

CITY OF THOMPSON FALLS



Regular City Council Meeting
In the City Hall, 108 Fulton Street, Thompson Falls, MT
Monday, October 6, 2025, at 6:00 P.M.

AGENDA

OPEN MEETING - Call to order

ROLL CALL OF THE COUNCIL

PLEDGE OF ALLEGIANCE

SET THE AGENDA

CONSENT AGENDA – Claims, Minutes, Financial Reports, Court Report, & Water Shut-off List/Arrangements

COMMUNITY DECAY AND VIOLATIONS LIST REPORT - Attached

ENGINEER'S REPORT - Attached

STANDING COMMITTEE REPORTS - Attached

INFORMATION:

Growth Policy Open House

Montana Clean Air Act presentation – Karren Mckinzie

ACTION ITEMS:

UNFINISHED BUSINESS

NEW BUSINESS

1. Vaping Ordinance
2. Budget Amendment Resolution Amending Fiscal Year 2025
3. Permission to close Broad St for Trunk or Treat
4. Haun Credit – broken pipe \$2,669.23
5. Adoption of Municipal Speed Limit Code
6. Kegel Easement
7. Water Project Contract Award
8. Community Development Block Grant Contract Request for Extension
9. DNRC Renewable Resource Grant Request for Extension
10. Wastewater Project Phases 3 & 4 Pay Application
11. Water Project Pay Application for Reimbursement
12. SLIPA Streets Pay Application for Reimbursement

Pat Mckinzie

Officer Michael Derry

UNSCHEDULED PUBLIC COMMENT - The public may speak for up to 3 minutes about items not on the agenda.

MAYOR'S REPORT - Mayor Rusti Leivestad's updates.

ADJOURN

Join Zoom Meeting

<https://us06web.zoom.us/j/84961233975?pwd=fu3fyUS5xomJ2BG3ZrcKqr8hNGVQtu.1>

Meeting ID: 849 6123 3975

Passcode: 220519

City of Thompson Falls Fiscal Year 2025-26 Budget Message


During the fiscal year 2024-25, the City of Thompson Falls ran its general government on a total levy of 223.59 mills, generating \$1,263,818. The budget was carried over with a cash reserve of \$360,425 until receipts of the new levy were received.

On September 8, 2025, the City Council adopted a budget of \$17,409,669 for all funds, necessitating a millage rate increase of 285.98. The taxable valuation for the City of Thompson Falls for the 2025-2026 fiscal year is \$1,846,358. This compares to the taxable valuation of \$2,266,534 in 2024-25, implying that each mill will generate \$1,846, down from \$2,267 last year.

The Budget for FY 2025-26 will operate its general government on a total levy of 285.98 mills, which will generate \$519,381 from property taxes. The general government will also generate revenue from the Fuel Tax, \$205,846, as well as Net and Gross Proceeds, and other avenues, resulting in a total revenue of \$17,585,945.

Some major expenses that have been budgeted for this fiscal year are Wastewater Phases 3 & 4 and Water Phases 1 & 2.

For FY2025-26, the City's MMIA insurance, for all departments, has been reviewed and retained for health, vision, dental, and life benefits. The city currently provides health, vision, dental, and life insurance coverage for employees only, with the option to add a spouse or children for an additional cost to the employee.

A handwritten signature in black ink, appearing to read "Kelliann Barton", is written over a horizontal line.

Kelliann Barton - Clerk

CITY OF THOMPSON FALLS

Growth Policy COMMITTEE MEETING MINUTES

Month: Sept, Day: 24th, 2025

Council Members Present:

Earlene Powell
Shaoni Vaught

City Officials Present:

Catherine

Meeting opened at 4:35 p.m.

Others Present:

Per attached sheet

Kevin Angland of Great West

Action/Motion made:

Discussed adding info regarding passenger rail service + decided to present it as a "possibility". Will include what we've accomplished since 2020. Discussed working with current zoning. Learned about doing the open house on Oct 29th from 6-7:30 & what Great West will provide, such as maps. We are to look at old Policy to identify what has been accomplished in the last 5 years.

(_____, _____)

Meeting adjourned at 5:43 p.m.

Sign: _____

Print: Earlene Powell, Earlene Powell Committee Chair

ATTEST:

Kelliann Barton, Clerk



Planning Committee

4:30 p.m. Agenda: Growth Policy

September 24, 2025

Sign-in Sheet

[illegible]

City of Thompson Falls

Planning Committee Meeting

Wednesday, September 24, 2025, at 4:30 p.m. in the City Hall,
108 Fulton Street, Thompson Falls, MT

Agenda: Growth Policy

If you have any questions, please call

City Hall: 406-827-3557

Melany 406-758-0467

Format for Open House 10/29

No seating

Walk around

Sticky notes for comments

Thompson Falls Mayor

From: Kevin Angland <kangland@greatwesteng.com>
Sent: Friday, September 26, 2025 8:57 AM
To: tfallsmayor@blackfoot.net; tfcouncilshawni@blackfoot.net; tfl3557@blackfoot.net; cabinetmountaincounseling@gmail.com; elkgal1319@yahoo.com
Subject: Growth Policy Committee meeting update

Good morning everyone,

This email is intended for those who were not present at the committee meeting, to summarize what was discussed for the growth policy update.

We covered a wide range of topics and had a discussion on current issues and opportunities in the City. The bullet list below briefly lists what was discussed.

- The Committee discussed the potential for passenger rail. Issues that were brought up were noise, security, and infrastructure.
- The expansion of the antimony mine
- There was a discussion about traffic control near the school, specifically, on Haley Street.
- There was discussion on a wildlife management and cooperating with FWP. This was also indirectly a discussion about community appearance and decay.
- Local services were discussed, mainly the volunteer fire department issues of volunteer retention.
- Open space and climate resilience was discussed. This also led to a discussion on planting of trees, a tree inventory, and any state grants for trees.
- Riley Creek Mill site redevelopment and the potential for a brownsfield clean up feasibility study. This also led to a discussion on general brownsfield sites in the City.
- It was requested that a specific pool section be added to the draft.
- The open house structure was discussed in a little bit more detail.

Please keep in mind that these notes are not full minutes and the bullet list does not accurately reflect the actual timeline of the meeting.

I will continue to make the requested edits and provide a little more information in the document on various topics discussed.

For the Committee, continuing to review the draft that was sent out and providing me with any corrections or edits would be great. I will get all of these changes incorporated and provide you all with a new draft. I will shoot to have that out to you all no later than the 10th of October. If you have any comments, please let me know no later than October 24th, so I can make sure they are addressed by the open house date.

Also, if I am missing anyone's contact information who should be getting updates, please let me know!

Thank you all!



Kevin Angland

Planner, CFM

d: (406) 740-7250

o: (406) 952-1109

702 2nd Street S #2
Great Falls, MT 59405

This message has been sent to you as official business of Great West Engineering. This E-mail and any attachments may be considered confidential. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. If you have received this communication in error, please reply to the sender and then immediately delete it. Thank you for your cooperation.

CITY OF THOMPSON FALLS

Recreation / Public Properties COMMITTEE MEETING MINUTES

Month: September, Day: 18th, 2025

Council Members Present:

Hayley Allen-Blackney
Shawn Vaughn

City Officials Present:

Kelliann Barton clerk

Meeting opened at 3:45 p.m.

Others Present:

Action/Motion made:

Check on signage @ our parks - pool park, dog park,
MCA 75-2-102 Arnsworth

Clean Air Act

Next steps: reach out to county health dept. to determine
if we need an ordinance as a city in order to enforce laws on
smoking in public spaces. Karren McKenzie - follow up

(_____ , _____)

Meeting adjourned at 4:07 p.m.

Sign: [Signature]

Print: Hayley Allen-Blackney Rec. Public Committee Chair
Props

ATTEST:

Kelliann Barton, Clerk



City of Thompson Falls

Recreation / Public Properties Committee Meeting

Thursday, September 18, 2025, at 3:45 p.m. in the City Hall,

108 Fulton Street, Thompson Falls, MT

Agenda: Vaping Ordinance

If you have any questions, please call

City Hall: 406-827-3557

Recreation/Public Properties

3:45 p.m. Agenda: Vaping Ordinance

September 18, 2025

Sign-in Sheet

[illegible]

From: Karren Mckinzie <kmckinzie@sanderscounty.gov>
Sent: Wednesday, October 1, 2025 4:31 PM
To: tfl3557@blackfoot.net
Subject: CIAA Packet
Attachments: CARS Complaint Processing Workflow.pdf; CIAA FAQ 2025.pdf; CIAA Enforcement Flow Chart .pdf

Rusti, Council and Staff,

Please find attached some of what I will be bringing with me for your Clean Indoor Air Act (CIAA) update. I will bring signs for businesses and a letter explaining the changes as well.

I have given some definition, and place to go for better information on CARS and Clean Air for All.

CARS (Clean Air Reporting System), MUTPP's online system for gathering managing, responding to, and tracking CIAA citizen complaints, agency violation reports, and all associated follow-up activity.

