



**City Commission Agenda**  
**Civic Center, 2 Park Drive South, Great Falls, MT**  
**Commission Chambers Room 206**  
**November 7, 2018**

**CALL TO ORDER 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS**

**PROCLAMATIONS**

Extra Mile Day, WWI Centennial Armistice Remembrance Day, Support for City & Citizens of Pittsburgh and 130th Anniversary Month of the Great Falls Area Chamber of Commerce.

**PETITIONS AND COMMUNICATIONS**

*(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and address for the record.)*

1. Miscellaneous reports and announcements.

**NEIGHBORHOOD COUNCILS**

2. Miscellaneous reports and announcements from Neighborhood Councils.

**BOARDS AND COMMISSIONS**

3. Miscellaneous reports and announcements from Boards and Commissions.

**CITY MANAGER**

4. Miscellaneous reports and announcements from the City Manager.

**CONSENT AGENDA**

*The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.*

5. Minutes, October 16, 2018, Commission Meeting.
6. Total Expenditures of \$4,122,420 for the period of September 29, 2018 through October 24, 2018, to include claims over \$5,000, in the amount of \$3,699,041.
7. Contracts List.
8. Approve Final Payment for the Sanitary Sewer Trenchless Rehabilitation, Phase 20, project in the amount of \$522,051.75 to Planned and Engineered Construction (PEC)

and \$5,273.25 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.

9. Approve the Interlocal Agreement between the City County Health Department and the City for Emergency Preparedness and Community Health Response for the term of October 16, 2018 to September 30, 2021, and authorize the City Manager to execute the agreement.

**Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote**

## **PUBLIC HEARINGS**

### **OLD BUSINESS**

### **NEW BUSINESS**

10. Labor Agreement between the City of Great Falls and Plumbers and Fitters Local No. 41.

*Action: Approve or deny Labor Agreement. (Presented by Greg Doyon)*

## **ORDINANCES/RESOLUTIONS**

11. Resolution 10256, Temporarily Suspending the Design Review Board Meetings and Review Requirements.

*Action: Adopt or deny Res. 10256. (Presented by Craig Raymond)*

12. Resolution 10271, Adopting a Statement of Expense in the Abatement of a Nuisance located at Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls, Cascade County, Montana, addressed as 2612 1st Avenue South.

*Action: Adopt or deny Res. 10271. (Presented by Joseph Cik)*

13. Resolution 10257, Certifying the Abatement of a Nuisance located at Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls, Cascade County, Montana, addressed as 2612 1st Avenue South completed.

*Action: Adopt or deny Res. 10257. (Presented by Joseph Cik)*

14. Resolution 10273, Amending Resolution 10233 Extending the Effective Period Thereof for property located at 2311 4th Avenue Southwest.

*Action: Adopt or deny Res. 10273. (Presented by Craig Raymond)*

15. Ordinance 3189, Repealing and Replacing Title 15, of the Official Code of the City of Great Falls (OCCGF), Pertaining to Buildings and Construction.

*Action: Accept or not accept Ord. 3189 on first reading and set the public hearing for November 20, 2018. (Presented by Joseph Cik)*

## **CITY COMMISSION**

16. Miscellaneous reports and announcements from the City Commission.
17. Commission Initiatives.

## **ADJOURNMENT**

*(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.) Commission meetings are televised on cable channel 190. If a video recording is available it will be posted on the City's website*

*at <https://greatfallsmt.net> after the meeting. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.*



**Item:** Minutes, October 16, 2018, Commission Meeting.

**From:** City Clerk's Office

**Presented By:** City Commission

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ATTACHMENTS:

- ▢ Draft Minutes, October 16, 2018, Commission Meeting

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

Regular City Commission Meeting

Mayor Kelly presiding

**CALL TO ORDER:** 7:00 PM

Commission Chambers Room 206

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Bill Bronson, Tracy Houck, Mary Sheehy Moe, and Owen Robinson. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Budget Analyst Kirsten Myre; Fire Chief Steve Hester; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

**AGENDA APPROVAL:** No changes were proposed by the City Manager or City Commission. The agenda was approved as submitted.

**CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:** Commissioner Bronson asked that Item 8B on the Consent Agenda be voted on separately, and commented that he would not be participating in the vote on Item 14.

**PROCLAMATIONS:** Family Promise Week and Red Ribbon Week.

**PETITIONS AND COMMUNICATIONS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**John Hubbard**, 615 7<sup>th</sup> Avenue South, commented that there seems to be two different initiatives contained in the language of I-185. Mr. Hubbard discussed his personal court case, and concluded that there are lots of laws, but there isn't any justice.

**Karen and Mike Kaszula**, 2416 2<sup>nd</sup> Avenue North, commented that they like to use the Natatorium pool and are sad to see it close. Mr. Kaszula commented that he will keep coming to Commission meetings until the Natatorium is on the agenda.

Mayor Kelly responded that, at the last two meetings during the City Manager's Report, the efforts currently being made about the pools has been discussed. He recommended that the Kaszulas and others supportive of the pools attend the November 7<sup>th</sup> work session to hear the Park and Recreation Director's report on what some options and alternatives may be for the pools.

**NEIGHBORHOOD COUNCILS**

**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from members of Neighborhood Councils.

**BOARDS & COMMISSIONS**

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

**3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

There were no miscellaneous reports and announcements from members of boards and commissions.

**CITY MANAGER**

**4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported on recently attended meetings:

- Design Review Board - talked about the temporary suspension of the board, as discussed at this evening's work session;
- Children's Museum – discussed the lease renewal which is under review and will be brought before the Commission for consideration;
- Met with one of the two respondents that submitted a proposal in response to the Golf Course RFP. A meeting is scheduled for October 22<sup>nd</sup> with the other respondent. Thereafter, staff will make a recommendation to the Commission regarding how to proceed with regard to the golf courses;
- Library Trustees – discussed the recruitment process for a new Library Director;
- Housing Authority – discussed the recruitment process for a new Housing Authority Director;
- Great Falls College MSU – discussed developing a more intensive, shorter period paramedic program; and
- MS4 group – discussed the ongoing process for reviewing the requirements and regulations in the administration of the storm water management program, a federal mandate the City is required to enforce.

He further reported that the Library boiler project involved asbestos abatement.

The Montana Defense Alliance held its annual luncheon last week. Key note speaker, (Ret.) USAF General Tom Deppe, discussed the importance of ground based strategic deterrent to Malmstrom and to the nation in terms of defense.

Manager Doyon commented that three Commission members expressed interest in serving as the City's liaison on the Local Emergency Planning Committee (LEPC) that the Commission can discuss during Agenda Item 16.

He reminded everyone that the CodeRED app is available for download and is another resource for the public to receive emergency notifications.

He also announced that the fourth City 101 meeting is scheduled for October 25<sup>th</sup>.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

**CONSENT AGENDA.**

5. Minutes, September 18, 2018, Commission meeting.
6. Minutes, October 2, 2018, Commission meeting.
7. Total Expenditures of \$1,518,498 for the period of September 15, 2018 through October 3, 2018, to include claims over \$5,000, in the amount of \$1,458,675.
8. Contracts list.
9. Approve the Interlocal Agreement between the City of Great Falls and Cascade County for use of the 2018 Byrne Justice Assistance Grant (JAG) Program funds.
10. Approve the Second Amended and Restated Interlocal Agreement for Creating Montana Firefighters Testing Consortium and authorize the City Manager to execute the Agreement.
11. Approve the purchase of two new 2019 Kenworth T470 single axle cab & chassis dump box trucks for \$243,210 from Montana Power Great Falls, Inc., through Sourcewell, including trade-ins.
12. Approve a Professional Services Agreement in the amount of \$134,509 to HDR Engineering, Inc., for the Septage Receiving Station and Dewatering Pump Replacement Project, and authorize the City Manager to execute the contract documents. **OF 1731.1**
13. Approve Change Order No. 1 for the NE Interceptor Rehabilitation Project in the amount of \$82,500 to Planned and Engineered Construction and authorize the City Manager to sign the documents. **OF 1674.3**

**Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission approve the Consent Agenda as submitted, with the exception of the contract under Item 8B for separate consideration and action.**

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

Item 8B is a contract with Neighborhood Housing Services d/b/a NeighborWorks Great Falls for 2018/2019 HOME Investment Partnership Program Community Housing Development Organization (CHDO) funds towards construction costs of a high school house being built by Great Falls High and C.M. Russell High School students.

**Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission approve Contracts List Item 8B for Planning and Community Development to fund \$27,838 to Neighborhood Housing Services of Great Falls d/b/a NeighborWorks Great Falls – Community Housing Development Organization.**

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Bronson abstaining).

**PUBLIC HEARINGS**

**14. MERIWETHER CROSSING SUBDIVISION (FORMERLY KNOWN AS THE MEDICAL TECH SUBDIVISION).**

**I. RESOLUTIONS 10258, 10259, 10260, 10261, 10262, 10263, 10264, 10265, 10266, 10267 TO ANNEX LOT 4B AND 4C OF THE CORRECTION OF AN AMENDED PLAT OF LOT 4 OF THE MEDICAL TECH PARK MINOR SUBDIVISION.**

**II. ORDINANCE 3193, ESTABLISHING PLANNED UNIT DEVELOPMENT (PUD) ZONING.**

**III. FINAL PLAT OF MERIWETHER CROSSING SUBDIVISION AND THE ACCOMPANYING FINDINGS OF FACT/BASIS OF DECISION.**

Planning and Community Development Director Craig Raymond reported that this item is a public hearing for consideration of Resolutions 10258 through 10267 to annex Lot 4B and 4C of the correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision in 10 phases, Ordinance 3193 to establish PUD zoning upon annexation of each phase and Final Plat approval for the Meriwether Crossing Subdivision, and to approve the Improvement Agreement.

The applicant, NeighborWorks Great Falls, is proposing the annexation, establishment of Planned Unit Development (PUD) zoning, and final plat approval of a major subdivision on two parcels of land that total approximately 20.5 acres. The subject properties are undeveloped land located in Cascade County adjacent to Great Falls along 20th Street South and 24th Avenue South. The applicant is proposing an 85-lot subdivision, fully developed with the establishment of several proposed roadways and alleys to access the lots, sidewalks to create pedestrian circulation, and City utilities to provide services to the subject properties.

There are two distinct types of lots with specific goals and market targets for each type. At least 50 of the proposed 85 lots will be single family dwellings with garages that are accessed from the rear of the property. The balance of the lots will have what is known as “cottage style” homes that are designed primarily for entry level first time home buyers and/or empty nesters who do not wish to maintain large homes or properties. The lots which these homes are to be located are under the typical R-3 zoning minimum lot size requirement. This, and the desire for a variety of product types, are the reasons why the applicant is requesting PUD zoning. The PUD zoning designation provides the City Commission the opportunity to allow a tailored approach to incentivize the development of certain identified residential needs in the City. In this case, a higher density than what ordinarily might be sought will help incentivize affordable workforce housing and home ownership goals. What makes developments like this work are multiple points of access to the



**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

City's existing and future transportation network. However, this subdivision has one issue which staff finds to be concerning - the location of the subdivision is located in an area that has a roughly seven and a half minute emergency response time. This is an issue the City cannot continue to ignore if it wants to promote and be ready for growth and provide essential emergency services.

City staff and the developer have worked through a detailed Improvement Agreement that defines the roles and responsibilities of the developer and the City. The Agreement spells out what improvements are required by the City and who shall pay for them. For the most part, the developer shall pay for all street, water, sewer and storm water improvements which are necessary to support this development. The City will pay for upsizing of utility lines as may be specifically requested by the City for utility continuity and future growth. The City also intends to purchase one of the subject lots to keep in reserve for a possible water pump station that may be needed in the future.

Director Raymond explained why there are 10 specific annexation resolutions for this project. The primary purpose is due to the nature of the funding source. NeighborWorks Great Falls receives funding through USDA-RD which means "rural development". In order for this project to be eligible for these funds, the homes must be constructed in rural or county jurisdiction. Once completed, those homes and properties are immediately annexed into the City prior to actually receiving City utilities and services.

The requested action is that the City Commission adopt Resolutions 10258 through 10267, adopt Ordinance 3193 establishing PUD zoning upon annexation, and approve the Final Plat and Improvement Agreement all pertaining to Meriwether Crossing.

**Applicant Sherrie Arey, NeighborWorks Great Falls**, 509 1<sup>st</sup> Avenue South, thanked City staff for their assistance with this project and getting it to this point in the process. Meriwether Crossing will consist of 83 lots, 50 of which will be part of the owner-build program. So far, NeighborWorks has built 120 homes through that program, and has a waiting list of 150 homes. These 50 lots will take NeighborWorks five years into this program. The other 33 lots will be 800-1,000 square foot cottage homes in a modest price range of \$160,000 to \$200,000 to attract new homeowners or people that want to downsize.

