and the penalty for subsequent offenses within a six-month period will be \$500. The civil penalty for ongoing offenses outside the six-month timeframes previously referenced shall not exceed \$500 for each repeat violation. This ordinance will be enforced by the City Attorney, who will issue a civil citation to individual(s) violating the ordinance. Citation may be served by personal service, certified mail addressed to owner of recreational vehicle at last known mailing address with return receipt requested, or by publication. A copy of the issuing citation must be retained by the Issuing officer and one copy must be sent to the clerk of the city court. The citation must serve as notification that a municipal infraction has been committed and must contain the information contained in §7-1-4150(4) MCA.

This ordinance shall be read at the City Council meetings of September 14, 2020 and October 13, 2020, and, if adopted, shall become effective thirty (30) days after second reading and final adoption. Upon the effective date of adoption, no recreational vehicle may be occupied as a residence for more than 30 days unless properly permitted.

ADOPTED BY THE TOWN COUNCIL OF THE CITY OF THOMPSON FALLS AS FOLLOWS:

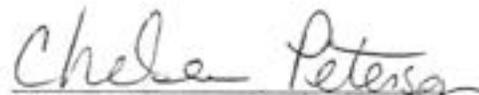
First reading: 6 ayes 0 nays _____ abstentions

Second reading: 5 ayes 0 nays _____ abstentions

Effective Date: November 12, 2020



 Mark Sheet, Mayor

Attest: 

 Chelsea Peterson, Clerk/Treasurer

RESOLUTION NO. 842

A RESOLUTION SETTING A FEE SCHEDULE FOR COPIES AND RESEARCH OF PUBLIC RECORDS FROM THE CITY OF THOMPSON FALLS, MT.

WHEREAS, pursuant to §§ 2-6-1006, 7-1-1123 and 7-1-1144, Montana Code Annotated (MCA) all materials kept as records that are in the possession of the City and not otherwise restricted by law from dissemination shall be available for inspection and reproduction by any person during normal office hours subject to reasonable fees imposed by the governing body to recover the costs of complying with the records request; and

WHEREAS, The City will regularly review its fee schedule and make adjustments when necessary to ensure the fees are nondiscriminatory, equitable and reasonable.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thompson Falls, Montana, that the fee schedule listed herein is hereby adopted and shall be applied:

1. Charges for paper copies of non-routine public records shall be charged at the rate of *See the City of Thompson Falls Fee Schedule for material that can be found and copied in 15 minutes or less and any out-of-pocket expenses directly associated with the request.

Items that take over 15 minutes to locate and copy shall be charged the mid-level hourly market rate at the time of the request for a Thompson Falls City Clerk/Treasurer.
2. Requests that are subject to the "per hour rate" shall also be charged at the rate of *See the City of Thompson Falls Fee Schedule for costs associated with copying materials and any other out-of-pocket expenses directly associated with the request.
3. Fees for published and/or documents prepared by commercial print shops will be based on the actual fee charged by the print shop.
4. A City department, board, committee, or agency may establish fees for specific records contained in their departments, such as maps, plats, audio and video recordings, etc. Such fee schedule shall be approved by the City Mayor and posted in each department. For records not specific to a department, the departmental fee schedules should not conflict with the specific charges listed in this section.
5. Copies of records provided in electronic format will be charged as follows:
 - (a) the City's actual cost per unit of the electronic media used to provide the public record. For security purposes, the City will provide all blank media;

- (b) expenses incurred by the City as a result of computer processing charges;
- (c) expenses incurred by the City for providing on-line computer access;
- (d) out-of-pocket expenses directly associated with the request; and
- (e) the mid-level hourly rate at the time of the request for a Thompson Falls City Clerk/Treasurer for each hour, or fraction of an hour, after fifteen minutes of service has been provided.

6. *Fee for Obtaining a Copy of Body Worn Camera, and In-car Camera Recordings.*

(a) This section is the sole authority under which a copy of a body worn camera and In-car Camera recording may be obtained from the Thompson Falls Police Department. Privacy issues and the likelihood of criminal justice information being contained in these types of recordings require that each video be reviewed prior to release. Videos that contain confidential, private and/or criminal justice information may require redaction to comply with Montana privacy laws.

(b) The charge for obtaining a copy of a body worn camera, and in-car camera recording shall be:

(i) *See the City of Thompson Falls Fee Schedule per recording responsive to the request for information; and

(ii) *See the City of Thompson Falls Fee Schedule per full minute of video or audio footage responsive to the request for information, if identical information has not already been obtained by a member of the public in response to a request for information.

(iii) A law enforcement agency may provide a copy without charge, or at a reduced charge, if the agency determines waiver or reduction of the charge is in the public interest.

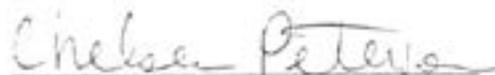
- 7. Records provided to other governmental agencies may be provided on a "reciprocal" basis at the discretion of the department director responsible for the record.
- 8. Payment for charges must be received before delivery of the records to the requester. A department director may make accommodations for payment by entities frequently requesting records.