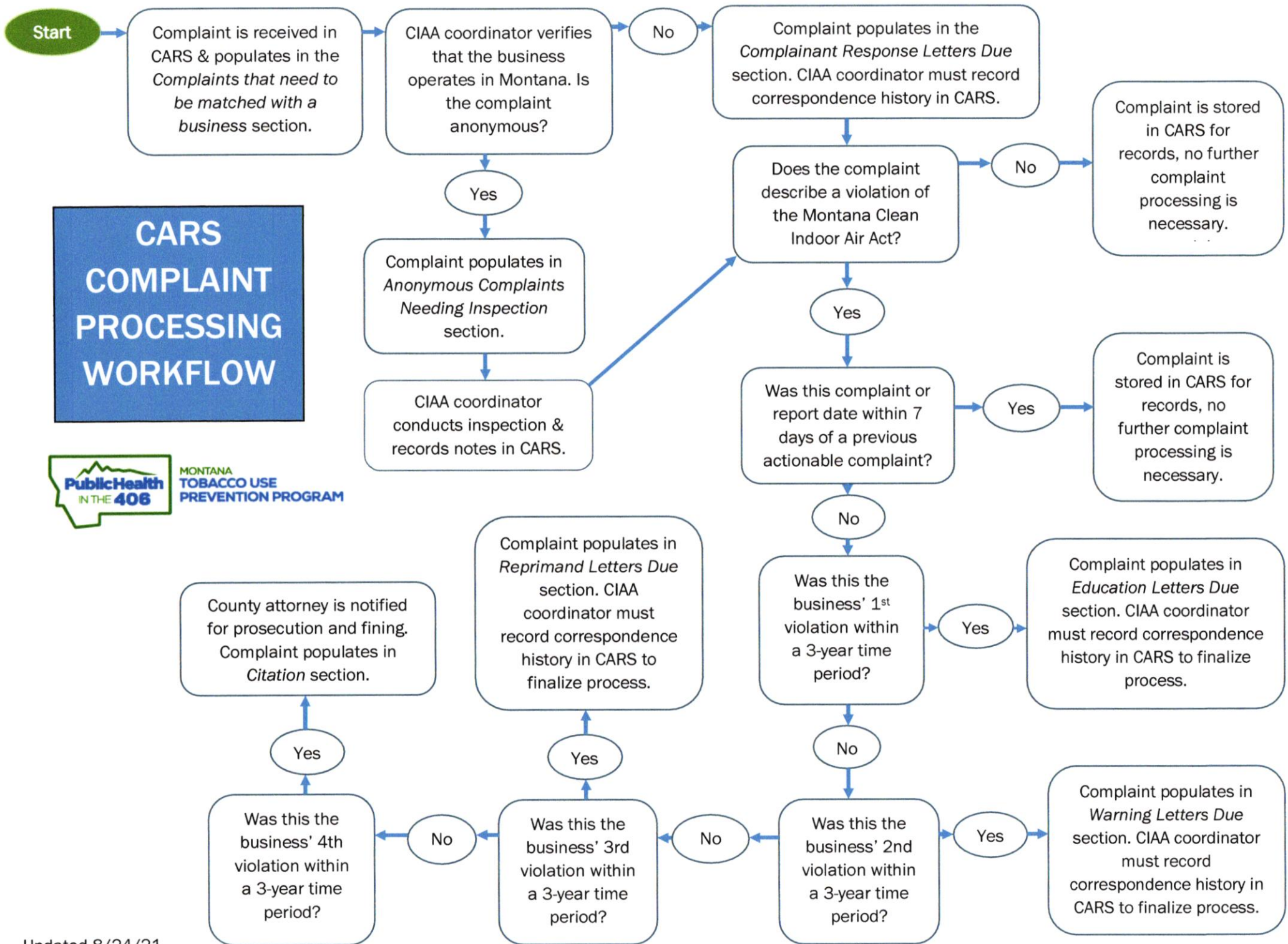
<https://svc.mt.gov/hhs/carspublic/> . **See attached CIAA Compliance & Enforcement Protocol for violations.**

MTUPP's (Montana Tobacco Use Prevention Program) web page, go to "Clean Air For All" box to find information about the CIAA. <https://dphhs.mt.gov/publichealth/mtupp/index>. Look this page over completely. Click on the "Locate Tobacco-Free Policies" box. This will guide you to Montana Tobacco Policy Explorer.

Rusti, here is a good explanation on Nicotine salts that you asked about. <https://www.healthline.com/health/smoking/what-is-salt-nicotine>.

I hope all of these help.

Karren McKinzie 😊
Sanders County Public Health
Tobacco Education Specialist & PHEP Coordinator
1111 Main St. P.O. Box 519
Thompson Falls, MT 59873
Ph.: 406-827-6901 Fax:406-827-6988
kmckinzie@sanderscounty.gov



MONTANA CLEAN INDOOR AIR ACT

FREQUENTLY ASKED QUESTIONS

Q: What is the Montana Clean Indoor Air Act (CIAA)?

A: The CIAA is a Montana law that prohibits smoking in enclosed public places, including places of work. The purpose of the CIAA is:

- 1) To protect the public health and welfare by prohibiting smoking in public places and places of employment;
- 2) To recognize the right of nonsmokers to breathe smoke-free air; and
- 3) To recognize the need to breathe smokefree air has priority over the desire to smoke.

Q: Why is the CIAA important?

A: The CIAA protects public health and each individual's right to breathe clean air. In 2006, the U.S. Surgeon General declared there is no safe level of exposure to secondhand tobacco smoke. Exposure to secondhand smoke causes lung cancer and other fatal and debilitating diseases. It also damages infants' and children's health. Smokefree laws, like Montana's, have proven to be the only effective way of eliminating secondhand smoke exposure, a public health hazard responsible for the deaths of an estimated 19,300 adult non-smokers each year.

Q: What is an "enclosed public place"?

A: An "enclosed public place" means an indoor area, room, or vehicle that the public is allowed to enter or that serves as a place of work, including but not limited to the following:

- restaurants;
- stores;
- public and private office buildings and offices, including all office buildings and offices of political subdivisions and state government;
- trains, buses, and other forms of public transportation;
- health care facilities;
- auditoriums, arenas, and assembly facilities;
- meeting rooms open to the public;
- bars;
- community college facilities;
- facilities of the Montana university system; and
- public schools. § 50-40-103, MCA.

Q: What is a "place of work"?

A: A "place of work" means an enclosed room where one or more individuals work. § 50-40-103, MCA. As further defined in ARM 37.113.101, "Enclosed room," for purposes of the definition of "place of work," means an area with a wall on all sides reaching from floor to ceiling, exclusive of windows and doors, and does not include an area completely or partially open to the outside air such as a roofed shelter.



Q: Are there any exceptions to the law?

A: Yes. The prohibition against smoking in enclosed public places does not apply to:

- Private residences that do not serve as a family day-care home, group day-care home, adult foster care home, or health care facility;
- Private vehicles;
- Hotel rooms designated as smoking rooms and rented to guests if not more than 35% of the total rooms of a hotel or motel are designated as smoking rooms; and
- Sites used in connection with the practice of cultural activities by American Indians in accordance with the American Indian Religious Freedom Act. § 50-40-104(4), MCA.

Q: Are e-cigarettes prohibited under the CIAA?

A: Yes. [Senate Bill 390](#), which added e-cigarettes to the CIAA, was passed and enacted into law during Montana's 2025 Legislative Session and is now in effect. The definition of "smoking" and "to smoke" now includes the use of an "electronic smoking device." § 50-40-103, MCA.

An "electronic smoking device" is defined as "an e-cigarette, dab rig, or vape pen containing or delivering nicotine or another substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product." § 50-40-103, MCA.

Q: Why expand the CIAA to include e-cigarettes?

A: The addition of e-cigarettes into the CIAA helps protect the public and workers from exposure to harmful chemicals in e-cigarette aerosol. Secondhand e-cigarette aerosol can contain nicotine, heavy metals, and other dangerous toxins.

Montana youth use of e-cigarettes is among the highest in the nation. E-cigarettes tend to contain more nicotine than cigarettes and are highly addictive. Adding e-cigarettes to the CIAA reinforces healthy social behaviors for youth and helps keep e-cigarette use from becoming normalized.

Q: Didn't my county already prohibit e-cigarette use in enclosed public places?

A: Possibly. Prior to the passage of SB 390, ten Montana localities had taken action to include e-cigarettes in their local smokefree laws: Carbon County, Deer Lodge County, Granite County, Lake County, Lewis and Clark County, Missoula (city), Mineral County, Powell County, Sanders County, and Yellowstone County.

Q: What does the law require of me as a business owner or operator?

A: Businesses are required to:

- 1) Prohibit smoking, including the use of e-cigarettes and marijuana, in enclosed public places. § 50-40-104, MCA.
- 2) Post a sign in a conspicuous place at all public entrances to the establishment stating, in a manner that can be easily read and understood, that smoking in the



enclosed public place is prohibited. § 50-40-104, MCA.

Q: Is marijuana use prohibited under the CIAA?

A: Yes. "Smoking" or "to smoke" includes the act of lighting, smoking, or carrying a lighted cigar, cigarette, pipe, or any smokable product and includes the use of marijuana. § 50-40-103, MCA.