Mayor Kelly asked if the Commission had any questions of staff or the applicant.

Commissioner Robinson referred to the site map and inquired if the concrete sidewalks on the southeast side of the project were in the county.

Director Raymond responded that those sidewalks about the Rockcross Commons project and that property has been annexed into the City limits.

Commissioner Houck inquired how staff proposed to negate their concerns if the City continues to expand.

Director Raymond responded that those questions will be discussed during budget time. The Master Plan has already identified the need for a pump station. At this point, it is not needed but property is being set aside for that purpose in the future.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

Fire Chief Hester explained that response times are based on distance and access. There is great access with this project that the Fire Department will cover with Station 3.

Manager Doyon added that the primary call will be to EMS. What has been communicated to the Commission over the years is that the longer it takes for fire and police to respond in a life threatening situation, the less that they will be able to do. The concern is the delayed response time. He will continue to monitor and chime in as developments are added to the community because it places more demand on a system that is stressed already. The general response time standards are known. The Commission needs to factor those standards into their thought process in terms of, is it as acceptable moving forward that there is a good chance that the residents that purchase homes in those areas are not going to have a certain level of service that generally is acceptable or enjoyed by other residents.

City Attorney Sara Sexe referred to the wording on the agenda and agenda report and clarified that the name of the subdivision is changing to Meriwether Crossing, formerly known as Medical Tech.

No one spoke in support of or in opposition to Resolutions 10258 – 10267, Ordinance 3193, and Final Plat and accompanying Findings of Fact/Basis of Decision.

Mayor Kelly closed the public hearing.

Mayor Kelly again asked if there were any questions of staff or the applicant. Hearing none, Mayor Kelly asked if the applicant wanted to make any follow up comments. Hearing none, Mayor Kelly asked the will of the Commission.

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolutions 10258, 10259, 10260, 10261, 10262, 10263, 10264, 10265, 10266, 10267 to annex Lot 4B and 4C of the Correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision and approve the Improvement Agreement and accompanying Findings of Fact/Basis of Decision.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Bronson noted he was recusing himself from this and subsequent votes on this matter.

Commissioner Robinson commended staff for being creative to make a challenging project work. He, also, expressed concern about fire and police response times. However, to use that as an excuse to not grow is a big mistake. He suggested addressing fire and police response times now and into the future during budget time.

Commissioner Houck concurred with Commissioner Robinson's comments.

Commissioner Moe noted that work force housing of this type is much needed for the community.

There being no further discussion, Mayor Kelly called for the vote.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

Motion carried 4-0-1 (Commissioner Bronson abstaining).

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Ordinance 3193 and the accompanying Findings of Fact/Basis of Decision.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Bronson abstaining).

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Final Plat of Meriwether Crossing Subdivision and the accompanying Findings of Fact/Basis of Decision.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly agreed that fire and police response times are a discussion the Commission needs to have. The City has done a good job of letting developers know that it is a concern. He expressed appreciation to the applicant/developer for working with public safety officials in this case to mitigate some concern.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Bronson abstaining).

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**CITY COMMISSION**

**15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly announced that on November 7<sup>th</sup> he will be attending the National League of Cities and Towns Conference in Los Angeles. Commissioner Bronson will officiate the next Commission meeting in his absence.

Commissioner Moe reported that the Future of the Falls forum was well attended. Evaluation and suggestion forms were collected and will be reviewed by the planning group tomorrow to determine next steps. The most common response she heard and read on the forms was promoting a positive image for Great Falls, particularly to their age group. She had a sense of surprise at how many attendees were of the same mind. It seemed like a very exciting place to start, and she is hopeful about what the planning group's next steps might be.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 16, 2018**

Commissioner Moe also discussed her raising a point of order at the last Commission meeting during Petitions and Communications when a speaker at the podium was discussing I-186. She reiterated that it is very important that the Commission keep public comment confined to items under the Commission's jurisdiction. She suggested the Commission discuss this further at a work session or retreat.

Commissioner Houck announced that there are several upcoming downtown events: Small Business Saturday, Halloween trick or treating, Parade of Lights, and the Christmas Stroll.

**16. COMMISSION INITIATIVES.**

With regard to the LEPC discussed earlier, Commissioners Houck and Robinson will discuss amongst themselves who will be the City's liaison on this committee and provide that information to Manager Doyon.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of October 16, 2018, at 8:10 p.m.**

Motion carried 5-0.

\_\_\_\_\_  
Mayor Bob Kelly

\_\_\_\_\_  
City Clerk Lisa Kunz

Minutes Approved: November 7, 2018



**Item:** Total Expenditures of \$4,122,420 for the period of September 29, 2018 through October 24, 2018, to include claims over \$5,000, in the amount of \$3,699,041.

**From:** Fiscal Services

**Initiated By:** City Commission

**Presented By:** Melissa Kinzler, Fiscal Services Director

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ATTACHMENTS:

- ▣ 5000 Report



**ITEM:** \$5,000 Report  
 Invoices and Claims in Excess of \$5,000

**PRESENTED BY:** Finance Director

**ACTION REQUESTED:** Approval with Consent Agenda

**LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT**  
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:**

ACCOUNTS PAYABLE CHECK RUNS FROM OCTOBER 4, 2018 - OCTOBER 24, 2018	4,085,954.49
MUNICIPAL COURT ACCOUNT CHECK RUN FOR SEPTEMBER 29, 2018 - OCTOBER 12, 2018	36,466.00
<b>TOTAL: \$</b>	<b>4,122,420.49</b>

**GENERAL FUND**

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**OTHER ADMIN**

CTA ARCHITECTS ENGINEERS	PHASE 1 CC EXTERIOR ENVELOPE REHAB ARCHITECTURAL SERVICES	15,000.42
MCKINSTRY ESSENTION LLC	INVESTMENT GRADE AUDIT OF CITY FACILITIES (SPLIT AMONG FUNDS)	23,200.00

**POLICE**

CDW GOVERNMENT	PANASONIC CF31 (SPLIT AMONG FUNDS)	3,709.44
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**FIRE**

TRI-COUNTY MECHANICAL & ELECTRICAL	REPAIR PNEUMATIC HEATING SYSTEM STATION 1	7,082.00
BENEFIS HOSPITALS INC	OCCUPATIONAL PHYSICALS	5,332.51

**SPECIAL REVENUE FUND**

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**STREET DISTRICT**

KUGLIN CONSTRUCTION	OF 1730.2 ADA HANDICAP RAMPS	72,959.01
GREAT FALLS SAND & GRAVEL INC	ASPHALTIC CONCRETE MATERIAL	20,418.16
UNITED MATERIALS OF GREAT FALLS	SANDING MATERIAL	20,457.96
GREGOIRE CONSTRUCTION	OF 1730.5 ADA APRONS 4TH ST NE, 6TH ST NE & 6TH AVE S	15,069.16
GREAT FALLS SAND & GRAVEL INC	ASPHALTIC CONCRETE MATERIAL	16,656.92
CDW GOVERNMENT	PANASONIC CF23 FOR TRAFFIC	7,418.88

**SPECIAL REVENUE FUND (CONT.)**

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**LIBRARY**

MCKINSTRY ESSENTION LLC	INVESTMENT GRADE AUDIT OF CITY FACILITIES (SPLIT AMONG FUNDS)	11,600.00
INGRAHAM ENVIRONMENTAL INC	ASBESTOS ABATEMENT FOR BOILER INSTALL	17,602.35

**LIBRARY FOUNDATION**

BIBLIOTHECA LLC	TATTLE TAPE BOOK SENSITIZERS	12,912.30
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**CAPITAL PROJECTS**

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**GENERAL CAPITAL**

BIO-RESPONSE SOLUTIONS INC	PET CREMATION SYSTEM	26,600.00
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**ENTERPRISE FUNDS**

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**WATER**

LANDMARK STRUCTURES BLACK & VEATCH CORP	OF 1625.2 GORE HILL TANK REPLACEMENT OF 1519.6 WTP IMPROVEMENT PHASE 1 CONSTRUCTION PORTION	251,769.97 62,260.60
THATCHER CO OF MONTANA S & L DEVELOPMENT LLC	CHEMICALS OF 1341.8 WEST RIDGE ADDITION PHASE 8	12,099.36 13,752.00
SLETTEN CONSTRUCTION CO	OF 1519.6 WTP IMPROVEMENT PHASE 1 CONSTRUCTION PORTION	382,215.44
FERGUSON ENTERPRISES INC TD&H ENGINEERING	METERS OF 1494.6 WATER MAIN CROSSINGS MISSOURI & SUN RIVERS	20,526.62 14,783.28

**SEWER**

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	241,274.04
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
VEOLIA WATER NORTH AMERICA	WWTP UNIT HEATER REPLACEMENT	80,314.90

**STORM DRAIN**

CENTRAL EXCAVATION	OF 1462.5 18TH ST S STORM DRAIN IMPROVEMENT PHASE 2B	247,122.24
VEOLIA WATER NORTH AMERICA	MDT PUMP #2 PURCHASE & INSTALL	10,976.82

**PARKING**

STANDARD PARKING	CONTRACT SERVICES FOR AUGUST 2018	40,913.59
MCKINSTRY ESSENTION LLC	INVESTMENT GRADE AUDIT OF CITY FACILITIES (SPLIT AMONG FUNDS)	11,600.00

**CIVIC CENTER EVENTS**

MASCO	FLOOR SCRUBBER	9,800.00
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**INTERNAL SERVICES FUND**

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**HEALTH & BENEFITS**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE HEALTH INSURANCE PREMIUM FOR OCTOBER 2018	783,459.30
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**INSURANCE & SAFETY**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	SEPTEMBER 2018 DEDUCTIBLE RECOVERY	20,819.00
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**FISCAL SERVICES**

ANDERSON ZURMUEHLEN AND CO PC	AUDIT PROGRESS BILLING	15,000.00
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**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	FUEL	67,802.33
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**INFORMATION TECHNOLOGY**

CDW GOVERNMENT	PANASONIC CF31 FOR PD (SPLIT AMONG FUNDS)	3,709.44
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**CC FACILITY SERVICES**

MCKINSTRY ESSENTION LLC	INVESTMENT GRADE AUDIT OF CITY	11,600.00
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**TRUST AND AGENCY**

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**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	27,760.50
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**PAYROLL CLEARING**

STATE TREASURER	MONTANA TAXES	48,580.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	8,141.97
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	54,940.40
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	68,615.04
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	133,403.61
POLICE SAVINGS & LOAN	EMPLOYEE CONTRIBUTIONS	13,358.00
US BANK	FEDERAL TAXES, FICA & MEDICARE	207,811.04
AFLAC	EMPLOYEE CONTRIBUTIONS	10,273.10
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	14,299.37
MONTANA MUNICIPAL INTERLOCAL AUTHORITY	3RD QUARTER WORKERS COMPENSATION	261,909.60

**UTILITY BILLS**

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TALEN TREASURE STATE	ELECTRICITY CHARGES FOR SEPT 2018	98,880.00
MONTANA WASTE SYSTEMS INC	SEPTEMBER 2018 MONTHLY CHARGES	70,402.40
ENERGY WEST RESOURCES	SEPTEMBER 2018 MONTHLY CHARGES	11,204.07
NORTHWESTERN ENERGY	SEPTEMBER 2018 MONTHLY SLD CHARGES	79,143.68

<b>CLAIMS OVER \$5000 TOTAL:</b>		<b>\$ <u>3,699,040.82</u></b>
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**Item:** Contracts List

**From:** City Clerk's Office

**Presented By:** City Commission

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ATTACHMENTS:

- ▣ Updated Contracts List

**CITY OF GREAT FALLS, MONTANA**

**AGENDA: 7**

**COMMUNICATION TO THE CITY COMMISSION**

**DATE: November 7, 2018**

**ITEM:** CONTRACTS LIST  
Itemizing contracts not otherwise approved or ratified by City Commission Action  
(Listed contracts are available for inspection in the City Clerk’s Office.)