9. The city will determine on a case-by-case basis whether an employee must be present to observe and supervise the examination of documents and whether documents can be removed from their official storage location. Where it is necessary to maintain the integrity and security of City records, a fee as determined by the mid-level hourly rate at the time of the request for a Thompson Falls City Clerk/Treasurer will be charged for the City's supervision of the search and examination and copying of public records.
10. The City Mayor may waive fees or reduce fees upon demonstration by the requestor that payment of the fees required under this Resolution will result in undue hardship.

PASSED AND APPROVED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR OF THE CITY OF THOMPSON FALLS THIS 11TH DAY OF MARCH 2024.


Risti Leivestad
Mayor

ATTEST:


Chelsea Peterson, CPFA, CMC
City Clerk/Treasurer

CITY OF THOMPSON FALLS FEE SCHEDULE

| <u>TYPE</u> | <u>COST</u> | <u>REQUIREMENTS</u> |
|---------------------------------------|-------------|--|
| Burn Permit | \$10.00 | Burn Season Authorized by Mayor |
| Excavation Permit | \$50.00 | Description of Work & Site. |
| Improvement & Placement Permit | \$50.00 | Map of Work & Site. |
| Mobile Home Placement Permit | \$50.00 | Map of Work & Site. |
| Variance – Setback | \$50.00 | Go Before the Board of Adjustments |
| Vendor Permit | \$70.00 | Application Filled Out & DL Info |
| | \$50.00 | Approval by Chief of Police |
| | \$35.00 | Each Additional Person |
| Dog License | \$5.00 | Spayed or Neutered before 2/15 & Not Spayed or Neutered |
| Dog Boarding Fee: | \$25.00 | Per day |
| Dog Kennel Impound Fee: | \$50.00 | |
| Chickens, Rabbit, Duck, Quail License | \$10.00 | Application |
| Special Events | \$75.00 | Deposit |
| Ainsworth Park Fees | \$75.00 | Deposit |
| | \$100.00 | Whole Park |
| | \$75.00 | Amphitheater or Pavilion only |
| Sign Permit | \$10.00 | Sign the permit. |
| NSF Check Fee | \$30.00 | Any check made payable to the City of Thompson Falls |
| Water/Sewer Fees | \$5.00 | One month late paying the bill. Added to bill on the 2 nd of every month |
| Water/Sewer Fees | \$15.00 | Two months late paying the bill. Added to bill on the 2 nd of every month |
| Water/Sewer Fees | \$50.00 | Water Turn-on Fee |
| Cemetery Fees | \$350.00 | Price Full Grave Lot/City |
| Cemetery Fees | \$500.00 | Price of Full Grave Lot/Out of City Limits |
| Cemetery Fees | \$400.00 | Interment Full Grave/City |
| Cemetery Fees | \$500.00 | Interment Full Grave/Out of City Limits |
| Cemetery Fees | \$225.00 | Interment Cremation/City |
| Cemetery Fees | \$325.00 | Interment Cremation/Out of City Limits |
| Cemetery Fees | \$300.00 | Interment Cremation after hours/City |
| Cemetery Fees | \$375.00 | Interment Cremation after hours/Out of City Limits |
| Cemetery Fees | \$800.00 | Disinterment Full Grave/City |
| Cemetery Fees | \$900.00 | Disinterment Full Grave/Out of City Limits |
| Cemetery Fees | \$500.00 | Disinterment Cremation/City |
| Cemetery Fees | \$600.00 | Disinterment Cremation/Out of City Limits |

Public Records Request

| | | |
|---|--------------|-----------------------|
| Copies – paper or scanned to email | \$0.50 | Per page |
| Postage | | Varies per USPS rates |
| All items requested to be prepared will be subject to reimbursement for the amount of staff time required to fill the request as follows: | | |
| Administrative/Clerical | \$30.00/hour | |
| Legal or Engineering Review | \$225/hour | |

Police

| | | |
|---|---------|--------|
| VIN Inspection for non-municipal residents: | \$20.00 | |
| Police Report | \$5.00 | |
| Police Report with CD of Photographs | \$20.00 | |
| Burn additional DVD's or Memory Stick | \$10.00 | Per CD |
| Video media: | Varies | |
| *Any case related to video that is requested under the Freedom of Information Act must be reviewed and redacted in order to comply with the Privacy Act of 1974. Cost varies dependent on the time to review the video(s) and the cost of a third party to redact sections of the video that contain Personally Identifiable Information or other protected information. | | |
| Civil Court Appearances/Subpoena (Retainer): 4 hours of each officer's overtime rate of pay | | |
| Civil Court Appearance: Each officer's overtime rate of pay with a minimum of 4 hours of compensation. | | |
| *This fee only applies to officers that have been legally served with a subpoena and are <u>not</u> regularly assigned to work at the time of the court appearance. | | |
| Traffic Offense Appearance Bonds: See the current Montana Bond Schedule | | |
| Police Security for Private Event (Retainer): 2 hours of each officer's double-time rate of pay. *This fee only applies to officers that are not regularly assigned to work at the time of the private event and are voluntarily brought on-duty for the security detail. The private event must be of a non-controversial nature and approved by the Chief of Police. Examples are, but are not limited to sporting events, concerts, high profile personal security, etc. | | |

Ball Fields Use Fees: ORGANIZED YOUTH/ADULT SPORTS GROUPS: \$100.00 per group per season.