Q: Does the State of Montana provide no-smoking signs that I can post to comply with the law?

A: Yes. You can order free signage through our website: tobaccofree.mt.gov.

Q: What about outdoor smoking or patios?

A: Secondhand smoke can be deadly. When people smoke outside of a building, secondhand smoke can drift inside through air intake vents and doorways. Although not required under the CIAA, for the health of your employees and patrons, consider implementing a setback rule where no smoking is permitted within 30 feet of your building. Increased public understanding of the health impact of secondhand smoke has made changes like these readily acceptable.

Q: Does the CIAA apply on reservations?

A: The CIAA does not apply to public facilities owned and operated by tribal governments or tribal members within their reservation of enrollment. The CIAA does apply to non-member owned public facilities operating on non-tribal lands within reservations.

Q: Can citizens file complaints if a business is not in compliance?

A: Yes. The simplest way citizens can file complaints is by visiting tobaccofree.mt.gov. Citizens also may file complaints by calling their local health department or the Montana Tobacco Use Prevention Program at 406-444-7408. Signed complaints, including those filed electronically by an identified individual, are evidence of a violation.

Q: How should a business respond if a patron refuses to stop smoking in the establishment?

A: If a patron refuses to stop smoking in your establishment, use the same techniques you already employ to remove a quarrelsome customer. Bouncers and local law enforcement can help in the same way as they would for any other problem customer.

If a business is allowing patrons to smoke in the establishment, file a complaint at tobaccofree.mt.gov and the local health department will investigate the possible violation of the CIAA.

Q: What are the penalties for violation of the law?

A: Business owners, managers, and operators found in violation of the CIAA will receive an educational letter before the penalties under § 50-40-115, MCA, are applied. Most violations are resolved with an educational letter. If a business continues to violate the law, the business will receive the following:

- 1) A written warning for the first violation;
- 2) A written reprimand for the second violation; and
- 3) A fine of \$100 for a third violation, \$200 for a fourth violation, and \$500 for a fifth or subsequent violation.

A person who owns, manages, operates, or otherwise controls a public place or place of employment and fails to comply with the provisions of the CIAA is guilty of a misdemeanor after a third violation within a 3-year period. The law also provides that any individual who smokes in an area where smoking is prohibited is guilty of a misdemeanor and subject to a fine of up to \$100. § 50-40-115, MCA.

Q: Where can I obtain or view the law and administrative rules in entirety?

A: You can read and download the [full language of law](#) and [administrative rules](#). For more information, contact your local health department, call 406-444-7408, email infotobaccofree@mt.gov, or visit tobaccofree.mt.gov.

Q: How can I become a champion for the CIAA?

A: You can contact a Tobacco Education Specialist through your local health department or the Montana Tobacco Use Prevention Program at 406-444-7408 or infotobaccofree@mt.gov. There are many resources available for the general public, health care providers, and community leaders.

Q: I'm ready to quit using nicotine. What resources are available to help me?

A: Quit Now Montana (1-800-784-8669 or QuitNowMontana.com) is a free service available to all Montanans who are ready to quit any form of tobacco, including e-cigarettes. Quit Now Montana offers free nicotine replacement therapy, cessation medications with a prescription, free counseling with a certified quit coach, and a personalized quit plan. Quit Now Montana also offers free chat services with a live coach and texting options for those under the age of 25. Specialized programs are available for American Indians, pregnant women, youth, and people with behavioral health conditions.

CIAA Compliance & Enforcement Protocol

STEP 1

Enter Information into CARS

Citizen Complaint

Citizen registers a complaint using CARS.

— OR —

Citizen submits a complaint to MTUPP or the *County Health Department* either in-person, or mails in a hard copy form.

If a citizen wants to remain anonymous they can choose that option on the CARS electronic form or hard copy form.

Agency Violation Report

Agency personnel who witness a violation report the incident directly into CARS.

— OR —

Agency personnel who witness a violation forward a completed hard copy *agency violation report* to the **county CIAA Coordinator** within 2 days of the observed violation.

STEP 2

Confirm Citizen Complaints & Agency Violation Reports

Confirm Business Identity

1. Confirm business name.
2. Confirm business address.

CIAA Check

Confirm that information contained in the complaint or report clearly describes a violation of the CIAA:

- (A) *Smoking in an enclosed public place or workplace; or*
- (B) *Public entrances lack prominently placed no-smoking signs.*
- (c) *Evidence of smoking (ashtrays, cigarette butts, etc.)*

Date Check

The complaint or report date must **not** be within the seven (7) days following a previous *actionable* complaint or report.

Please Note

When CARS receives a new citizen complaint or agency violation report, both MTUPP and the county CIAA Coordinator receive an automatic e-mail notification.

STEP 3

Respond to Actionable Complaints & Reports

Action #1

After confirming a first complaint or violation report as *actionable*, send **educational letter** via certified mail with return receipt.

Action #2

After confirming a second complaint or violation report as *actionable*, send **warning letter** via certified mail with return receipt.

Action #3

After confirming a third complaint or violation report as *actionable*, send **reprimand letter** via certified mail with return receipt.

Action #4

After confirming a fourth and subsequent complaint or violation report as *actionable*, notify county attorney for prosecution and fining.

Remember!

1. Enter all required information into CARS the day the letter is mailed.
2. County attorneys must receive copies of all response letters described above.

Violation is Observed

2
business
days

2
business
days

5
business
days

PROHIBITING SELF-SERVICE DISPLAYS OF TOBACCO PRODUCTS

MODEL POLICY

AN ORDINANCE OF [CITY/COUNTY]

The [CITY/COUNTY] does ordain as follows:

SECTION I. FINDINGS. The [CITY/COUNTY] hereby finds and declares as follows:

WHEREAS, state law prohibits the sale or distribution of tobacco products, alternative nicotine products, and electronic smoking devices to persons under age 18 (MCA § 16-11-305); and

WHEREAS, [CITY/COUNTY] recognizes that the use of commercial tobacco products has devastating health and economic consequences; and

WHEREAS, commercial tobacco use is the foremost preventable cause of premature death in America. It causes nearly half a million deaths annually and has been responsible for 20.8 million premature deaths in the U.S. since the first Surgeon General's report on smoking in 1964;¹ and

WHEREAS, \$511 million is spent on healthcare each year in Montana due to smoking and smoking-caused productivity losses cost Montana nearly \$898.6 million;² and

WHEREAS, [CITY/COUNTY] further recognizes that young people are particularly susceptible to the addictive properties of tobacco products, alternative nicotine products, and electronic smoking devices and youth that begin using these products are likely to become lifelong users; and

WHEREAS, young brains are particularly susceptible to the addictive properties of nicotine.³ As a result, 200 Montana kids (under 18) will become new daily smokers each year, and 19,000 Montana kids alive now will die prematurely from smoking;⁴ and

WHEREAS, 10% of youth reported trying their first cigarettes before age 13, and 27% of Montana high school youth reported currently using any tobacco product, including e-cigarettes in 2021;⁵ and

WHEREAS, e-cigarettes are now the most commonly used tobacco product among Montana's youth. 48.3% of Montana high school students have used an electronic smoking device in their lifetime.⁶ Use of these products predicts the onset of combustible tobacco product use;⁷ and

WHEREAS, tobacco companies use predatory marketing tactics to target youth, particularly susceptible consumers, by placing a large number of tobacco products at retail stores popular with the youth, often within reach and near gum and candy;⁸ and

WHEREAS, research conducted over the past few decades show that the tobacco industry's marketing activities, including flavors and placement within children's reach in convenience stores, have been a key factor in leading young people to take up tobacco, keeping some users from quitting, and achieving greater consumption among users;⁹ and

WHEREAS, more than half of teenagers visit a convenience store at least once a week, and cigarette marketing is more prevalent in stores where youth shop frequently;¹⁰ and

WHEREAS, the 2009 Family Smoking Prevention & Tobacco Control Act prohibits self-service displays for cigarettes and smokeless tobacco products, except for adult-only facilities, meaning that these products must be kept in locked shelving or behind the counter. This law does not apply to other tobacco products like cigars, cigarillos, and e-cigarettes;¹¹ and

WHEREAS, self-service displays increase perceived availability and brand recognition of tobacco products among youth, which increases odds of smoking;^{12 13} and

WHEREAS, self-service displays encourage impulse purchases of tobacco products, cue cravings, and undermine quit attempts;^{14 15 16} and

WHEREAS, tobacco companies recognize the importance of tobacco product displays in increasing product sales and therefore pay tobacco retailers for prominent display locations;¹⁷ and

WHEREAS, prior efforts by the [CITY/COUNTY] and state to limit tobacco use, while effective, have not precluded the need for further efforts to reduce tobacco use by youth; and

WHEREAS, the U.S. Surgeon General recognizes that a comprehensive, multifaceted approach is necessary to adequately address the issue of youth tobacco use;¹⁸ and

NOW THEREFORE, it is the intent of the [CITY/COUNTY], in enacting this ordinance to protect public health and welfare by reducing self-service access to tobacco products, alternative nicotine products, and electronic smoking devices making it easier to quit and more difficult to start.