**PRESENTED BY:** Darcy Dea, Deputy City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR’S SIGNATURE:** \_\_\_\_\_

**CONTRACTS LIST**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Great Falls Police Department	Superior Cleaning	11/07/2018-11/06/2019	\$2,860	Professional Services Agreement for general cleaning once a week of the Emergency Operations Center (EOC)
<b>B</b>	Finance Department	US Bank, N.A.	12/31/2018-12/31/2020	N/A	Banking Services Agreement No. 2 extends the term two additional years (CR 121713.18 & 111516.12C)

<b>C</b>	Public Works	Montana Department of Transportation (MDT)	07/01/2018-06/30/2019	State shall reimburse City for maintenance work on State routes	Traffic Control Maintenance Agreement extending the term of the Agreement one state fiscal year 2019 <b>OF 1739</b> (CR 051518.9D)
<b>D</b>	Great Falls Fire Rescue	Detailed Construction Company	11/07/2018-03/30/2019	\$31,500	Construction Agreement to safely secure contaminated gear for Turnaround (PPE) Rooms at Fire Stations #1, #2, #3, and #4 <b>OF 1727.4</b>
<b>E</b>	Park and Recreation Department	AT Klemens	10/25/2018-11/26/2018	\$4,862	Ratify Agreement for the replacement & installation of HVAC system at the Visitor Information Center located at 15 Overlook Drive
<b>F</b>	Public Works/Engineering	Montana Department of Transportation (MDT)	11/07/2018-02/2019	The estimated cost for the adjustments is \$1,328.23. If the actual cost exceeds \$25,000, the City will be liable for 25% of the cost plus other fees.	Agreement to adjust one water valve and one sanitary sewer manhole at the intersection of Smelter Avenue and 6 <sup>th</sup> Street NE and install ADA compliant handicap ramps along 3 <sup>rd</sup> Street NW and Smelter Avenue. Federal Aid Project CMDP 101-1 (18 ) 1 Control No 9053000 <b>OF 1614.3</b>
<b>G</b>	Public Works/Engineering	Nelson Architects	11/07/2018-06/20/2021	\$28,415 (CDBG Funded)	Professional Services Agreement for the design, bidding, and inspection for restoration & remodel improvements at the Electric City Water Park Bathhouse, including ADA accessibility <b>OF 1740.1</b> (CR 101618.8C)

<b>H</b>	Public Works/ Engineering	Industrial Automation Consulting, Inc. (IAC)	09/06/2016- 12/31/2019	\$57,357.35	Amendment No.1 to Professional Services Agreement to increase payment amount for the designing and programming at the Wastewater Treatment Plant <b>OF 1519.6</b> (CR 090616.12)
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**Item:** Final Payment: Sanitary Sewer Trenchless Rehabilitation, Phase 20, Office File 1674.6.

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve Final Pay Request for Office File 1674.6.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (approve/not approve) Final Payment for the Sanitary Sewer Trenchless Rehabilitation, Phase 20, project in the amount of \$522,051.75 to Planned and Engineered Construction (PEC) and \$5,273.25 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments."

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Approve Final Payment Request.

**Summary:**

This project is a continuation of an ongoing program to rehabilitate sanitary sewer mains. It utilizes trenchless technologies to repair badly deteriorated sewer mains. This phase restored 13,742 linear feet of sanitary sewer main. To put the size of the rehabilitation in perspective, it should be noted that this length is the equivalent of almost 40 city blocks. The rehabilitated mains are serving homeowners and located throughout the city.

**Background:**

Citizen Participation:

The construction activity had little impact on the citizens of Great Falls. The contractor was required to keep the sewer mains functioning by utilizing bypass pumping.

Workload Impacts:

The Utility Division of the City's Public Works Department completed sewer main camera inspections that were used to identify and prioritize the sewer mains which needed rehabilitation. The City Engineering staff designed the project and performed construction inspection and contract administration duties.

Purpose:

The purpose of this project was to rehabilitate Great Falls sewer mains. Many of the sewer mains in Great Falls have outlasted their intended service life. Although the sewer mains are functioning, the aged lines have developed pits, cracks, and holes. These defects can lead to raw sewage leaking into ground water and also make routine maintenance difficult.

By utilizing Cured-in-Place-Pipe (CIPP), we have extended the service life and alleviated the issues stated above. Trenchless technology provides the City with a low cost solution that greatly reduces public disruption and eliminates utility conflicts.

Project Work Scope:

This project rehabilitated 13,742 linear feet of 8, 9, 12, 15, and 20-inch diameter sewer mains at forty-one (41) locations spread around the City. These locations are as follows:

4th Alley N. 1300 Block	6th Alley S. 1000 Block
1st Alley N. 1700 Block	5th St SW. 5th Alley SW to 5th Ave SW
6th Alley S. 2500 Block	5th St SW. 5th Alley SW to 4th Alley SW
12th Alley S. 1900 Block	5th St SW. 4th Alley SW to 3rd Ave SW
35th St N. 2nd Alley S-3rd Alley S	5th St SW. 3rd Alley S to 3rd Ave SW
35th St N. 1st Alley S- 2nd Alley S	5th St SW. 3rd Ave SW to 2nd Ave SW
35th St N. 1st Alley S -1st Alley N	6th St SW. @ 2nd Ave SW
35th St N. 1st Alley N - 2nd Alley N	Riverview 4 E at Division
35th St N. 2nd Alley N - 3rd Alley N	18th Ave N.W. 600 Block
3rd Alley N. 3400 Block	1st Alley S.W. 1200 Block
34th St N. 3rd Alley N - 4th Alley N	1st Alley N.W. 1300 Block
34th St N. 4th Alley N - 5th Alley N	5th Alley N.W. 1000 Block
34th St N. 5th Alley N - 6th Alley N	6th Alley N.W. 900 Block
34th St N. 6th Alley N - 7th Alley N	4th Alley N.W. 900 Block
34th St N. 7th Alley N - 8th Alley N	16th Alley S. 100 Block
34th St N. 8th Alley N - 9th Alley N	1st Alley N. 500 Block
34th St N. 9th Alley N - 9th Ave N	Crescent Court
34th St N. 9th Ave N- Fairway Dr	Bonita Drive
34th St N. Fairway Dr to RR	7th Alley N. - 1200 Block
5th Alley S. - 900 Block	7th Alley S. - 800 Block
2nd Alley S. 300 Block	

Evaluation and Selection Process:

Two (2) Bids were received for this project; one from Planned and Engineered Construction, Inc. (PEC) and the other from Insituform Technologies. The bids were opened on December 20, 2017. The two bids provided were \$565,000.00 and \$577,905.60. PEC submitted the low bid and executed all the necessary bid documents. The City Commission Awarded the contract on January 2, 2018.

Final Payment:

The final project cost is \$527,325.00 which is \$37,675.00 less than the amount that was originally awarded and approved. The difference was due to uncertainty associated with spot repairs, infiltration and main sizes. We did not encounter as many of these problems during the project as was expected during design and at the time of bidding.

Conclusion:

City Staff recommends making the final payment. Staff verified that PEC has completed all work and punch list items in accordance with the plans and the contract. The two year warranty period started at the same time as substantial completion which was October 19, 2018.

**Fiscal Impact:**

Funding for this project is from the Sewer Collection Fund.

**Alternatives:**

The City Commission could vote to deny Final Payment.

ATTACHMENTS:

- ▣ OF 1674.6 Final Pay

PROJECT FUNDING/EXPENDITURE SUMMARY \*

Sanitary Sewer Trenchless Rehab Phase 20 O.F. 1674.6

PREPARED BY THE CITY ENGINEERS OFFICE 10/23/18

FINAL PAY

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE						ALLOCATED FUNDING	EXPENDITURE TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 10			
Contractor - PEC	Sewer Collection- Improvements Other Than Buildings	\$522,051.75						\$559,350.00	522,051.75	\$37,298.25
	TOTAL DATE	\$522,051.75 10/23/2018	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$559,350.00	\$522,051.75	\$37,298.25
Tax	Sewer Collection- Improvements Other Than Buildings	\$5,273.25						\$5,650.00	5,273.25	\$376.75
	TOTAL DATE	\$5,273.25 10/23/2018	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,650.00	\$5,273.25	\$376.75
Miscellaneous	Sewer Collection- Professional Services	\$745.88						\$1,000.00	745.88	\$254.12
	TOTAL DATE	\$745.88 11/27/17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$566,000.00	\$745.88	\$254.12
							<b>TOTALS</b>	<b>\$1,131,000.00</b>	<b>\$528,070.88</b>	<b>\$37,929.12</b>

PROJECT FUNDING SUMMARY

FUND DESIGNATION	ALLOCATED	EXPENDITURE	BALANCE
Sewer Collection- Improvements Other Than Buildings	\$565,000.00	\$527,325.00	\$37,675.00
Sewer Collection- Professional Services	\$1,000.00	\$745.88	\$254.12
<b>TOTAL</b>	<b>\$566,000.00</b>	<b>\$528,070.88</b>	<b>\$37,929.12</b>

5310.31.565.43590



**APPLICATION FOR PAYMENT NO. 1 - Final Pay**

To: City of Great Falls (OWNER)  
From: Planned and Engineered Construction, Inc. (CONTRACTOR)  
Contract: Sanitary Sewer Trenchless Phase 20  
Project: Trenchless Rehabilitation  
OWNER's Contract No. O.F. 1674.6 ENGINEER's Project No. PW361803  
For Work accomplished through the date of: October 23, 2018.

1.	Original Contract Price:	\$ 565,000.00
2.	Net change by Change Orders and Written Amendments (+ or -):	\$ 0.00
3.	Current Contract Price (1 plus 2):	\$ 565,000.00
4.	Total completed and stored to date:	\$ 527,325.00
5.	Retainage (per Agreement):	
	<u>0</u> % of Completed Work: \$ 0.00	
	<u>0</u> % of stored material: \$ 0.00	
	Total Retainage:	\$ 0.00
6.	Total completed and stored to date less retainage (4 minus 5):	\$ 527,325.00
7.	Less previous Applications for Payments:	\$ 0.00
8.	Gross Amount Due this application: (6 minus 7):	\$ 527,325.00
9.	Less 1% State Gross Receipts Tax:	\$ 5,273.25
10.	<b>DUE THIS APPLICATION (8 MINUS 9):</b>	<b>\$ 522,051.75</b>

Accompanying Documentation:  
*Pay Application No 1-Final Pay quantities*

**CONTRACTOR'S Certification:**

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 10-23-18

Planned and Engineered Construction, Inc.

CONTRACTOR

By: 

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 10/23/18

Mikaela Schultz

ENGINEER

By: 

EJCDC No. 1910-8-E (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute. Modified by the City of Great Falls to add items 9 and 10.

# PEC, Inc.

**Planned and Engineered Construction, Inc**  
**3400 Centennial Drive**  
**Helena, MT 59601**

**Telephone 406/447-5050**  
**Fax 406/443-8583**  
**www.pechelena.com**

## APPLICATION FOR PAYMENT SUMMARY SHEET

**Owner:** City of Great Falls, MT  
 PO Box 5021  
 Great Falls, MT 59403

**Bill To:** City of Great Falls, MT  
 PO Box 5021  
 Great Falls, MT 59403

**Invoice Number:** 001  
**Invoice Date:**  
**Project Name:** Sanitary Sewer Trenchless Rehabilitation - Phase 20  
**Contract No:**  
**Engineer:**

**Period - From:**  
**Period - To:**  
**PEC Project #** C1001  
**Contract Completion Date:**

ITEM	DESCRIPTION	UOM	BID EST.		TOTAL BID EST.	CURRENT PAY REQUEST		PREVIOUS PAY REQUEST		TOTAL PAY REQUESTS	
			QTY	PRICE		QTY	PRICE	QTY	PRICE	QTY	PRICE
101	Clean and TV Pipe	LF	13,303	\$5.00	\$66,515.00	13,742.0	\$68,710.00		\$0.00	13,742.0	\$68,710.00
102	Install 8" CIPP	LF	5,184	\$25.00	\$129,650.00	4,480.0	\$112,250.00		\$0.00	4,480.0	\$112,250.00
103	Install 9" CIPP	LF	1,250	\$25.00	\$31,250.00	2,880.0	\$72,280.00		\$0.00	2,880.0	\$72,280.00
104	Install 12" CIPP	LF	4,875	\$28.00	\$141,375.00	4,475.0	\$129,775.00		\$0.00	4,475.0	\$129,775.00
105	Install 15" CIPP	LF	1,512	\$80.00	\$120,960.00	1,727.0	\$138,160.00		\$0.00	1,727.0	\$138,160.00
105	Install 20" CIPP	LF	712	\$85.00	\$60,520.00	180.0	\$15,300.00		\$0.00	180.0	\$15,300.00
106	Internally Reinstate Laterals	EA	218	\$100.00	\$21,800.00	283.0	\$28,300.00		\$0.00	283.0	\$28,300.00
107	CIPP Spot Repair	EA	2	\$5,500.00	\$11,000.00	0.0	\$0.00		\$0.00	0.0	\$0.00
108	Mobilization	LS	1	\$18,000.00	\$18,000.00	1.0	\$18,000.00		\$0.00	1.0	\$18,000.00
109	Misc. Work	Unit	20,000	\$1.00	\$20,000.00		\$0.00		\$0.00		\$0.00
<b>TOTAL INVOICE CLAIM:</b>						\$	527,325.00	\$	-	\$	527,325.00
<b>0% LIEN FUNDS RETAINED:</b>						\$	-	\$	-	\$	-
<b>LIEN FUNDS RELEASED:</b>						\$	-	\$	-	\$	-
<b>0% LOCAL STATE TAX:</b>						\$	-	\$	-	\$	-
<b>LESS PREVIOUS PAYMENTS:</b>						\$	-	\$	-	\$	-
<b>NET PAYMENT AMOUNT:</b>						\$	527,325.00	\$	-	\$	527,325.00
<b>1% MT RECEIPTS TAX (GRT):</b>						\$	5,273.25	\$	-	\$	5,273.25
<b>AMOUNT DUE THIS INVOICE:</b>						\$	522,051.75	\$	-	\$	522,051.75
						<b>Total Outstanding Balance \$ 522,051.75</b>					
<b>SUMMARY OF LIEN FUND</b>						<b>APPROVED BY:</b> [Signature]					
TOTAL LIEN FUNDS RETAINED: \$ -						TITLE President					
TOTAL LIEN FUNDS RELEASED: \$ -						DATE 18-Oct-18					
LIEN FUNDS REMAINING RETAINED \$ -											