NON-PROFIT COMMUNITY GROUPS: \$20/event/field for one-time use. If regularly scheduled \$75.00 per group per season.

Outside area teams wishing to use our FIELDS for games/matches/tournaments who don't practice here and fall under the usual use stated above will be billed \$100/field/day to cover maintenance and upkeep. CONCESSION BUILDING: If approved for use of the concession building for the season, a key deposit of \$25.00 and cleaning deposit of \$50.00 will be required. \$35.00 Fee to City of Thompson Falls Police Dept. (Alcohol by licensed bar or restaurant with catering enforcement).

Pool Fees:

| | |
|-------------------------------|---------|
| Child 2 and under: | \$1.00 |
| Child 4 to 18: | \$3.00 |
| Adult 18 & Over: | \$4.00 |
| Season Pass: | |
| Child 4 to 18 | \$45.00 |
| Adult 18 & Over: | \$45.00 |
| Family: | \$65.00 |
| Swimming Lessons per session: | \$30.00 |

Zoning Permits:

| | |
|--|--|
| Residential Dwelling | \$ 200.00 |
| Commercial | \$ 200.00 |
| Garage/Addition to Residential Structure | \$ 100.00 |
| Shed/Deck/Carport/Chicken Coop, etc. | \$ 50.00 |
| Mobile Home Park | \$150.00 + \$1.00 per lot |
| Travel Trailer Park | \$150.00 + \$1.00 per lot |
| Zone Change/Amendment | \$ 500.00 |
| Conditional Use Permit | \$ 500.00 |
| Variance Request | \$ 500.00 |
| After-the-Fact Zoning Permit | \$100.00 or 2x the fee, whichever is greater |
| Associated Fees for Certain Zoning Permits | Reimbursements for reasonable expenses, professional services, or special meetings |

Subdivision Fee Schedule

Applicable to all new subdivisions and amended plats going through the subdivision process. Fees are based on Subdivision type and number of lots. One condominium unit or one Recreational Vehicle or Mobile Home space or one townhouse equates to one lot.

Preliminary Plat Review

To cover costs of reviewing plans, advertising, holding public hearings, and other activities associated with the review of a subdivision proposal, the subdivider shall pay a nonrefundable fee at the time of application for preliminary plat approval. The fees, payable to City of Thompson Falls, are as follows:

Number of Proposed Lots or Dwelling units

| | Fees |
|----------------------------------|---|
| 1-2 (minor subdivision) | \$200.00 plus \$10.00 per lot |
| 3-5 (minor subdivision) | \$250.00 plus \$10.00 per lot |
| 6-10 (major subdivision) | \$550.00 plus \$10.00 per lot |
| 11-15 (major subdivision) | \$850.00 plus \$10.00 per lot |
| 16-20 (major subdivision) | \$1,150.00 plus \$10.00 per lot |
| More than 20 (major subdivision) | \$1,150.00 & \$250.00 for each additional five (5) lots plus \$10.00 per lot. |

- Subsequent Minor above fee plus \$300.00
Phased Development preliminary plat review same as major subdivision.
- If reapplication is necessary, new application fees apply.

Final Plat Review and Inspection

To cover the cost of on-site inspection of the subdivision and review of the final plat and supplementary materials, the subdivider shall pay a nonrefundable fee at the time of application for final approval to Sanders County at the following rate:

\$100.00 plus \$10.00 per lot created.

Final plat review of each phase of a preliminary approved phased development

\$100.00 plus \$ 10.00 per lot created.

Vacation of Final Plat \$150.00

Amending Preliminarily Approved Plat (material change) \$100.00

Amending Final Approved Plat (material change) \$150.00

Preliminary Approval Extension Request \$100.00

SIA AGREEMENT \$100.00

To cover the cost of filing compliance certification and release of monetary security.

Building for Lease or Rent \$300.00

Variance

\$50.00 fee applied for each variance requested per application. Variance request after preliminary approval \$100.00/request

Exemption Review Fee-All except retracement

The fee for exemption review will be \$200.00 per application.

Examining Surveyor Fee

The fee for the examining surveyor is \$100.00 unless the examining land surveyor fee exceeds the \$100.00. Then actual expenses will be remitted prior to recording.

Postage & Handling Fee

A \$10.00 fee will be charged to cover postage and handling.