SECTION II. MCA § 7-4-4306 allows this ordinance to also be in effect outside, but within 5 miles of the city limits when approved by the [CITY/COUNTY BODY OF DECISION MAKERS]. [ARTICLE/CHAPTER] of the [CITY/COUNTY] Code is hereby amended to read as follows:

SECTION III. DEFINITIONS. The following words and phrases, whenever used in this article, shall have the meanings defined in this section unless the context clearly requires otherwise:

- (a) "Electronic Smoking Device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-

cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic Smoking Device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic Smoking Device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- (b) "Person" means any natural person, partnership, firm, joint stock company, corporation, or other legal entity, including an employee of a legal entity.
- (c) "Self-Service Display" means the open display or storage of Tobacco Products in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. Self-Service display does not include the sale of Tobacco Products through vending machine sales as regulated under MCA § 16-11-306.
- (d) "Tobacco Product" means any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, snus and electronic smoking device. Notwithstanding any provision to the contrary, "Tobacco Product" includes any component, part, or accessory intended or reasonably expected to be used with a Tobacco Product, whether or not any of these contain tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, and pipes, and whether or not any of these are sold separately. The term "Tobacco Product" does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- (e) "Tobacco Retailer" means any person, partnership, joint venture, society, club, trustee, trust, association, organization, or corporation who owns, operates, or manages any Tobacco Retail Establishment. Tobacco Retailer does not mean the non-management employees of any Tobacco Retail Establishment.
- (f) "Tobacco Retail Establishment" means any place of business where Tobacco Products are available for sale to the general public. The term includes but is not limited to grocery stores, tobacco products shops, kiosks, convenience stores, gasoline service stations, bars, and restaurants.

SECTION IV. SALE OF TOBACCO PRODUCTS BY SELF-SERVICE DISPLAY PROHIBITED. No Tobacco Retailer shall sell or offer to sell Tobacco Products by means of a Self-Service Display. The purchaser shall not take possession of the Tobacco Product until after payment has been received and processed. This

section does not prohibit retailing of Tobacco Products by means of a vending machine located in places where alcoholic beverages are sold and consumed on the premises and where the vending machine is under the direct line-of-sight supervision of the owner or an employee of the establishment.

SECTION V. COMPLIANCE AND INSPECTIONS

- (a) The remedies provided by this [ARTICLE/CHAPTER] are cumulative and in addition to any other remedies available at law or in equity.
- (b) This ordinance shall be enforced by [DATE].
- (c) Inspections:
 - a. Inspections will occur biannually at each Tobacco Retail Establishment during ordinance implementation.
 - b. Unannounced follow-up inspections will be conducted within three months of any violation of this ordinance.

SECTION VI. VIOLATIONS AND PENALTIES. It is a violation for any Tobacco Retailer to fail to comply with the requirements of this ordinance. If a Tobacco Retailer is found to have violated this ordinance, the person shall be charged an administrative penalty as follows:

- i. Violations following the effective date of this ordinance will result in a warning letter and education.
- ii. First violation. [ENFORCEMENT ENTITY] shall impose a civil fine set at the maximum amount allowed under MCA § 7-5-109.
- iii. Second violation within thirty-six (36) months of a first violation. [ENFORCEMENT ENTITY] shall impose a civil fine set at the maximum amount allowed under MCA § 7-5-109.
- iv. Third violation within thirty-six (36) months of any preceding violation. [ENFORCEMENT ENTITY] shall impose a civil fine set at the maximum amount allowed under MCA § 7-5-109.

Each day of violation constitutes a separate offense. Failure to comply with any provision of this ordinance shall constitute grounds for the denial of, refusal to renew, suspension of, or revocation of any food, liquor, tobacco, or other business license issued by the city. Any fines collected under this ordinance shall be used for implementation and enforcement of the ordinance.

SECTION VII. EFFECTIVE DATE. The effective date of this ordinance shall be [A MINIMUM OF THIRTY (30)] days from the date of its enactment.

SECTION VIII. SEVERABILITY. If any portion of this ordinance, or its application to any circumstances, is held invalid, the remaining portions shall be considered severable, and shall be given effect to the maximum extent possible.

- ¹ U.S. Dep't of Health & Human Servs., The Health Consequences Of Smoking – 50 Years Of Progress: A Report Of The Surgeon General, Ch. 12 P. 659 (2014), https://www.ncbi.nlm.nih.gov/books/NBK179276/pdf/Bookshelf_NBK179276.pdf.
- ² Campaign for Tobacco-free Kids. The Toll of Tobacco in Montana. <https://www.tobaccofreekids.org/problem/toll-us/montana> October 19, 2022.
- ³ U.S. Dep't of Health & Human Servs., The Health Consequences Of Smoking – 50 Years Of Progress: A Report Of The Surgeon General, Ch. 12 P. 659 (2014), https://www.ncbi.nlm.nih.gov/books/NBK179276/pdf/Bookshelf_NBK179276.pdf.
- ⁴ Campaign for Tobacco-free Kids. The Toll of Tobacco in Montana. <https://www.tobaccofreekids.org/problem/toll-us/montana> October x.
- ⁵ Montana Youth Risk Behavior Survey, 2021.
- ⁶ Montana Youth Risk Behavior Survey, 2021.
- ⁷ Barrington-Trimis, J.L. (2016). The e-cigarette social environment, e-cigarette use, and susceptibility to cigarette smoking. *Journal of Adolescent Health*. 59(1), 75-80. <https://doi.org/10.1016/j.jadohealth.2016.03.019>; Leventhal, A.M., et al. (2015). Association of electronic cigarette use with initiation of combustible tobacco product smoking in early adolescence. *JAMA*. 314(7): 700-707. doi:10.1001/jama.2015.8950; Soneji, S., Barrington-Trimis, J.L., Wills, T.A., Leventhal, A., Unger, J.B., et al. (2017). E-Cigarette Use and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-Analysis. *JAMA Pediatrics*; Watkins, S.L., Glantz, S.A., & Chaffee, B.W. (2018). Association of noncigarette tobacco use with future cigarette smoking among youth in population assessment of tobacco and health (PATH) study, 2013-2015. *JAMA Pediatrics*. doi:10.1001/jamapediatrics.2017.4173; Miech, R., Patrick, M., O'Malley, P., Johnston, L. (2017). E-cigarette use as a predictor of cigarette smoking: results from a 1-year follow up of a national sample of 12th grade students; King, A.C., Smith, L.J., McNamara, P.J. & Cao, D. (2017). Second Generation Electronic Nicotine Delivery System Vape Pen Exposure Generalizes as a Smoking Cue. *Nicotine Tob Res*; 327; Cobb, C.O., Hendricks, P.S., Eissenberg, T. (2015) Electronic cigarettes and nicotine dependence: evolving products, evolving problems. *BMC Med*. 13:119. <https://doi.org/10.1186/s12916-015-0355-y>.
- ⁸ Henriksen et al. (2004). Reaching Youth at the Point of Sale: Cigarette Marketing is More Prevalent at Stores Where Adolescents Shop Frequently, *12 TOBACCO CONTROL* 315, 317
- ⁹ American Heart Association/Campaign for Tobacco Free Kids/Counter Tools. (2012). *Deadly Alliance: How Big Tobacco and Convenience Stores Partner to Market Tobacco Products and Fight Life-Saving Policies*; National Cancer Institute. (2008). *The Role of the Media in Promoting and Reducing Tobacco Use*. Bethesda (MD): U.S. Department of Health and Human Services, National Institutes of Health, National Cancer Institute. Tobacco Control Monograph No 19. NIH Publication No. 07-6242.
- ¹⁰ American Heart Association/Campaign for Tobacco Free Kids/Counter Tools. (2012). *Deadly Alliance: How Big Tobacco and Convenience Stores Partner to Market Tobacco Products and Fight Life-Saving Policies*; Sanders-Jackson, A, et al., "Convenience store visits by US adolescents: Rationale for healthier retail environments," *Health & Place* 34:63- 66, 2015
- ¹¹ Counter Tobacco. Glossary. <https://countertobacco.org/resources-tools/glossary/>. Accessed August 30, 2021.
- ¹² Wakefield M, Germain D, Durkin S, Henriksen L. An experimental study of effects on schoolchildren of exposure to point-of-sale cigarette advertising and pack displays. *Health Educ Res*. 2006 Jun;21(3):338-47. doi: 10.1093/her/cyl005. Epub 2006 May 15. PMID: 16702196.
- ¹³ Spanopoulos D, Britton J, McNeill A, Ratschen E, Szatkowski L. Tobacco display and brand communication at the point of sale: implications for adolescent smoking behaviour. *Tob Control*. 2014 Jan;23(1):64-9. doi: 10.1136/tobaccocontrol-2012-050765. Epub 2013 Feb 28. PMID: 23449398; PMCID: PMC3888631.
- ¹⁴ Wakefield M, Germain D, Henriksen L. The effect of retail cigarette pack displays on impulse purchase. *Addiction*. 2008 Feb;103(2):322-8. doi: 10.1111/j.1360-0443.2007.02062.x. Epub 2007 Nov 27. PMID: 18042190.
- ¹⁵ Carter OB, Mills BW, Donovan RJ. The effect of retail cigarette pack displays on unplanned purchases: results from immediate postpurchase interviews. *Tob Control*. 2009 Jun;18(3):218-21. doi: 10.1136/tc.2008.027870. Epub 2009 Mar 4. PMID: 19264731.
- ¹⁶ Siahpush M, Shaikh RA, Cummings KM, et al The association of point-of-sale cigarette marketing with cravings to smoke: results from a cross-sectional population-based study *Tobacco Control* 2016;25:402-405.
- ¹⁷ Campaign for Tobacco-free Kids. Tobacco Marketing That Reaches Kids: Point-of-Sale Advertising and Promotions. <https://www.tobaccofreekids.org/assets/factsheets/0075.pdf>. August 18, 2021.
- ¹⁸ U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, _____ Phone # _____

request the following item be placed on the agenda for
the _____ 20____, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: FOLLOW UP ON VAPING ORDINANCE

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

Public consumption display, or exhibition of marijuana products

A. *Definitions.* The following words and phrases used in this section shall be defined as follows:

Department of revenue is set forth in MCA 2-15-1301

Marijuana business is set forth in MCA 16-12-102(21)

Marijuana product is set forth in MCA 16-12-102(20), (23), & (24)

Motor vehicle means every vehicle which is self-propelled by which any person or property is, or may be, transported or drawn upon a public highway.