COMMENTS:

APPROVED

OF 1674.6- Quantities

APP #1 : 10/19/2018-FINAL

Sanitary Sewer Trenchless Rehabilitation Phase 20

Estimate #	Item #	Discription of Pay Items	Est Qty	Unit	PEC		ACTUAL	PERCENT	UNIT	\$ to contractor
					Unit Price	Total				
	101	Clean and Video Host Pipe	13303	LF	\$5.00	\$66,515.00	13742	103%	LF	\$68,710.00
	102	Install 8" CIPP	5154	LF	\$25.00	\$128,850.00	4490	87%	LF	\$112,250.00
	103	Install 9" CIPP	1250	LF	\$25.00	\$31,250.00	2890	231%	LF	\$72,250.00
	104	Install 12" CIPP	4875	LF	\$29.00	\$141,375.00	4475	92%	LF	\$129,775.00
	105	Install 15" CIPP	1312	LF	\$50.00	\$65,600.00	1727	132%	LF	\$86,350.00
	106	Install 20" CIPP	712	LF	\$85.00	\$60,520.00	160	22%	LF	\$13,600.00
	107	Internally Reinstate Laterals	218	EA	\$100.00	\$21,800.00	263	121%	EA	\$26,300.00
	108	CIPP Spot Repair	2	EA	\$5,500.00	\$11,000.00	0	0%	EA	\$0.00
	109	Mobilization (Max 5% of Total Bid)	1	LS	\$18,090.00	\$18,090.00	1	100%	LS	\$18,090.00
	110	Miscellaneous	20000	UNIT	\$1.00	\$20,000.00	0	0%	UNIT	\$0.00
		<b>SUB Total</b>				<b>\$565,000.00</b>				<b>\$527,325.00</b>

TOTAL DUE TO CONT.	\$527,325.00
Less Retainage 5%	\$0.00
<b>SUBTOTAL before TAX</b>	<b>\$527,325.00</b>
Less MT Dept. Rev 1%	\$5,273.25
<b>TOTAL DUE</b>	<b>\$522,051.75</b>

PROJECT FUNDING/EXPENDITURE SUMMARY \*

Sanitary Sewer Trenchless Rehab Phase 20 O.F. 1674.6


FINAL PAY

PREPARED BY THE CITY ENGINEERS OFFICE 10/23/18

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE						ALLOCATED FUNDING	EXPENDITURE TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 10			
Contractor - PEC	Sewer Collection- Improvements Other Than Buildings	\$522,051.75						\$559,350.00	522,051.75	\$37,298.25
	<b>TOTAL DATE</b>	<b>\$522,051.75 10/23/2018</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$559,350.00	\$522,051.75	\$37,298.25
Tax	Sewer Collection- Improvements Other Than Buildings	\$5,273.25						\$5,650.00	5,273.25	\$376.75
	<b>TOTAL DATE</b>	<b>\$5,273.25 10/23/2018</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,650.00	\$5,273.25	\$376.75
Miscellaneous	Sewer Collection- Professional Services	\$745.88						\$1,000.00	745.88	\$254.12
	Tribune									
	<b>TOTAL DATE</b>	<b>\$745.88 11/27/17</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$566,000.00	\$745.88	\$254.12
<b>TOTALS</b>								<b>\$1,131,000.00</b>	<b>\$528,070.88</b>	<b>\$37,929.12</b>

PROJECT FUNDING SUMMARY

FUND DESIGNATION	ALLOCATED	EXPENDITURE	BALANCE
Sewer Collection- Improvements Other Than Buildings	\$565,000.00	\$527,325.00	\$37,675.00
Sewer Collection- Professional Services	\$1,000.00	\$745.88	\$254.12
<b>TOTAL</b>	<b>\$566,000.00</b>	<b>\$528,070.88</b>	<b>\$37,929.12</b>

  
\$310,315,654,3590



**Item:** Interlocal Agreement between City County Health and the City of Great Falls for Emergency Preparedness and Community Health Response.

**From:** Stephen A. Hester, Fire Chief

**Initiated By:** Stephen A. Hester, Fire Chief

**Presented By:** Jeremy M. Jones, Assistant Fire Chief

**Action Requested:** Approve Interlocal Agreement between City County Health Department and City of Great Falls for Emergency Preparedness and Community Health Response.

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**Suggested Motion:**

1. Commissioner moves:

"I move the City Commission (approve/disapprove) the Interlocal Agreement between the City County Health Department and the City for Emergency Preparedness and Community Health Response for the term of October 16, 2018 to September 30, 2021, and authorize the City Manager to execute the agreement."

2. Mayor requests a second to the motion, public comment, Commission discussion and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission approve the Interlocal Agreement with City County Health and the City for emergency preparedness and community health response for the term of 16 October 2018 to 30 September 2021 according to the terms of the of the interlocal agreement as provided.

**Summary:**

The purpose of this agreement is that of mutual aid between two government agencies with like interests. This agreement allows for the City to partner with City/County Health Department (CCHD) to provide Community Health prevention, and mutual response in times of natural/man-made disasters when additional resources are needed and time is of the essence.

**Background:**

This is the first time that a formal agreement has been made between the City and CCHD to assist each other during times of need. During President Trump's visit in July 2018, several spectators had

experienced heat stress issues that resulted in calls for service from the Fire Department. The situation had overwhelmed City resources. Most of those who sought help were not serious transportable Emergency Medical conditions, but they required medical monitoring and minor treatment. An after action report brought to light that CCHD has medical health professionals could have supported this operation by using their skills at an established aid station.

Additionally, During the influenza shot campaign, CCHD wanted to use City fire stations to provide flu shots since they were strategically located in the community and offered an excellent site to conduct flu shot clinics. In October 2018, each fire station hosted a flu shot clinic that was well received by the community and work perfectly to accommodate the needs of CCHD. Also, City emergency staff could provide assistance during times of health disasters.

The agreement will formalize the sharing of resources and streamline the process of requesting and receiving assistance. The City would assist the Health Department when space is needed to hold influenza or other clinics. The Health Department would provide nurses and other staff to help out during disasters.

The Cascade County Commission approved the interlocal agreement on October 23, 2018.

**Fiscal Impact:**

In accordance with MCA section 7-11-105(4) the parties shall be responsible for the costs associated with the performance of their duties and responsibilities under the agreement.

**Concurrences:**

City-County Health Department, Cascade County Commission, County Legal Department, City Legal Office and City Manager.

ATTACHMENTS:

- Interlocal Agreement CCHD and City of GF

## INTERLOCAL AGREEMENT

Between *City County Health Department* and the *City of Great Falls*  
For Emergency Preparedness and Community Health Response

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**WHEREAS**, the Montana Interlocal Cooperation Act, codified at § 7-11-101 (2017), MCA (hereinafter the "Act"), permits local government units to make the most efficient use of their powers by enabling them to cooperate with other local governmental units on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

**WHEREAS**, the Act provides that one or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking which such public agencies are otherwise authorized by law to perform; and

**WHEREAS**, the City County Health Department (hereinafter referred to as "CCHD") and the City of Great Falls, Great Falls Fire & Rescue (hereinafter referred to as "City") constitute public agencies pursuant to § 7-11-103, MCA; and

**WHEREAS**, the City has a fire department which is permanently organized, equipped, and staffed for continuous operations; and

**WHEREAS**, the City fire department's operational capacity is able to provide Emergency Preparedness and Community Health Services to both the City and adjacent areas; and

**WHEREAS**, the CCHD provides community health and emergency preparedness during natural and man-made disasters; and

**WHEREAS**, the fire department has training and facilities to assist in administering Community Health initiatives and outreach out of the Great Falls Fire Stations 1-4.

**NOW, THEREFORE**, pursuant to the Act and in consideration of the mutual covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, the undersigned parties hereby agree as follows:

### **1. Purpose and Scope of the Agreement.**

The purpose and scope of this agreement is for the City to Partner with CCHD to provide Community Health prevention and mutual response in times of natural and man-made disasters or when the need for additional resources arises and time is of the essence.

**2. Duties and Responsibilities.**

The City shall provide the following services to CCHD:

- a. Facilities to hold community health influenza or other clinics; and
- b. Personnel to assist with clinics and times of disaster.

The CCHD shall provide the following services to City:

- a. Nurses and other staff to assist in times of disaster as needed within the City, as requested when necessary as determined by GFFR.

The City and CCHD may extend this Agreement to additional Community Health needs by mutual agreement.

**3. Duration and Termination.**

This Agreement, upon execution by the duly authorized representative of the City and CCHD, shall commence October 16, 2018, and shall continue in full force and effect through September 30, 2021.

Either party hereto may cancel this Agreement by giving sixty (60) days prior written notice to the other party.

**4. Costs.**

In accordance with MCA § 7-11-105(4) the parties shall be responsible for the costs associated with the performance of their duties and responsibilities under this Agreement.

**5. Separate Legal Entity.**

Pursuant to § 7-11-105(2), MCA, nothing in this Agreement shall be construed to create an agency, partnership, joint venture or employee relationship between the parties. The parties, by virtue of this Agreement, shall have no right, power or authority, except as expressly provided for by law, to act or create any obligation, express or implied, on behalf of the other party. Further, pursuant to § 7-11-105(6), MCA, there shall be no administrator or joint board responsible for administering the terms of this Interlocal Agreement.

**6. Ownership of Assets.**



Pursuant to § 7-11-105(7), MCA, and at all times relevant to this Agreement, all equipment and other property used by the City to execute this Agreement shall remain the exclusive property of the City.

**7. Hold Harmless and Indemnification.**

Subject to the limitations of MCA § 2-9-108, the parties shall protect, defend, indemnify, and hold harmless the other from and against any and all manner and form of liability, damages, claims, claims for damages, demands, causes of action, or expenses, including interest, of any nature or description resulting from or arising out of or in connection with each party's intentional or negligent acts and omissions in the performance and provision of providing emergency medical, and other specified services, including, but not limited to, the response to community health crisis and times of disaster from natural or man-made circumstances pursuant to and in accordance with the terms of this Agreement. Nothing herein shall be construed as an agreement by either party to release, indemnify or hold harmless the other, its official agents or employees from liability for damage or injury to persons or property caused by the negligence, carelessness, or intentional acts of each party, its officials, agents or employees.

**8. Notice.**

All notices required to be provided shall be given in writing, addressed to the respective parties' authorized representatives as designated herein, and delivered personally or by U.S. mail. For purposes of this Agreement, written notice shall be deemed to have been duly served: (1) in the case of personal delivery, on the date indicated upon a written receipt issued by the recipient; (2) in the case of unregistered and uncertified U.S. mail, three business days following the listed date of the notice or the date of the postmark, whichever is later; and (3) in the case of registered or certified mail, the date indicated on the return receipt.

**9. Authorized Representatives.**

The City and CCHD shall each designate a representative authorized to receive all agreement communications and notices and who shall be authorized and responsible to take action necessary for the execution and administration of this agreement. Except as otherwise designated in writing by the respective parties, the authorized representatives of the parties are:

Cascade County

Board of Cascade County Commissioners  
325 2nd Avenue North, Room 111

City of Great Falls

Gregory T. Doyon, City Manager  
P.O. Box 5021

**10. Amendment.**

This Interlocal Agreement may not be amended, except by written agreement of the undersigned parties in conformance with the requirements of the Act.