Paraphernalia is set forth in MCA 45-10-101

Public consumption means the smoking, vaping, eating, or consuming of a marijuana product in any "public place" as defined in this section, or within or upon any motor vehicle while parked or operated in any "public place" as defined in this section.

Public display and exhibition means the carrying and exhibiting of marijuana products or paraphernalia in any "public place" as defined in this section, or to, in, on or within any motor vehicles while parked or operated on any "public place" as defined in this section; but does not include carrying or transporting such products from a licensed "Marijuana business" in sacks, cases, boxes, cartons or other similar containers when no display or exhibition is made, nor transporting from private residences.

Public place means all city property, city buildings, private buildings/businesses and property open to the general public, streets, avenues, alleys, stadiums, athletic fields, public parks, sidewalks, public parking lots and motor vehicles when parked or operated on streets, avenues, alleys, athletic fields, public parks or public parking or public parking lots within the city limits. For purposes of this definition, a public parking lot shall be deemed to be any parking lot, whether owned by the city or by private individuals, to which the general public has access to park. This definition does not include a "Marijuana business" as defined in MCA 16-12-102(21)

B. *Prohibited.* "Public consumption" and "Public display or exhibition of marijuana products" as defined herein is hereby prohibited, and it shall be unlawful for any person to engage in "public consumption" as herein defined within the limits of the city, and it shall be unlawful for any person to engage in any "public display or exhibition of marijuana products and marijuana paraphernalia" as herein defined within the city.

C. *Penalty.* A person who consumes marijuana in a public place, other than in an area licensed for that activity by the Montana department of revenue, is subject to a civil fine not exceeding \$50.

Zimbra

tfallsmayor@blackfoot.net

Re: Marijuana code

From : TIMOTHY GOEN <nwmtlaw@blackfoot.net>

Fri, Jun 13, 2025 10:53 AM

Subject : Re: Marijuana code**To :** Chief Chris Nichols <tfpd1101@blackfoot.net>**Cc :** Rusti Leivestad <tfallsmayor@blackfoot.net>, Thomas Collins <Thomas.Collins@mt.gov>, Lisa Ruen <lisa.ruen@gmail.com>

Your right Chris, we cannot enforce unless the city adopts an ordinance that mirrors the MCA provisions.

Great question, Timothy. Under **Montana Code Annotated § 7-1-4150**, a civil citation issued by a municipal officer must be based on either:

1. **A violation of a municipal ordinance, or**
2. **A state-law offense that is punishable only by a fine, if the municipality has adopted an ordinance reclassifying that offense as a municipal infraction.**

So, a civil citation cannot be issued purely for a violation of the Montana Code Annotated (MCA) unless the municipality has formally adopted an ordinance that mirrors the MCA provision and designates it as a municipal infraction. This allows local governments to enforce certain state-level fine-only offenses through their own civil process, but they must also impose the required statutory surcharges and cannot pursue both civil and criminal penalties for the same act.

I drafted an ordinance and citation form template that I will forward after I edit and revise. I also want to look at the Montana Clear Indoor Air Act which prohibit smoking m/j in a multitude of facilities.

From: "Chief Chris Nichols" <tfpd1101@blackfoot.net>**To:** "Rusti Leivestad" <tfallsmayor@blackfoot.net>, "Timothy Goen" <nwmtlaw@blackfoot.net>, "Thomas Collins" <Thomas.Collins@mt.gov>, "Lisa Ruen" <lisa.ruen@gmail.com>**Sent:** Thursday, June 12, 2025 2:37:01 PM**Subject:** Marijuana code

Hello everyone. I'd like you to look over this draft for the proposed public marijuana use

prohibition city code. We've never had a problem with our open container code for alcohol so you'll noticed they are practically identical except for just a few things specific to marijuana. I'd like everyone to look it over. Judge Collins and Tim, please check for any legal shortfalls in it. Rusti and Lisa, please just see if you like it or if there should be something else included I didn't think about. Thanks and let me know.

Chris Nichols; Chief of Police
Thompson Falls Police Department
108 Fulton St./P.O. Box 99
Thompson Falls, MT 59873
(406) 827-8185
(406) 381-0435 Cell
(406) 827-3090 Fax
tfpd1101@blackfoot.net

All City of Thompson Falls emails are subject to the Right to Know provisions of Montana's Constitution (Art. II, Sect. 9) and may be considered a "public record" per Sect. 2-6-202 and Sect. 2-6-401, Montana Code Annotated. As such, this email, its sender and receiver, and the contents may be available for public disclosure and will be retained pursuant to the City's record retention policies. Emails that contain confidential information related to individual privacy may be protected from disclosure under law.

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, Rusti Phone # _____

request the following item be placed on the agenda for
the October 6 2025, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: _____

Time: 6:00 pm

Action: Budget Amendment Resolution
Amending Fiscal Year 2025

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

RESOLUTION NO. 859

**BUDGET AMENDMENT RESOLUTION
AMENDING FISCAL YEAR 2025**

WHEREAS, the City of Thompson Falls adopted all funds revenues and appropriations for fiscal year 2024-2025 on August 26, 2024; and

WHEREAS, it is necessary to amend certain budgets as required by MCA 7-6-4006 (4); and

WHEREAS, the increase in appropriations in the funds will be offset by either an increase in revenues, or a decrease in reserves.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Thompson Falls, Montana:

That the City Council hereby directs the Clerk to amend the budget as stated below in order to comply with MCA 7-6-4006 (4):

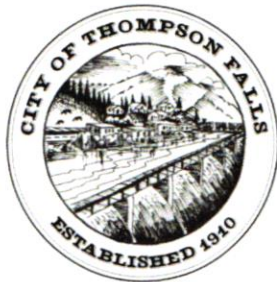
The City is amending the FY 2025 Budget reflected in Exhibit "A" attached.

BE IT FURTHER RESOLVED, that the attached Exhibit "A" amendments shall become effective on October 6, 2025.

**PASSED AND APPROVED BY THE CITY COUNCIL AND SIGNED BY THE
MAYOR OF THE CITY OF THOMPSON FALLS THIS 6TH DAY OF OCTOBER, 2025.**

By: _____
Rusti Leivestad, Mayor

Attest: _____
Kelliann Barton, Clerk



**NOTICE OF PUBLIC HEARING FOR FISCAL YEAR 2024/2025
BUDGET AMENDMENT RESOLUTION**

City Hall, 108 Fulton Street, Thompson Falls

Monday, October 6, 2025, at 5:55 p.m.

Agenda: Fiscal Year 2024-2025 Budget Amendment Resolution

Public Hearing Notice published in the Sanders County Ledger on September 25, 2025, and
October 2, 2025.

Budget Amendment Form - Compliance with Montana Local Budget Act: MCA 7-6-40

CITY OF THOMPSON FALLS

EXHIBIT "A" FISCAL YEAR 2025 BUDGET AMENDMENT

Budget Amendment Documentation:

Fund Number	Fund Name	Original Budget Amount	Requested Amended Budget	Approved Final Amended Budget	Source of revenue/reserves to cover amendment	Date Approved by Governing Body	Comments
2820	Gas Apportionment Tax	53,000.00	218,000.00	271,000.00			
Totals:		53,000.00	218,000.00	271,000.00			

Budget amendment procedures: Determine the amount of the required additional appropriations and identify the fund reserves, unanticipated revenue, or previously unbudgeted revenue that will fund the appropriations. Prepare a budget resolution. Schedule the public hearing. Follow provisions of MCA 7-6-4021. Provide public notice by publishing the date, time and place of the hearing two times with 6 days separating publications. Prior to the hearing, a copy of the budget and budget amendments should be available for public viewing. After the hearing, update the final budget in the accounting software. Provide a copy of the budget amendments and resolution to DOA LGSB to accompany your budget on the public transparency site.

Notice of Public Hearing Publication Dates: 1st Publication: _____

2nd Publication: _____

Public Hearing Date: _____

Time: _____

Resolution Number: _____

Approval Date: _____

Governing Body Signature: _____

Date: _____

Submit a copy of the amendment to the City/Town Clerk or County Clerk and Recorder to update the final budget in the accounting system and email to DOA LGSB to include with your budget on the public transparency site.

Montana Code Annotated - Title 7. Local Government - Chapter 6. Financial Administration - Part 40. Local Budget Act

MCA 7-6-4005. Expenditures limited to appropriations. (1) Local government officials may not make a disbursement or an expenditure or incur an obligation in excess of the total appropriations for a fund. (2) A local government official who violates subsection (1) is liable for the amount of the excess disbursement, expenditure, or obligation personally.

MCA 7-6-4006. (4) The governing body may amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings. Budget amendments providing for additional appropriations must identify the fund reserves, unanticipated revenue, or previously unbudgeted revenue that will fund the appropriations.

MCA 7-6-4012. Fee Based Budgets -adjustable appropriation. (1) In its final budget resolution, the governing body may authorize adjustments to appropriations funded by fees throughout the budget period. Adjustable appropriations are: (a) proprietary fund appropriations; or (b) other appropriations specifically identified in the local government's final budget resolution as fee-based appropriations. (2) Adjustments of fee-based appropriations must be: (a) based upon the cost of providing the services supported by the fee; and (b) fully funded by the related fees for services, fund reserves, or nonfee revenue such as interest. **Note: Ensure your budget resolution authorizes amendments to fee-based budgets.*

MCA 7-6-4021 Notice of preliminary or amended budget. (1) The governing body shall cause a notice of a public hearing on the preliminary or amended budget to be published. The notice must: (a) provide that the governing body has completed its preliminary annual budget for the ensuing fiscal year or intends to amend its annual budget; (b) state that the budget or budget amendment has been placed on file and is open to inspection in the county or municipal office designated in the notice; (c) designate the date, time, and place of the meeting at which the governing body will meet for approving a final budget or amended budget and making appropriations; and; (d) state that any taxpayer or resident may appear at the meeting and be heard for or against any part of the proposed budget or budget amendment. (2) The publication requirements must conform to the provisions of 7-1-2121 for a county or 7-1-4127 for a municipality.

MCA 7-6-4030. Final budget — resolution — appropriations. (1) The governing body may amend the preliminary budget after the public hearing and after considering any public comment. (2) The amended budget constitutes the final budget. The final budget must be balanced so that appropriations do not exceed the projected beginning balance plus the estimated revenue of each fund for the fiscal year. (3) The governing body shall adopt the final budget by resolution. The resolution must: (a) authorize appropriations to defray the expenses or liabilities for the fiscal year; and (b) establish legal spending limits at the level of detail in the resolution. (4) The effective date of the resolution is July 1 of the fiscal year, even if the resolution is adopted after that date.

MCA 7-6-4031. Budget amendment procedures. (1) The final budget resolution may authorize the governing body or a designated official to transfer appropriations between items within the same fund. (2) The annual budget appropriations may be amended as provided in 7-6-4006(3) and 7-6-4012. (3) Except as provided in 7-6-4006, 7-6-4011, 7-6-4012, 7-6-4015, and 7-6-4032 or in the case of an emergency under Title 10, chapter 3, a public hearing is required for an overall increase in appropriation authority.

MCA 7-6-4032. Emergency expenditures. (1) Emergency budget appropriations must be adopted by two-thirds of the members of a governing body who are present at a meeting. (2) Emergency expenditures are limited to and must be charged to the adopted emergency budget appropriations. (3) The governing body may submit the question of funding emergency warrants at an election as provided by law.

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, Pat McKinzie Phone # _____

request the following item be placed on the agenda for
the October 6 2025, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: Trunk or Treat on 10/31
3:30 - 8:30

Time: 6:00 pm

Action: Permission to close Broad St

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, _____ Phone # _____

request the following item be placed on the agenda for
the OCT 6 2025, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: ~~HAIR~~ Loan Credit
BROKEN SEWER PIPE

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, MICHAEL DERRY Phone # _____

request the following item be placed on the agenda for
the OCT 6 2025, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: ADOPTION OF MUNICIPAL
SPEED LIMIT CODE

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, Michael Derry Phone # _____

request the following item be placed on the agenda for
the September 2025, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: Adoption of a Municipal Speed limit
Code

Included: Copy of Municipal Code for City of Troy
Copy of Montana Supreme Court Bond Schedule
Financial Information from Thompson Falls City Court
MCA 61-12-101 and 7-14-4103 and 61-1-101

Time: 10 minutes

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

6-3-1: - BASIC RULE:

Every person operating or driving a vehicle of any kind on a street within the municipality shall drive the vehicle in a careful and prudent manner, and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of traffic, condition of brakes, weight of vehicle, grade and width of highway, condition of surface, and freedom of obstruction to view ahead, and so as not to unduly or unreasonably endanger life, limb, property or other rights of any person entitled to use of the street or highway.

(1982 Code § 10.20.010)

6-3-2: - COMPLIANCE REQUIRED:

Where no special hazard exists that requires lower speed for compliance with section 6-3-1 of this chapter, the speed of any vehicle not in excess of the speed limits specified in section 6-3-3 of this chapter, or established as hereinafter authorized in section 6-3-3 of this chapter, which limits are identical with state law or the limits authorized by section 6-3-3 of this chapter, or established as authorized in section 6-3-5 of this chapter, shall be unlawful.

(1982 Code § 10.20.020)

6-3-3: - DESIGNATED SPEEDS:

- A. The following speed limits apply to streets in the municipality, except for those streets or parts of streets where the limits have been altered in accordance with section 6-3-5 of this chapter:
 - 1. Twenty-five (25) miles per hour in any urban district;
 - 2. Thirty-five (35) miles per hour on any highways under construction or repair;
 - 3. Seventy (70) miles per hour in the daytime and sixty-five (65) miles per hour in the nighttime in such other locations.
- B. "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means at any other hour.

(1982 Code § 10.20.030; amd. 2013 Code)

MONTANA SUPREME COURT BOND SCHEDULE

January 2024

MCA's - Pages 1-81 CFR's - Pages 82-88	UVC Code	Points	MCA Description	Degree	(Recommended) Bond **Includes Surcharge	Min Fine	Max Fine	Surcharges	Must Appear	Min Jail	Max Jail	Penalty Section
			21-30 MPH Over Limit		\$70	\$0	\$0		N	0	0	
			31+ MPH Over Limit (See Judge)		\$100	\$0	\$0		N	0	0	
61-8-303(3) [1st]	V5140	2	Basic Rule - Reasonable And Prudent - 1st Offense	MISD	\$120	\$10	\$100	\$35	N	0	0	61-8-104 61-8-711(2)
61-8-303(3) [2nd]	V5140	2	Basic Rule - Reasonable And Prudent - 2nd Offense	MISD	\$160	\$25	\$200	\$35	N	0	0	61-8-104 61-8-711(2)
61-8-303(3) [3rd]	V5140	2	Basic Rule - Reasonable And Prudent - 3rd Offense	MISD	\$285	\$50	\$500	\$35	N	0	0	61-8-104 61-8-711(2)
61-8-308 [1]	V5130	5	Holding a Speed Contest Without A Written Permit	MISD	\$185	\$50	\$500	\$35	N	0	6 Mo	61-8-717
61-8-308 [2]	V5132	5	Aiding or Abetting in Speed Contest on Highway	MISD	\$185	\$50	\$500	\$35	N	0	6 Mo	61-8-717
61-8-308 [3]	V5133	5	Holding A Speed Contest Which Is Not Patrolled	MISD	\$185	\$50	\$500	\$35	N	0	6 Mo	61-8-717
61-8-309(1)	V5150	3	Speeding - Exceed Restricted/Special Zone Speed Limit Established By Department	MISD		See Miles Over Schedule						61-8-309(6)
			1-10 MPH Over Limit		\$55	\$10	\$100	\$35	N	0	0	
			11-15 MPH Over Limit		\$65	\$10	\$100	\$35	N	0	0	
			16-20 MPH Over Limit		\$85	\$10	\$100	\$35	N	0	0	
			21-25 MPH Over Limit		\$95	\$10	\$100	\$35	N	0	0	
			26-30 MPH Over Limit		\$105	\$10	\$100	\$35	N	0	0	
			31+ MPH Over Limit (See Judge)		\$135	\$10	\$100	\$35	N	0	0	
61-8-309(2)	V5150	3	Speeding - Exceed Temporary Restricted/Special Zone Speed Limit Established By Department	MISD		See Miles Over Schedule						61-8-104 61-8-711(2) 61-8-309(5) 61-8-725(1)(b)
			1-10 MPH Over Limit		\$55	\$10	\$200	\$35	N	0	0	
			11-20 MPH Over Limit		\$105	\$10	\$200	\$35	N	0	0	
			21-30 MPH Over Limit		\$155	\$10	\$200	\$35	N	0	0	
			31+ MPH Over Limit (See Judge)		\$235	\$10	\$200	\$35	N	0	0	
61-8-310(1)	V5160	3	Speed - Exceed Restricted Speed Limit Established Local Authority	MISD		See Miles Over Schedule						61-8-104 61-8-711(2)
			1-10 MPH Over Limit		\$55	\$10	\$100	\$35	N	0	0	
			11-15 MPH Over Limit		\$65	\$10	\$100	\$35	N	0	0	
			16-20 MPH Over Limit		\$85	\$10	\$100	\$35	N	0	0	
			21-25 MPH Over Limit		\$95	\$10	\$100	\$35	N	0	0	
			26-30 MPH Over Limit		\$105	\$10	\$100	\$35	N	0	0	
			31+ MPH Over Limit (See Judge)		\$135	\$10	\$100	\$35	N	0	0	
61-8-310(1)(d)	V5161	3	Violating Speed Limit Near School Or Senior Citizen Center	MISD		See Miles Over Schedule						61-8-104 61-8-711(2) 61-8-726
			1-10 MPH Over Limit		\$75	\$20	\$200	\$35	N	0	0	
			11-15 MPH Over Limit		\$95	\$20	\$200	\$35	N	0	0	
			16-20 MPH Over Limit		\$135	\$20	\$200	\$35	N	0	0	
			21-25 MPH Over Limit		\$155	\$20	\$200	\$35	N	0	0	
			26-30 MPH Over Limit		\$175	\$20	\$200	\$35	N	0	0	
			31+ MPH Over Limit (See Judge)		\$235	\$20	\$200	\$35	N	0	0	
61-8-311(1)	V5170	2	Obstruct Traffic, Under Minimum Speed	MISD	\$85	\$10	\$100	\$35	N	0	0	61-8-104 61-8-711(2)
61-8-311(2)	V5171	2	Obstruct Traffic (Slow Vehicle Fail To Pull Over)	MISD	\$85	\$10	\$100	\$35	N	0	0	61-8-104 61-8-711(2)
61-8-312(1)(a)	V5178	3	Speeding - Truck Interstate Exceed Speed Limit Of 70 MPH	MISD		See Miles Over Schedule						61-8-725
			1-10 MPH Over Limit		\$55	\$10	\$200	\$35	N	0	0	