**11. Attorney Fees, Costs and Venue.**

In any judicial action to enforce or interpret the terms of this Interlocal Agreement, each party shall be responsible for its own costs of suit and attorney fees. Venue for any judicial action shall be in the District Court in and for the Eighth Judicial District, Cascade County, Montana.

**12. Severability.**

If any term of this Agreement should hereafter be declared void or becomes unenforceable by operations of law, all other terms of this Agreement shall continue to be effective unless the void or unenforceable terms materially affects the ability of the governing body to carry out the essential purpose set forth in ¶1 of this Agreement.

**13. Merger.**

This Interlocal Agreement constitutes the entire agreement of the undersigned parties with respect to the matters addressed herein and supersedes any and all previous agreements or representations, if any, between the parties.

**14. Assignment.**

The parties mutually agree that there will be no assignment, transfer or subcontracting of the Agreement or any interest therein, unless agreed to by the parties, in writing, as provided for ¶10 in of this Agreement.

**15. Binding on Successors.**

This Agreement shall be binding on CCHD and City and all of its successors and assigns, including any successor in interest.

**16. Time is of the Essence.**

Time is of the essence in the performance of all parties' obligations and duties under this Agreement.

**Assent.** Pursuant to § 7-11-104, MCA, the undersigned parties hereby authorize, approve and execute the terms of this Interlocal Agreement.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF GREAT FALLS**

\_\_\_\_\_  
Bob Kelly, Mayor

**ATTEST:**

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF THE CITY)

**\* APPROVED AS TO FORM:**

\_\_\_\_\_  
Sara R. Sexe, City Attorney

\* By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

CONTRACT

18-181

DATED this 23<sup>rd</sup> day of October, 2018.

BOARD OF COUNTY COMMISSIONERS,  
CASCADE COUNTY

[Redacted]  
Jane Weber, Chair

[Redacted]  
Joe Briggs, Commissioner

[Redacted]  
James Larson, Commissioner

ATTEST:

On this 24<sup>th</sup> day of October, 2018, I hereby attest the  
above-written signatures of the Board of Cascade County Commissioners.

(SEAL)

[Redacted] deputy [Redacted]  
Rina Fontana Moore, Cascade County  
Clerk and Recorder





**Item:** Agreement between City of Great Falls and Plumbers and Fitters Local No. 41.

**From:** Gaye McInerney, Human Resources Director

**Initiated By:** Gaye McInerney, Human Resources Director

**Presented By:** Greg Doyon, City Manager

**Action Requested:** Approve Plumbers and Fitters Local No. 41 Labor Agreement.

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**Suggested Motion:**

1. Commissioner moves:

"I move the City Commission (approve/deny) the labor agreement between the City of Great Falls and Plumbers and Fitters Local No. 41."

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Staff recommends the City Commission approve the labor agreement between the City of Great Falls and the Plumbers and Fitters Local No. 41. The Plumbers and Fitters Local No. 41 consists of 5 employees across three City departments -- Park & Recreation, Planning & Community Development, and Public Works.

**Summary:**

Members of the negotiation team worked to update basic contractual language in order to make the Agreement more clear, more understandable, and consistent.

Article 3(C), Definitions: Clarified the definition of temporary employee to coincide with the definition stated in the Personnel Policy Manual.

Article 9.3, Hours of Work and Overtime: Sick and vacation time is not counted in computing the initial forty (40) hour work week for overtime purposes.

Article 15.2(5), Sick Leave: Parental Leave section was removed, as it is provided for under the Family Medical Leave Act (FMLA).

Article 15.6, Sick Leave: Leave of Absence section was removed, as it is covered under Article 18.

Article 15.7, Sick Leave: Clarified Sick leave donations are not available to employees in a probationary period.

Article 21, Meals: The meal reimbursement amount increased to \$12.00 per meal based on the terms of work.

Article 23: Updated wording in the clause from "Affirmative Action" to "Non-Discrimination" Policy.

Article 24: Wording changed from "Supplemental Agreement" to "Waiver and Amendment Clause." Added "no past practices, polices, rules or prior agreements" clause.

Schedule A: Schedule was modified to reflect a wage increase of 3.5% (3.0% COLA and .5% market adjustment).

Schedule B, Section 2(B), Health Insurance: Health premium charges after 7/1/18, will be shared at a provider standard rate with the City paying 90 percent and the employee paying 10 percent of the health premium. In addition, the health premium rates were updated for the current year.

**Background:**

The previous labor agreement period was for a two-year period, expiring June 30, 2018. The term of the proposed Agreement is for a one-year period beginning July 1, 2018 through June 30, 2019.

Negotiating teams met on two separate occasions, in addition to numerous telephone and email exchanges over three and a half months.

Representing the City:

Gaye McInerney, Director, Human Resources

Sara Sexe, City Attorney

Craig Raymond, Director, Planning & Community Development

Steve Herrig, Director, Park & Recreation

Chuck Anderson, Deputy City Manager

Wayne Lovelis, Manager, Water Plant

Representing the Plumbers and Fitters Local No. 41:

Tim Schrapps, Business Representative, Local No. 41 Plumbers and Pipefitters

John Kline, Plumber, Public Works

Marlon Zook, Plumber, Park & Recreation

**Fiscal Impact:**

The financial impact of a 3.5% increase to wages (3% COLA and .5% market adjustment) for a one-year contract is approximately \$10,818. The departmental breakdown is:

Park & Recreation: \$2,149

P&CD: \$4,371

Public Works: \$4,298

**Alternatives:**

The Commission may choose not to ratify the labor agreement, in which case the City and the Plumbers and Fitters Local No. 41 would reconvene and continue the collective bargaining process.

**Concurrences:**

The Plumbers and Fitters Local No. 41 members ratified the agreement in early October 2018.

**ATTACHMENTS:**

- 2018-2019 Plumbers & Fitters Labor Agreement
- Wage Increase History

**A G R E E M E N T**

**BETWEEN**

**CITY OF GREAT FALLS**

**AND**

**PLUMBERS AND FITTERS LOCAL NO. 41**

**July 1, 2018 – June 30, 2019**



TABLE OF CONTENTS

	<u>Page</u>
ARTICLE 1	
Recognition and Purpose .....	1
ARTICLE 2	
Successors .....	1
ARTICLE 3	
Definitions .....	1
ARTICLE 4	
Union Security .....	2
ARTICLE 5	
Strikes and Lockouts .....	3
ARTICLE 6	
Management Rights .....	4
ARTICLE 7	
Employee Rights/Grievance .....	4
ARTICLE 8	
Wages and Pay Periods .....	5
ARTICLE 9	
Hours of Work and Overtime .....	5
ARTICLE 10	
Call Back .....	6
ARTICLE 11	
Seniority .....	6
ARTICLE 12	
Probationary Periods .....	7
ARTICLE 13	
Holidays .....	7

ARTICLE 14	
Vacation .....	8
ARTICLE 15	
Sick Leave .....	9
ARTICLE 16	
Rest Break .....	10
ARTICLE 17	
Jury Duty .....	10
ARTICLE 18	
Leave of Absence .....	10
ARTICLE 19	
Light Duty/Temporary Alternative Duty Assignment .....	11
ARTICLE 20	
Temporary Assignments .....	11
ARTICLE 21	
Meal .....	11
ARTICLE 22	
Longevity .....	22
ARTICLE 23	
Affirmative Action Policy .....	12
ARTICLE 24	
Supplemental Agreement .....	12
ARTICLE 25	
Savings Clause .....	12
ARTICLE 26	
Duration .....	13
SCHEDULE A .....	14
SCHEDULE B .....	16

THIS AGREEMENT made and entered into at Great Falls as of the \_\_\_ day of October, 2018, by and between the CITY OF GREAT FALLS, MONTANA, hereinafter referred to as the "CITY", and the PLUMBERS AND FITTERS LOCAL NO. 41, hereinafter referred to as the "UNION", who have mutually agreed as follows:

## ARTICLE 1

### RECOGNITION AND PURPOSE:

The CITY recognizes the respective UNION signatory hereto as the exclusive representative of all of its employees who are subject to the terms of the Agreement, for the purpose of collective bargaining in respect to rates of pay wages, hours of employment, working conditions and all other conditions of employment. The CITY recognizes that the employees covered by this Agreement are maintenance, service, and new work employees, including assigned meter installation. The present recognized jurisdiction of the Plumbers and Fitters Local No. 41 shall be maintained during the term of this Agreement.

## ARTICLE 2

### SUCCESSORS:

In order to effectuate the purpose of this agreement, the parties agree that this agreement shall be binding upon their successors or assigns.

## ARTICLE 3

### DEFINITIONS:

- A. "Employee" and "employees" shall mean employees of the CITY who are members covered by this Agreement, but excluding supervisory employees and management employees as defined by Montana Law.
- B. "Regular employee" means a non-temporary employee who has satisfied any applicable probation period and is assigned to a position designated as regular in the CITY's Budget.
- C. "Temporary employee" means an employee hired for specific periods of time in excess of ninety non-consecutive days, but not exceeding twelve months. Temporary employees may qualify for some benefits, such as accrual of sick leave.
- D. "Full-time employee" means an employee who normally works forty (40) hours a week.

- E. Base Pay defined as: Employee's hourly pay rate in that category to which an employee is ordinarily assigned exclusive of longevity or any other special allowances.

#### ARTICLE 4

##### UNION SECURITY:

- 4.1 Employees who are members of the UNION on the date this AGREEMENT is executed shall, as a condition of continuing employment, maintain their membership in the UNION. All future employees performing work within the jurisdiction of the UNION involved shall, as a condition of continuing employment become members of such UNION within thirty (30) days of the date of their employment and the UNION agrees that such employees shall have thirty-one (31) days from date of employment within which to pay UNION's initiation fees and dues. If the employee fails to pay initiation fees or dues within thirty-one (31) days or fail to effectuate the provisions of Mont. Code Ann. §39-31-204, the UNION may request in writing that the employee be discharged. The CITY agrees to discharge said employee upon written request from the UNION involved. CITY agrees not to discriminate against any employee for membership in the UNION or for lawful UNION activities, provided such activities do not interfere with the efficient operation of the various departments of the CITY.

Employees qualifying under §39-31-204 shall pay an agency fee, equivalent to the regular initiation fee, and UNION dues as provided for in the local union, for the purpose of administering the AGREEMENT.

The CITY shall notify the UNION in writing of employees hired that may be affected by this AGREEMENT within five (5) days from the date of hire and said employee shall be notified to make contact with the UNION.

- 4.2 The CITY agrees to deduct the UNION monthly dues and initiation fees from each employee's wages upon written authorization of the employee. The deductions shall be made once each month and the total of such deductions made payable to the UNION.
- 4.3 It is understood the UNION shall have the right to use Business Agents, Shop Committees, or Stewards to adjust grievances as they arise. The CITY agrees that local Business Agents for the UNION shall be given access by the CITY to members of the UNION at the places of business of the CITY during hours of operation for the purpose of ascertaining whether the terms of this AGREEMENT are being observed if the agent does not disrupt the normal CITY operations, except for unsafe conditions.

- 4.4 The UNION will notify the CITY in writing what representative (Business Agent, Shop Committee or Stewards) it will use in matters relating to grievances, interpretation of the AGREEMENT, or in any other matters which affect the relationship between the CITY and UNION.
- 4.5 The UNION agrees to indemnify, defend, and to hold the CITY harmless against any and all claims, demands, suits, costs or fees which may be sought or incurred by the CITY as a result of any action taken by the CITY under the provisions of Article 4.
- 4.6 In consideration for the "save harmless" clause above, the CITY agrees that the UNION shall maintain the exclusive right to defend, settle, mitigate damages, litigate and /or take whatever action is necessary or it deems proper with respect to a person who sues the CITY for action taken by the CITY under Article 4.1. If the CITY unilaterally determines that it desires attorneys to represent it in defense of such actions, it shall do so at its own cost and not at cost of the UNION. It is further agreed that the CITY shall promptly notify the UNION of any such action and if filed and the UNION shall, at its own option, defend such actions and/or settle under the circumstances above described.