~See Section 46-9-301, MCA; see also applicable statutes for 2nd or subsequent offense.~

SURCHARGES - \$35 (Misd-\$15, Tech-\$10, MLEA-\$10) \$85 (Misd-\$15, Tech-\$10, Vict Wit-\$49, Vict Wit Admin Fee-\$1, MLEA-\$10)

Information Regarding Bond Fees for Speeding Tickets

61-8-310 (1)

1-10 MPH Over Limit \$55.00

11-15 MPH Over Limit \$65.00

16-20 MPH Over Limit \$85.00

21-25 MPH Over Limit \$95.00

26-30 MPH Over Limit \$105.00

31+ MPH Over Limit (See Judge) \$135.00

All the Speeding Fines Have a flat \$35.00 surcharge. This is Split up with \$15.00 going to the State Department of Justice, \$10.00 Going to the State for Technology, and \$10.00 Going to Law enforcement. Anything Received above that goes to the city.

That is roughly:

64% of Speeding Fines For a \$55.00 Bond given to the State

54% of Speeding Fines For a \$65.00 Bond given to the State

41% of Speeding Fines For a \$85.00 Bond given to the State

The majority of speeding tickets given fall between 1-20 MPH or \$55.00 - \$85.00. Anything over that is rare and far between.

Kristina Quickenden

City Court Clerk

Montana Code Annotated 2023

TITLE 61. MOTOR VEHICLES

CHAPTER 12. MISCELLANEOUS PROVISIONS

Part 1. Powers of Local Authorities

Powers Of Local Authorities To Regulate Traffic

61-12-101. Powers of local authorities to regulate traffic. (1) The provisions of chapters 8 and 9 do not prevent local authorities with respect to sidewalks, streets, and highways under their jurisdiction and within the reasonable exercise of the police power from:

- (a) regulating the standing or parking of vehicles;
- (b) regulating the traffic by means of police officers or traffic control devices;
- (c) regulating or prohibiting processions or assemblages on the highways;
- (d) designating particular highways as one-way highways and requiring that all vehicles on those highways be moved in one specific direction;
- (e) regulating the speed of vehicles in public parks;
- (f) designating any highway as a through highway, as defined in **61-8-341**, and requiring that all vehicles stop before entering or crossing a through highway and designating any intersection, as defined in **61-8-102**, as a stop intersection and requiring all vehicles to stop at one or more entrances to stop intersections;
- (g) restricting the use of highways as authorized in **61-10-128(2)**;
- (h) regulating the operation of bicycles or mopeds, as defined in **61-8-102**, and requiring the registration and licensing of bicycles or mopeds, including requiring a registration fee;
- (i) regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
- (j) altering the speed limits as authorized in Title 7, chapter 14, and Title 61, chapter 8;
- (k) regulating the operating of a vehicle by a person who is a habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree that renders the person incapable of safely operating a vehicle within the incorporated limits of any city or town;
- (l) regulating or prohibiting a person who is under the influence of intoxicating liquor from operating or being in actual physical control of a vehicle within the incorporated limits of a city or town;
- (m) regulating or prohibiting the operation of a vehicle by a person in willful or wanton disregard for the safety of persons or property within the incorporated limits of a city or town;
- (n) enacting as ordinances any provisions of chapter 8 or 9 and any other law regulating traffic, pedestrians, vehicles, and operators of vehicles that are not in conflict with state law or federal regulations and enforcing the ordinances;
- (o) regulating the operation of motorized nonstandard vehicles on sidewalks, streets, and highways; and
- (p) regulating the operation of golf carts on streets and highways.

(2) The powers of a local authority to regulate traffic do not include the power to require a fee and a permit for the movement of a vehicle, combination of vehicles, load, object, or other thing of a size exceeding the maximum specified in **61-10-101** through **61-10-104** on a highway that is under the jurisdiction of an entity other than the local authority.

History: En. Sec. 28, Ch. 263, L. 1955; amd. Sec. 2, Ch. 201, L. 1957; amd. Sec. 1, Ch. 240, L. 1959; R.C.M. 1947, 32-2131; amd. Secs. 9, 11, Ch. 468, L. 2005; amd. Sec. 232, Ch. 542, L. 2005; amd. Sec. 9, Ch. 247, L. 2011; amd. Sec. 7, Ch. 173, L. 2015; amd. Sec. 14, Ch. 374, L. 2015.

Montana Code Annotated 2023

TITLE 7. LOCAL GOVERNMENT CHAPTER 14. TRANSPORTATION

Part 41. General Provisions Related to Municipal Trafficways and Public Grounds

Regulation Of Motor Vehicles

7-14-4103. Regulation of motor vehicles. (1) Except as provided in **7-14-4116**, the council of an incorporated city or town may, by ordinance, regulate motor vehicles and their speed within the limits of the city or town and prescribe and enforce fines and penalties for violation of the regulations.

(2) As used in this section, the term "motor vehicles" has the meaning provided in **61-1-101**, except the term does not include authorized emergency vehicles as defined in **61-8-102**.

History: (1)En. Sec. 1, Ch. 49, L. 1917; re-en. Sec. 5041, R.C.M. 1921; re-en. Sec. 5041, R.C.M. 1935; Sec. 11-1002, R.C.M. 1947; (2)En. Sec. 2, Ch. 49, L. 1917; re-en. Sec. 5042, R.C.M. 1921; re-en. Sec. 5042, R.C.M. 1935; Sec. 11-1003, R.C.M. 1947; R.C.M. 1947, 11-1002, 11-1003; amd. Sec. 4, Ch. 173, L. 2015.

Montana Code Annotated 2023

TITLE 61. MOTOR VEHICLES

CHAPTER 1. DEFINITIONS

Part 1. Vehicles

Definitions

61-1-101. Definitions. As used in this title, unless the context indicates otherwise, the following definitions apply:

(1) (a) "Authorized agent" means a person who has executed a written agreement with the department and is specifically authorized by the department to electronically access and update the department's motor vehicle titling, registration, or driver records, using an approved automated interface, for specific functions or purposes on behalf of a third party.

(b) For purposes of this subsection (1), "person" means an individual, corporation, partnership, limited partnership, limited liability company, association, joint venture, state agency, local government unit, another state government, the United States, a political subdivision of this or another state, or any other legal or commercial entity.

(2) "Authorized agent agreement" means the written agreement executed between an authorized agent and the department that sets the technical and operational program standards, compliance criteria, payment options, and service expectations by which the authorized agent is required to operate in performing specific motor vehicle or driver-related record functions.

(3) "Autocycle" means a three-wheeled motorcycle that is equipped with safety belts, roll bars or roll hoops, a steering wheel, and seating that does not require the operator to straddle or sit astride it.

(4) "Bus" means a motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any other motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(5) (a) "Business entity" means a corporation, association, partnership, limited liability partnership, limited liability company, or other legal entity recognized under state law.

(b) The term does not include an individual.

(6) (a) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached to an incomplete vehicle for the purpose of providing shelter for persons. The term includes but is not limited to a cab-over, half cab-over, noncab-over, telescopic, and telescopic cab-over.