## ARTICLE 5

### STRIKES AND LOCKOUTS:

- 5.1 The parties hereto pledge their efforts to reach agreement on any difficulties that arise during the life of this AGREEMENT.
- 5.2 It is mutually agreed that there will be no strikes, lockouts or cessation of work by either party on account of labor difficulties during the life of this AGREEMENT.
- 5.3 It is agreed that the above provision shall not apply in the event no collective bargaining settlement is reached at the termination date of this AGREEMENT.
- 5.4 It shall not be a violation of this AGREEMENT for UNION members to refuse to cross a legal picket line.
- 5.5 The UNION and the CITY agree that "strikes" or "lockouts" will not prevent the UNION or the CITY from providing emergency operation of the water and wastewater systems and/or other systems that are essential to the health, welfare, and safety of the public.

- 5.6 The UNION may "strike" the CITY on any issue that the CITY does not agree to settle by binding arbitration. The CITY may "lockout" the UNION on any issue that the UNION does not agree to settle by binding arbitration.

## ARTICLE 6

### MANAGEMENT RIGHTS:

The CITY shall have the right to operate and manage its affairs in such areas as but not limited to:

- (a) direct employees;
- (b) hire, promote, transfer, assign, and retain employees;
- (c) relieve employees from duties because of lack of work or funds or under conditions where continuation of such work is inefficient and nonproductive;
- (d) maintain the efficiency of CITY operations;
- (e) determine the methods, means, job classifications, and personnel by which the CITY operations are to be conducted;
- (f) take whatever actions may be necessary to carry out the missions of the CITY in situations of emergency;
- (g) establish the methods and processes by which work is performed, including the utilization of advancements of technology.

The foregoing enumeration of the CITY Management's Rights shall not be deemed to exclude other functions not specifically covered by this AGREEMENT.

## ARTICLE 7

### EMPLOYEE RIGHTS/GRIEVANCE:

- 7.1 Grievances which may arise, including the interpretation of the AGREEMENT, shall be settled in the following manner:

Step 1:

The Division Supervisor will attempt to resolve any grievances that arise in his Division.

Step 2:

- A. If the employee is not satisfied with the Division Supervisor's decision, he may reduce the Grievance to writing and submit to the UNION for evaluation. The written grievance shall contain the following information:
1. The nature of the grievance and the facts on which it is based;
  2. The provisions of the AGREEMENT allegedly violated if applicable; and
  3. The remedy requested.

- B. No grievance shall be considered or processed unless it is submitted within ten (10) working days of the first knowledge and no later than ten (10) working days of first occurrence.

Step 3:

If within ten (10) working days the grievance has not been resolved, it may be submitted to the City Manager or his designee.

Step 4:

The City Manager shall render a decision within fifteen (15) working days after receipt of the grievance.

- 7.2 Waiver: If a grievance is not presented within the time limits set forth above, it shall be considered "waived." If a presented grievance is not appealed to the next step within the specific time limit or any agreed extension thereof, it shall be considered settled on the basis of the CITY's or UNION's last answer. If the CITY or UNION does not answer a grievance or an appeal thereof within the specified time limits, the UNION or CITY may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the CITY and the UNION.

## ARTICLE 8

### WAGES AND PAY PERIODS:

Attached hereto and made a part hereof as Schedule A is a list of the agreed wage schedule, classifications, and rates of jobs of employees covered by and for the duration of this AGREEMENT. Exclusive of unforeseen emergencies, all employees covered by this AGREEMENT shall be paid at least semi-monthly. The CITY will make every effort to have paychecks by 4:00 p.m. on payday.

## ARTICLE 9

### HOURS OF WORK AND OVERTIME:

- 9.1 Subject to the special work schedules set forth herein, the normal work week shall consist of five (5) days of eight (8) continuous hours each, except for a normal lunch period. Any schedule other than Monday through Friday will be agreed upon with employees, and the UNION will be notified.
- 9.2 One and one-half (1½) times the regular straight time rate will be paid for all hours worked in excess of eight (8) hours in one day or forty (40) hours in any one week. In no case shall overtime pay be paid twice for the same hours worked.
- 9.3 CITY agrees that each regular full-time employee will be given the opportunity of working at least forty (40) hours of each work week except those in which any of

the holidays provided for herein occur; during work weeks in which any said holidays fall upon any work day, CITY agrees that each regular full-time employee will be given the opportunity of working thirty-two (32) hours of work week specified herein. The CITY and UNION will discuss the maximum number of hours in the work week prior to any reduction of hours on the part of the CITY. Holidays shall be counted as days worked in computing the initial forty (40) hours for overtime purposes. Sick and vacation time is not counted in computing the initial forty (40) hour work week for overtime purposes. Nothing in this section shall be interpreted as a limitation on the right of the CITY to lay off employees as otherwise provided in this AGREEMENT.

ARTICLE 10

CALL BACK:

- 10.1 An employee called in for work, by phone, text message, or otherwise, at a time other than his (her) normal scheduled shift (off duty) will be compensated for a minimum of two (2) hours for 6:00 a.m. - 8:00 a.m. and up to 11:00 p.m. on a normal work day and four (4) hours minimum at all other times paid at one and one-half (1½) times the employee's regular rate except on Saturdays and Sundays where the employee called in will be compensated for a minimum of two (2) hours one and one half (1½) regular straight time rate of pay between 6:00 a.m. and 4:30 p.m. An early report to a regularly scheduled shift on duty does not qualify the employee for the two (2) hour minimum; however, the employee must be notified by 10:00 p.m. in order to qualify for an early report.
- 10.2 The CITY may assign such employee to any work, which he/she normally performs during the call-back period.

ARTICLE 11

SENIORITY:

- 11.1 Seniority means the rights secured by regular full-time employees by length of continuous service with the CITY. Seniority shall not be effective until a six (6) month probationary period has been successfully completed, after which seniority shall date back to the date of last hiring. Seniority rights shall apply to layoffs, scheduling of vacations, and transfers; that is, the last employee hired shall be the first laid off.
  - A. Seniority shall be broken when an employee:
    - 1. terminates voluntarily or retires;
    - 2. is discharged;
    - 3. is absent for one (1) working day without properly notifying the Employer, or
    - 4. fails to report for work after layoff within three (3) working days after being



notified by mail at his/her last known address provided by the employee to the CITY.

- B. No new regular employees will be hired until all laid off employees who have seniority in that classification who are qualified to fill the open job have been given the opportunity to return to work. Any recall rights under this Agreement are only applicable for twelve months from layoff, or for the remaining term of this Agreement, whichever is less.

## ARTICLE 12

### PROBATIONARY PERIODS:

- 12.1 All newly hired or rehired employees will satisfactorily serve a six (6) month probationary period upon initial placement in a position.
- 12.2 All employees will satisfactorily serve a six (6) month probationary period in any dissimilar job in which the employee has not served a probationary period.
- 12.3 At any time during a probationary period, a newly hired or rehired (after twelve (12) months absence) employee may be terminated at the sole discretion of the CITY.

## ARTICLE 13

### HOLIDAYS:

- 13.1 Full-time employees shall be granted the following paid holidays each calendar year:
  - a. New Year's Day, January 1
  - b. Martin Luther King Day, third Monday in January
  - c. Lincoln's and Washington's Birthday, third Monday in February
  - d. Memorial Day, last Monday in May
  - e. Independence Day, July 4
  - f. Labor Day, first Monday in September
  - g. Veterans Day, November 11
  - h. Thanksgiving, fourth Thursday and Friday in November
  - i. Christmas, December 25
  - j. Every year in which a general election is held throughout the State (General Election Day)
- 13.2 Designated holidays falling on an employee's regularly scheduled day off, as provided in Mont. Code Ann. §2-18-603, shall be entitled to receive a day off with pay on the day preceding the holiday or on another day following the holiday in the same pay period. If a day off cannot be provided, the employee will receive eight

(8) hours of pay at the regular rate of pay.

- 13.3 If the employee is required to work on the designated holiday and is not given a day off in lieu of the holiday, he/she will be paid at one and one-half (1½) times the regular hourly rate plus holiday pay.
- 13.4 If the employee is required to work on the designated holiday and is given a day off in lieu of the holiday, the employee will receive pay at the regular rate for every hour worked on the holiday.
- 13.5 An employee must be in a pay status either the last regularly scheduled working day before or the first regularly scheduled working day after a holiday is observed to be eligible to receive holiday benefits.

## ARTICLE 14

### VACATION (ANNUAL LEAVE):

Vacation shall be earned and accumulated as provided in the Montana Codes Annotated.

Vacation time earned but not used at the time of termination shall be paid the employee at his/her base pay. Vacation time shall be granted at the time requested insofar as possible, subject to the requirement of service. Vacations shall be posted and the most senior employee shall have the first choice as to his/her vacation time; also he/she shall be given a choice of a split vacation during first choice if he/she so desires.

Vacations shall be posted so as to start on January 1 and end on December 31 of each year. If an employee desires to take his/her vacation other than the period requested he/she must contact his/her immediate supervisor and arrange for same. All vacations are to be based on each employee's anniversary day of hire.

All vacation requests will be posted between requests shall be received for two months, as designated by Division. Any protest over vacation dates must be submitted, in writing to the division head before January 1 or no adjustments will be made.

In the case of vacation schedules, seniority shall govern by division with the most senior employee given first (1st) choice of when he shall take his vacation, which shall not exceed ten working days. With the approval of the Division head, employees may split their first choice vacation provided that in no event may less than one week be taken at any time nor may more than two vacation periods be scheduled in any one calendar year during first and second choices. Seniority shall apply on the vacation selections for first and second choices.

## ARTICLE 15

### SICK LEAVE:

- 15.1 Sick leave shall be earned and accumulated as provided in the Montana Codes Annotated.
- 15.2 Employee may take sick leave for the following reasons:
- (1) Personal illness, including doctor and dentist appointments. Employees are requested to give 24 hour prior notice of doctor and dentist appointments, except in case of emergencies, or unforeseen circumstances.
  - (2) When urgently needed to care for an employee's spouse, children, mother, father, or any other member of the household who is ill; this may not exceed one hundred and twenty (120) hours at any one time, unless the leave qualifies under FMLA.
  - (3) When there is a death in the immediate family, no more than five (5) days sick leave may be granted, unless the leave qualifies under FMLA.
  - (4) The "immediate family" shall mean: spouse, children, mother, father, sisters, brothers, grandparents, grandchildren corresponding in-laws, and other member of employee's household.
- 15.3 The Employer may require appropriate verification and or doctor's release for any absence which is charged to sick leave. If such verification is requested and not provided, the request for sick leave shall be disallowed, and the employee may be subject to discipline, under the current City Personnel Policy Manual.
- 15.4 Employees are required to follow the following two steps in order to be eligible for payment of sick leave pay:
- (1) Report the reason for absence at least thirty (30) minutes prior to shift to his/her supervisor.
  - (2) If the absence is for more than one (1) day in length, the employee must keep his/her division head informed of his/her condition, when physically possible.
- 15.5 Worker's compensation benefits, which are received by an employee during sick leave, shall be deducted from compensation due the employee and shall be credited to the employee's sick leave.
- 15.6 Death Benefits: All personnel shall receive Public Employees Retirement System death benefits.
- 15.7 Sick Leave Donations: Sick leave utilized must not exceed the amount accrued by the employee. Sick Leave donations are not available to employees in a

probationary period. If an employee is ill and has exhausted his/her sick leave credits, and needs more time away from work, he/she may utilize his/her accrued annual leave. If an employee is ill and has exhausted all his/her sick leave and vacation leave credits, and requires more time away from work, members of the UNION may donate one (1) day of sick leave to any CITY employee on an individual basis. Requests for donations must be approved by management and requested and coordinated by Human Resources. The maximum amount an employee can receive or donate is fifteen (15) days in a calendar year.

## ARTICLE 16

### REST BREAK:

For all employees covered under the terms of this AGREEMENT, there shall be a fifteen (15) minute break midway in the first (1st) half of a shift and midway in the second (2nd) half of shift or by which will be taken by mutual agreement between the employee and the immediate supervisor in each department.

## ARTICLE 17

### JURY DUTY:

An employee who is under proper summons as a juror shall collect all fees and allowances payable as a result of their service and forward the fees to the CITY. Juror fees shall be applied against the amount due the employee from the CITY. An employee may elect to charge the juror time off as annual leave and not remit the juror fees to the CITY. The CITY may request the Court to excuse an employee summoned for jury duty if needed for proper operations of the City.

An employee dismissed from jury duty before three (3) p.m. will be required to report back to work if not on annual leave.

## ARTICLE 18

### LEAVE OF ABSENCE:

Employees are eligible to submit a request to HR for processing and approval/disapproval for a leave of absence without pay for a period not to exceed six (6) months, unless an extension is mutually agreed to. The granting and extent of a leave of absence without pay is at the discretion of the City. During such leave, the employee shall not accrue any benefits, including but not limited to sick leave and vacation leave. Existing seniority rights will be frozen during the term of the leave. Employees must self-pay health insurance premiums while on an approved leave of absence. No leave of absence will be granted for an employee to accept outside employment.

## ARTICLE 19

### LIGHT DUTY/TEMPORARY ALTERNATIVE DUTY ASSIGNMENT:

Employees receiving workers' compensation wage loss benefits that have been released to light duty/temporary alternative duty assignment must inform their immediate supervisor or division head by 5:00 PM on the next work day after being released that they are able to report to work for light duty. Failing to notify the immediate supervisor or division head may subject the employee to suspension of workers' compensation wage loss benefits under the workers' compensation laws of Montana, and the employee may be subject to disciplinary action.

The light duty/temporary alternative duty assignment shall be in accordance with the restrictions set forth by the treating medical provider. The employee will be required to perform work throughout the City for which the employee may be capable and qualified.

At the discretion of the CITY, the injured employee may be required to submit to a medical examination at any time by a medical provider selected by the CITY at the CITY'S expense.

## ARTICLE 20

### TEMPORARY ASSIGNMENTS:

Employees temporarily assigned to a higher rated position shall receive the higher rated pay for all actual hours worked at the higher rated position.

## ARTICLE 21

### MEAL:

In the event an employee is required to work more than two (2) hours overtime following a regular shift and for each additional five (5) hours of overtime he/she shall be provided or reimbursed \$12.00 for a meal by the CITY and be given a reasonable amount of time to eat. Employee will not be paid for any time utilized to eat.

## ARTICLE 22

### LONGEVITY:

For purposes of longevity only, time shall be computed from the date of an employee's date of hire as a regular employee. The first payment under this provision will be made in December of 2002 for the longevity earned during the period of July 1, 2001 through June 30, 2002. The following schedule of benefits shall be paid to employees who accrue seniority in the time elements stipulated.

Longevity Plan: Subsequent to the completion of ten (10) full years of employment, employees who otherwise qualify will receive supplemental longevity pay as provided in the following schedule:

<u>YEARS OF TENURE</u>	<u>LONGEVITY PAY ALLOWANCE</u>
After 10.0 years through the end of the 15th year	\$20.00 per month
After 15.0 years through the end of the 20th year	\$40.00 per month
After 20.0 years through the end of the 25th year	\$60.00 per month
After 25.0 years through the end of the 30th year	\$80.00 per month
After 30.0 years or more years	\$100.00 per month

Longevity pay will be paid to the eligible employees in a lump sum amount once each year in December for any longevity pay earned as of the previous June 30th. The maximum payment is for twelve (12) months. Longevity pay will be in a separate check to the employee and subject to regular taxes and withholdings.

#### ARTICLE 23

##### NON-DISCRIMINATION POLICY:

The UNION and the CITY agree to cooperate in a non-discrimination program to ensure that no individuals shall be discriminated against with respect to compensation, hours or conditions of employment because of age, race, religion, sex, national origin, marital status, public assistance status, or any other status protected by state or federal law.

#### ARTICLE 24

##### WAIVER AND AMENDMENT CLAUSE:

No past practices, policies or rules or prior agreements shall alter the intent or the meaning of the specific articles of this Agreement. During the term of this AGREEMENT and any extensions hereof, no collective bargaining shall be had upon any matter covered by this AGREEMENT or upon any matter which has been raised and disposed of during the course of the collective bargaining which resulted in the consummation of this AGREEMENT, unless mutually agreed by both parties.

This clause shall not be construed to limit, impair or act as a waiver of the CITY'S or UNION'S right to bargain collectively on changes which may modify the basic terms and conditions herein set forth.

#### ARTICLE 25

##### SAVINGS CLAUSE:

In the event any Federal or State law or final decision of a court of competent jurisdiction ruling conflicts with any provision of the AGREEMENT, the provisions so affected shall no longer

be operative or binding upon the parties, but the remaining portion of the AGREEMENT shall continue in full force and effect. The CITY and the UNION agree to meet as soon as possible for the purpose of negotiation on the provision or provisions so affected.

## ARTICLE 26

### DURATION:

This AGREEMENT shall continue in full force and effect from July 1, 2018 through June 30, 2019; and thereafter, it shall be considered automatically renewed for successive periods of twelve (12) months unless at least sixty (60) days prior to the end of any twelve (12) month's effective period either party shall serve written notice upon the other it desires cancellation, revision, or modification of any provision or provisions of this AGREEMENT. In this event, the parties shall attempt to reach an agreement with respect to the proposed change or changes; and at least forty-five (45) days prior to the expiration date of the AGREEMENT, meetings to consider such changes shall be held by the parties.

In the event the parties do not reach a written agreement by the expiration date of or in the particular year as provided herein, then this AGREEMENT shall in all respect be deemed void and terminated. The parties hereto by written agreement may extend said period for the purpose of reaching a new agreement.

# SCHEDULE A

CITY OF GREAT FALLS, MONTANA  
AND  
PLUMBERS AND FITTERS LOCAL NO. 41

The following changes and additions are hereby made a part of the agreement effective July 1, 2018, between the City of Great Falls, Montana, and the Plumbers and Fitters Local No. 41, as fully and completely as if the same were set forth in its entirety therein.

During the term of this AGREEMENT, the following rates will be paid:

July 1, 2018

3.0% COLA, .5% market  
adjustment

<u>TITLE</u>	<u>New Hire</u>	<u>6 months</u>
Maintenance Plumbers	24.90	25.55
Plumbing Inspectors	24.90	25.55
Master of Record	24.90	25.55
Apprentice:		<u>7/1/18</u>
1 <sup>st</sup> year - 55% of Journeyman rate:		14.05
2 <sup>nd</sup> year - 65% of Journeyman rate:		16.61
3 <sup>rd</sup> year - 75% of Journeyman rate:		19.16
4 <sup>th</sup> year - 85% of Journeyman rate:		21.71
5 <sup>th</sup> year - 95% of Journeyman rate:		24.27

The hourly amount used to calculate the 2018 wage increase includes the Plumbers and Pipefitters National Pension Fund contributions as described in Schedule B 2(A).



## I

Work for the City that ordinarily would not require a building inspector's permit for new construction by any company, private or public, shall be considered "maintenance work." In exception to the aforesaid, the City maintenance plumbers shall be allowed to do remodeling and new work for the City. Water meter installation, repair and maintenance shall be performed utilizing management's discretion.

## II

All plumbing work for the City of Great Falls shall be accomplished by licensed plumbers, in accordance with Montana State Law and state and local code. All recognized pipe related work performed by other jurisdictions at the present time shall continue.

Work not requiring a permit is defined as maintenance work. Maintenance work includes the stopping of leaks in drains, soil, waste or vent pipe, clearing of stoppages, and repairing of leaks in pipes, valves, or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

The Master Plumber is responsible for assuring that all work performed by City Plumbers is in compliance with state and city plumbing codes.

## III

Whenever the City requests temporary employees for maintenance work, the UNION shall furnish such employees; and they shall receive the same rate of pay and union pension contributions as provided in the current contract with the City.

## IV

Upon approval to recruit for a position covered by this agreement, the City will notify the UNION and request a list of qualified personnel. Said list of qualified personnel must complete a City application packet and will be considered along with applicants obtained through the City's normal recruitment practices.

## SCHEDULE B

### CITY OF GREAT FALLS, MONTANA AND PLUMBERS AND FITTERS LOCAL NO. 41

#### SPECIAL CONDITIONS

1. Special Conditions - Inspectors:
  - A. The UNION shall have jurisdiction over those inspector employees of the CITY classified as Plumbing Inspectors only.
  - B. Applicants for the position of Plumbing Inspector shall possess at least one of the following qualifications:
    - (1) Master's license in the plumbing field;
    - (2) Certification as a degreed, registered engineer with a minimum of one year's work experience in the appropriate discipline at the time of employment;
    - (3) A bachelor's degree in engineering with a minimum of three year's work experience in the appropriate discipline at the time of employment;
    - (4) A minimum of five year's work experience in the appropriate discipline at the time of employment.
  - C. Any inspector assigned to the Building Inspection Division who is qualified, whether covered by this Agreement or not, may be required to perform the normal duties of any other inspector assigned to said Division when:
    - (1) Said inspector is absent due to illness, vacation or other authorized absence;
    - (2) An emergency situation exists (i.e., flood, fire, earthquake, or other act of God); or
    - (3) Necessary for efficiency of operation.
2. Plumbing Inspectors, Maintenance Plumbers and Master of Record:
  - A. PENSION:  
The CITY shall contribute, \$5.00/hr., effective 7/1/18 to the Plumbers and Pipefitters National Pension Fund for each hour for which a Plumbing Inspector, Maintenance Plumber or Master of Record receives pay.

B. HEALTH INSURANCE:

The CITY agrees to provide non-occupational health insurance or risk-pooled indemnity coverage for each insurable regular employee and insurable dependents thereof immediately following the period of exclusion provided by the terms of the master policy.

A CITY health insurance contribution in the amount listed below will be added to the employee's gross pay. This portion of the employee's gross pay is hereinafter referred to as the "Contribution." As part of this collective bargaining agreement, employees are required to participate in the city's health insurance plan on either a pre-tax or post-tax basis. If an employee elects to participate on a pre-tax basis, the employee shall authorize a payroll deduction from the employee's gross pay equal to the CITY's contribution. This deduction from the employee's gross pay will be paid into a fund maintained to provide health benefits for eligible employees.

If an employee elects to participate on a post-tax basis, the Contribution shall be taxable income to the employee and the employee shall authorize the payment of the Contribution value, after its deemed receipt, toward the employee's health insurance.

It is hereby acknowledged that both employee and employer retirement contributions will be required on this additional gross income, causing a decrease to the net income of the employee. It is also the intent of the employees and the CITY that the Contribution be excluded from the determination of the employee's "regular rate" of compensation as that phrase is defined under 29 U.S.C. § 207(e)(4). In the event that any subsequent law, court, arbitrator, or other lawful authority determines that the inclusion of the CITY's health insurance contribution in the employee's gross pay should be included in overtime compensation calculations, then the parties agree that there will be a corresponding adjustment to the affected hourly rate, pay or benefit to carry out the intent of this provision. The intent of such adjustment will be to result in the least net financial effect on both the employee and the employer.

CITY contribution amount included in base wages for retirement enhancement purposes shall be capped at the contribution rate of \$783/month (Column A below).

Any additional premium charges after 7/1/18 and all increases in premiums through the duration of this agreement will be shared at a provider standard rate with the CITY paying 90% (ninety percent) of the premium (Column B below) and the employee paying 10% (ten percent) of the premium.

The CITY agrees to contribute the following amounts, not to exceed ninety (90) percent of the premium beginning 7/1/18, for each eligible employee covered by this Agreement into the CITY's Health Insurance Plan.

Coverage	7/1/18		
	A	B	C
	City Contribution added to base	Additional City Contribution not in base	Employee Contribution
Employee	\$783	\$0	\$49.64
Employee & Child(ren)	\$783	\$321.52	\$122.73
Employee & Spouse	\$783	\$470.70	\$139.30
Family	\$783	\$953.41	\$192.94

- a. The CITY reserves the right to add to the benefit plan in effect prior to August 1, 1988, with no obligation to negotiate, and retains the right to delete or modify any or all the added benefits with no obligation to negotiate.

Effective 7/1/97, the CITY reserves the right to add to, delete from, or modify the benefit plan, with no obligation to negotiate, and retains the right to delete or modify any or all of the added benefits with no obligation to negotiate.

- b. The CITY shall be at liberty to make an independent selection of the insurance carrier, including the option of partially or fully self-funding with no obligation to negotiate.

- C. The CITY will designate one (1) Master of Record who shall be paid one dollar (\$1.00) per hour worked over the regular rate. The Master of Record is responsible for assuring that the work performed by CITY Plumbers is in compliance with State and City Plumbing Codes. The Master of Record performs duties which require him/her to regulate peers.

3. Apprentices

A. PENSION:

Employers contributing to the Plumbers and Fitters National Pension Fund for apprentices shall be remitted at the rate of 50% of the contribution rate for journeyman. Therefore, the CITY shall contribute two dollars (\$2.00) effective 7/1/14, increasing to two dollars and thirteen cents (\$2.13) effective 7/1/15 to the Plumbers and Fitters National Pension Fund for each hour for which an apprentice receives pay, to the Apprentice Training Fund.

B. HEALTH INSURANCE

The CITY agrees to contribute the same amounts as listed in Item 2 (B) above.