(b) The term does not include a truck canopy cover or topper.

(7) "CDLIS driver record" means the electronic record of a person's commercial driver's license status and history stored as part of the commercial driver's license system established under 49 U.S.C. 31309.

(8) "Certificate of title" means the paper record issued by the department or by the appropriate agency of another jurisdiction that establishes a verifiable record of ownership between an identified person or persons and the motor vehicle specifically described in the record and that provides notice of a perfected security interest in the motor vehicle.

(b) The term does not include a bicycle or a moped as defined in **61-8-102**, an electric personal assistive mobility device, a motorized nonstandard vehicle, or a motorized wheelchair or other low-powered, mechanically propelled vehicle that is designed specifically for use by a physically disabled person and that is used as a means of mobility for that person.

(44) (a) "Motorboat" means a vessel, including a personal watercraft or pontoon, propelled by any machinery, motor, or engine of any description, whether or not the machinery, motor, or engine is the principal source of propulsion. The term includes boats temporarily equipped with detachable motors or engines.

(b) The term does not include a vessel that has a valid marine document issued by the United States coast guard or any successor federal agency.

(45) (a) "Motorcycle" means a motor vehicle that has a seat or saddle for the use of the operator and that is designated to travel on not more than three wheels in contact with the ground. A motorcycle may carry one or more attachments and a seat for the conveyance of a passenger.

(b) A motorcycle designed for use on highways is a motor vehicle unless otherwise prescribed.

(c) A motorcycle designed for off-road recreational use is an off-highway vehicle unless it has been modified to meet the equipment standards specified in chapter 9 and has been registered for highway use.

(d) The term includes an autocycle.

(e) The term does not include a tractor, a bicycle or a moped as defined in **61-8-102**, a motorized nonstandard vehicle, or a two- or three-wheeled all-terrain vehicle that is used exclusively on private property.

(46) (a) "Motor-driven cycle" means a motorcycle, including a motor scooter, with a motor that produces 5 horsepower or less.

(b) The term does not include a bicycle or a moped, as defined in **61-8-102**, or a motorized nonstandard vehicle.

(47) (a) "Motorized nonstandard vehicle" means a vehicle, on or by which a person may be transported, that:

(i) is propelled by its own power, using an internal combustion engine or an electric motor;

(ii) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and

(iii) does not display a manufacturer's certification in accordance with 49 CFR, part 567, or have a 17-character vehicle identification number assigned by the manufacturer in accordance with 49 CFR, part 565.

(b) The term includes but is not limited to a motorized skateboard and a vehicle commonly known as a "pocket rocket".

(c) The term does not include a moped as defined in **61-8-102**, an electric personal assistive mobility device, or a motorized wheelchair or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person.

(48) "New motor vehicle" means a motor vehicle, regardless of the mileage of the vehicle, the legal or equitable title to which has never been transferred by a manufacturer, distributor, or dealer to another person as the result of a retail sale.

(49) "Nonresident" means a person who is not a Montana resident.

(50) (a) "Not used for general transportation purposes" means the operation of a motor vehicle registered as a collector's item, a custom vehicle, a street rod, or a custom-built motorcycle to or from a car or motorcycle club activity or event or an exhibit, show, cruise night, or parade, or for other occasional transportation activity.

(iv) is fully enclosed and includes at least one door for entry;

(v) has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater;

(vi) exhibits a manufacturer's compliance with 49 CFR, part 565, or displays a 17-character vehicle identification number as provided in 49 CFR, part 565;

(vii) bears a sticker, affixed by the manufacturer or dealer, on the left side of the rear window that indicates the vehicle's maximum speed rating; and

(viii) as certified by the manufacturer, is equipped as provided in **61-9-432**.

(b) A medium-speed electric vehicle must be treated as a light vehicle for purposes of titling and registration under Title 61, chapter 3.

(c) A medium-speed electric vehicle may not have a gross vehicle weight in excess of 5,000 pounds.

(39) "Mobile home" or "housetrailer" has the meaning provided in **15-24-201**.

(40) "Montana resident" means:

(a) an individual who resides in Montana as determined under **1-1-215**; or

(b) for the purposes of chapter 3, a business entity that maintains a principal place of business or a registered agent in this state.

(41) (a) "Motor carrier" means a person or corporation or its lessees, trustees, or receivers appointed by a court that are operating motor vehicles on a public highway in this state for the transportation of property for hire on a commercial basis.

(b) The term does not include motor carriers regulated under Title 69, chapter 12.

(42) "Motor home" means a motor vehicle:

(a) designed to provide temporary living quarters, built as an integral part of or permanently attached to a self-propelled motor vehicle chassis or van;

(b) containing permanently installed independent life support systems that meet the NFPA 1192 standard on recreational vehicles; and

(c) providing at least four of the following types of facilities:

(i) cooking, refrigeration, or icebox;

(ii) self-contained toilet;

(iii) heating or air conditioning, or both;

(iv) potable water supply, including a faucet and sink; or

(v) separate 110-volt or 125-volt electrical power supply or a liquefied petroleum gas supply, or both.

(43) (a) "Motor vehicle" means:

(i) a vehicle propelled by its own power and designed or used to transport persons or property on the highways of the state;

(ii) a quadricycle if it is equipped for use on the highways as prescribed in chapter 9; or

(iii) a golf cart only if it is equipped for use on the highways as prescribed in chapter 9 and is operated pursuant to **61-8-391** or by a person with a low-speed restricted driver's license.

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, _____ Phone # _____

request the following item be placed on the agenda for
the _____ 20____, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: KEGEL EASEMENT FOR
WATER PROJECT

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

Y:\Shore\Haines Projects\1-21204-Thompson Falls Or-Cad 2021\TO 4 - Water PER Update\CADD 1-21204-TOA\Exhibit Water Line Easements.dwg



**CITY OF THOMPSON FALLS
OPTION 3
EASEMENT EXHIBIT - KEGEL**



SECTION	09
TOWNSHIP	21 N
RANGE	29 W



**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, _____ Phone # _____

request the following item be placed on the agenda for
the _____ 20____, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: REQUEST TO DEPT OF COMMERCE
FOR EXTENSION OF CDBG GRANT

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

City of Thompson Falls



Mayor
Russlyn
Leivestad

City Attorney
Timothy Goen

Ward I
Larry Lack
Raoul Ribeiro

Ward II
Earlene Powell
Katherine Maudrone

Ward III
Hayley Allen-
Blakney
Shawni Vaught

October 6, 2025

Erin McKeon
Montana Coal Endowment Program
Montana Department of Commerce
P.O. Box 200523
Helena, MT 59620-0523

Re: Community Development Block Grant Contract MT-CDBG-20PF-03

Dear Erin,

We kindly request that the Montana Department of Commerce extend the term of our Community Development Block Grant (CDBG) Program grant agreement for our Phase 3 and Phase 4 Wastewater Project. We are seeking an extension of the deadline from December 31, 2025, to September 2026.

On August 11, 2025, the city issued its Notice of Award to S&L Underground of Bonner's Ferry, Idaho. The contract price of the awarded contract is \$12,970,403. On August 26, 2025, I signed the construction contract, and on August 29, 2025, the Notice to Proceed. I am also pleased to report that construction of the project is underway.

If you have any questions or require further information, please don't hesitate to contact us.

Sincerely,

Russlyn Leivestad
Mayor
City of Thompson Falls

**REQUEST FOR ITEM TO BE PLACED ON AGENDA
THOMPSON FALLS CITY COUNCIL**

I, _____ Phone # _____

request the following item be placed on the agenda for
the _____ 20____, City Council Meeting:

Please give a brief description of the item to be discussed,
approximate time you need and the results you would like to see.

Information: REQUEST TO EXTEND DNRC
RENEWABLE RESOURCE GRANT

Time: _____

Action: _____

**All agenda requests must be submitted by Noon on
Wednesday before the Council Meeting.**

City of Thompson Falls



Mayor
Russlyn
Leivestad

City Attorney
Timothy Goen

Ward I
Larry Lack
Raoul Ribeiro

Ward II
Earlene Powell
Katherine Maudrone

Ward III
Hayley Allen-
Blakney
Shawni Vaught

October 6, 2025

Montana DNRC
Attention: Melissa Downing
Delivered via Email

RE: City of Thompson Falls Request for RRGL Contract Extension

Dear Melissa Downing,

I am asking that you extend the term of the Renewable Resource grant agreement, number RRG-24-1890, for our water system improvements project. The current contract is set to end on December 31, 2025.

We have encountered unexpected challenges with the project timeline, primarily due to an extended lawsuit concerning our Phase 1 and Phase 2 wastewater projects. Although the lawsuit has been settled, it consumed a significant portion of our resources, as well as those of our consultant, Great West Engineering.

Despite these challenges, we successfully completed the project design. On September 30, 2025, we held our bid opening, during which we received nine bids. The lowest bid is below the engineer's estimate. Our engineer is currently reviewing the submissions, and we anticipate awarding the construction contract within the next few days.

We are on track to complete the water project construction by 2026, and I am requesting that you approve our request to extend the term of the grant agreement to December 31, 2026.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Russlyn Leivestad
Mayor, City of Thompson Falls