IN WITNESS WHEREOF, the UNION and the CITY have caused this AGREEMENT to be executed in their names by their duly authorized representatives at Great Falls, Montana, this \_\_\_\_ day of October, 2018.

FOR THE CITY OF GREAT FALLS

FOR LOCAL UNION #41,  
PLUMBERS & FITTERS.

\_\_\_\_\_  
Greg Doyon, City Manager

By:\_\_\_\_\_  
Tim Schrapps, Business Manager

ATTEST:

\_\_\_\_\_  
Lisa C. Kunz, City Clerk

(SEAL OF CITY)

REVIEWED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

**CITY OF GREAT FALLS  
HISTORY OF PAY RAISES**

	FY2008		FY2009		FY2010		FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017		FY2018		FY2019		TOTAL % INCREASE OVER 12 YRS
	7/1/2007	1/1/2008	7/1/2008	1/1/2009	7/1/2009	1/1/2010	7/1/2010	7/1/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	7/1/2016	1/1/2017	7/1/2017	7/1/2017	7/1/2018	7/1/2018	
	COLA	Mkt. Adj.	COLA	Mkt. Adj.	COLA	Mkt. Adj.	COLA	COLA	COLA	COLA	COLA	COLA	COLA	Mkt. Adj.	COLA	Mkt. Adj.	COLA	Mkt. Adj.	
Police	4.00%	4.00%	3.00%	2.00%	3.25%		3.63%	3.50%	2.50%	0.00%	1.50%	2.50%	3.00%	2.00%	3.00%	2.00%	3.00%	2.50%	45.38%
Fire	2.00%		3.50%		3.25%		3.63%	2.00%	2.00%	0.00%	1.50%	2.50%	3.00%	0.75%	3.00%	2.00%	3.00%	2.00%	34.13%
MFPE (MPEA)	4.00%		3.00%		3.25%		1.50%	2.00%	1.75%	0.00%	1.50%	2.00%	2.25%		3.00%	0.25%	3.00%	0.50%	28.00%
CRAFTS	3.75%		3.00%		3.25%		1.50%	2.00%	1.75%	0.00%	1.50%	2.00%	\$0.50		\$0.50		3.00%	1.50%	23.25% (1)
IBEW		3.00%	3.00%	3.00%	3.25%		1.50%	2.00%	1.75%	0.00%	1.50%	2.00%	2.25%		3.00%		3.00%	1.50%	30.75%
Plumbers		3.00%		3.00%		3.25%	1.50%	2.00%	1.75%	0.00%	1.50%	2.00%	2.25%		3.00%			3.50%	26.75%
Non-Union	4.00%		3.00%		3.25%		1.50%	2.00%	1.75%	0.00%	1.50%	2.00%	2.25%		3.00%		3.00%		27.25% (2)

**Footnotes:**

(1) Based on 10-year period, previous two years dollar amount increases were negotiated.

(2) Non-Union employee increases historically tied to MFPE contracts. July 1, 2017 (FY2018) was the first year Non-Union employees received less than MFPE employees.

Again on July 1, 2018, Non-Union employees received the least amount of increase of all employees for FY2019.

(3) CPI, West Region June 2018 versus month of July for all other years.

**Other Indicators:**

	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
CPI, West Region	3.80%	-0.40%	1.60%	3.20%	2.10%	1.50%	1.60%	0.10%	1.30%	1.40%	2.50%	3.60%
Social Security Cost of Living Adjustment (COLA)	2.30%	5.80%	0.00%	0.00%	3.60%	1.70%	1.50%	1.70%	0.00%	0.30%	2.00%	2.00%

CPI is Annual average, U.S. City average, all urban consumers, using the 1982-1984 base of 100.



**Item:** Resolution 10256, “A Resolution Temporarily Suspending The City of Great Falls Design Review Board Meetings and Review Requirements.”

**From:** Planning and Community Development

**Initiated By:** City Manager’s Office

**Presented By:** Craig Raymond, Planning and Community Development Director

**Action Requested:** Adopt Resolution 10256.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10256.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote

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**Staff Recommendation:**

Staff recommends that the City Commission adopt Resolution 10256.

**Background:**

Over the last few years, the Planning and Community Development Department (P&CD) has been operating at reduced staff levels. Currently, P&CD has staff vacancies for both the Planner III and Planner II positions. Also, the department still does not have a Historic Preservation Officer, which has forced the Planner I and Deputy Director positions to fill that staff responsibility.

Additionally, P&CD has experienced an increase in the complexity of development projects. Examples of such projects include, School District bond projects, new buildings on the campus of University of Providence, and large new housing projects from NeighborWorks Great Falls. These projects require significantly greater coordination efforts involving many City departments.

The combined impact of staff vacancies and complex projects is creating a concern that legal land development projects, that would otherwise be reviewed administratively through the permit process, are becoming bogged down due to current staff responsibilities to also provide staff support for the Design Review Board (DRB). Because the standards and guidelines for the DRB can also be administered by staff, PC&D believes that projects that would otherwise go through the DRB process

can achieve the same outcome with significantly less review time and administrative burden on staff.

Additionally, City staff is currently in the process of reevaluating land development processes as a whole. This includes revising checklists that govern development application review, as well as purchasing and contracting new development and permitting software. The goal of staff's reevaluation is to determine where changes can be made to promote efficiency and provide a simpler process for land development as a whole. Suspending DRB review requirements will not only promote efficiency in the short term, but it will also allow staff additional time to continue the development process reevaluation.

Resolution 10256 would suspend the DRB meeting and review requirements for a period of 6 months. During that time, P&CD staff will continue to enforce all development standards established by the Official Code of the City of Great Falls, to the fullest extent possible. The resolution under consideration would simply allow staff to do so administratively without the added burden of coordinating DRB meetings.

**Concurrences:**

City Manager's Office

City Attorney's Office

ATTACHMENTS:

- Resolution 10256



**RESOLUTION NO. 10256**

**A RESOLUTION TEMPORARILY SUSPENDING THE CITY OF GREAT FALLS DESIGN REVIEW BOARD MEETINGS AND REVIEW REQUIREMENTS.**

\*\*\*\*\*

**WHEREAS**, the Official Code of the City of Great Falls (OCCGF) Title 17, Chapter 12, Article 3, requires certain proposed land development projects to be reviewed by the Great Falls Design Review Board (DRB); and

**WHEREAS**, the Great Falls Planning and Community Development Department (P&CD) has seen a substantial increase in the complexity of development applications over the last several years; and

**WHEREAS**, P&CD has also been operating at a reduced staff level during the same period of time; and

**WHEREAS**, the combination of reduced staffing and complex applications has resulted in an unacceptable decrease in efficiency through the current meeting and review process; and

**WHEREAS**, the situation is in danger of causing undue delay in otherwise legal land development within the incorporated City limits; and

**WHEREAS**, the City Commission desires to promote an efficient legal land development process within the incorporated City limits to promote continued economic growth.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA**, that:

1. The enforcement of the DRB review provisions pursuant to OCCGF Title 17, Chapter 12, Article 3, is hereby suspended;
2. The suspension pursuant to this Resolution shall expire one-hundred-eighty (180) calendar days from the date of adoption;
3. This Resolution is effective immediately upon adoption and shall remain in effect for one-hundred-eighty (180) calendar days; and
4. All other land development standards pursuant to OCCGF Title 17, Chapter 28, remain in effect and are enforceable.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney



**Item:** Resolution 10271, "A Resolution Adopting a Statement of Expense in the Abatement of a Nuisance Located at Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls, Cascade County, Montana, Addressed as 2612 1st Avenue South."

**From:** Great Falls Legal Department

**Initiated By:** Joseph Cik, Assistant City Attorney

**Presented By:** Joseph Cik, Assistant City Attorney

**Action Requested:** Adopt Resolution 10271.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10271."

2. Mayor requests a second to the motion, public comment, Commission discussion and calls for the vote.

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**Background:**

Beginning in October 1995, and continuing through June 2017, the Great Falls Planning and Community Development Department (P&CD) received multiple complaints about the condition of the property located at 2612 1st Avenue South, Lot 4 Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls Montana 59405.

On this evening's agenda the City Commission will consider Resolution 10257, identifying the abatement processes and results regarding this property. Staff incorporates, by this reference, the full Agenda Report regarding Resolution 10257 as if fully set forth in this Agenda Report.

In order to abate the subject Nuisance, City Staff contracted with ALR Contracting, LLC, for the painting of the residential structure on the subject property. Painting was completed on June 15, 2018. The cost of said painting service totaled \$3,895.00. A copy of the invoice is attached to the Resolution under consideration as Exhibit "A". Said invoice was subsequently paid by the City on June 27, 2018. A copy of the payment document is attached to the Resolution under consideration as Exhibit "B".

By adopting Resolution 10271, the Commission will be confirming the City's statement of expense in completing the abatement of the subject Nuisance. This action is authorized and required by OCCGF

§§8.49.060 and 070. Notice of the consideration of this Resolution was provided to the subject property owner via certified mail, postage prepaid, and return receipt requested on October 2, 2018, as well as regular mail, and posting the notice on the subject property. See Exhibit “C” attached to this agenda report.

Staff recommends that the City Commission adopt Resolution 10271. In doing so, the Commission will confirm the statement of expense. If the Commission does adopt the resolution under consideration, the subject property owner may pay the outstanding balance to the City Finance Department within five (5) calendar days. If the property owner does not pay the balance within that time, Staff recommends that the City Commission direct that the costs be collected as a special assessment on the subject property. If the Commission does not adopt the Resolution under consideration, the City will not recover the costs of the forced abatement.

**Fiscal Impact:**

If adopted, Resolution 10271 will allow the City to recover the costs associated with the subject abatement totaling \$3,895.00, either directly from the property owner, or as a special assesement against the property.

ATTACHMENTS:

- ▢ Resolution 10271
- ▢ Exhibit A
- ▢ Exhibit B
- ▢ Exhibit C

**RESOLUTION 10271**

**A RESOLUTION ADOPTING A STATEMENT OF EXPENSE IN THE ABATEMENT OF A NUISANCE LOCATED AT LOT 4, BLOCK 13, SECTION 8, TOWNSHIP 20 NORTH, RANGE 4 EAST, BLACK EAGLE FALLS ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 2612 1<sup>ST</sup> AVENUE SOUTH.**

\*\*\*\*\*

**WHEREAS**, the City Commission adopted Resolution 10197 on July 5, 2017;  
and

**WHEREAS**, Resolution 10197 declared certain property located at 2612 1<sup>st</sup> Avenue South, Lot 4 Block 13, Section 8, Township 20 North, Range 4 East Montana, Black Eagle Falls Addition, Cascade County, Montana, a Nuisance, ordered the Nuisance abated, and authorized staff to force abatement if necessary; and

**WHEREAS**, said forceable abatement process was completed by the City; and

**WHEREAS**, the City incurred costs in the forced abatement of said Nuisance; and

**WHEREAS**, the City Commission finds it is in the public's interest to reclaim the costs of said forced abatement; and

**WHEREAS**, the subject property owner was provided notice of the Commission's consideration of this Resolution, as depicted by Exhibits "A", "B" and "C" attached hereto and by reference incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

1. The City Commission hereby confirms the statement of expense as depicted in Exhibit "A" and copy of payment document as depicted in Exhibit "B" attached to this resolution, and by reference incorporated herein; and
2. The owner of the subject property shall pay the total outstanding balance of \$3,895.00 within five (5) calendar days of the adoption of this Resolution to the Great Falls Finance Department; and
3. If the balance is not paid as directed hereby, the Great Falls Finance Department is directed to collect the same as a special assessment on the subject property.

**BE IT FURTHER RESOLVED BY SAID CITY COMMISSION** that this Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, on November 7, 2018.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Joseph P. Cik, Assistant City Attorney

**Invoice : I6423**

**DATE: June 15, 2018**



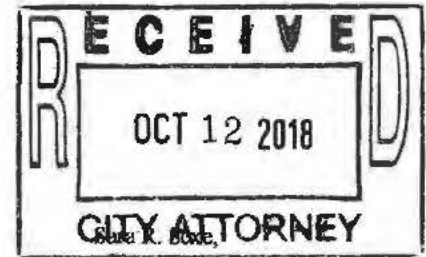
**Service For: 2612 1st ave so  
Great Falls, MT 59405**

**Bill To: Heather Rohlf  
Great Falls, MT. 59401**

Description	Material Cost	Labor Cost	Total Amount
Invoice is for the painting work performed at the address above.			\$3895.00



Legal Department  
Civic Center  
P.O. Box 5021  
Great Falls, MT 59403  
Tel: 406-455-8578  
Fax: 406-727-0005



Sara K. Rowe,  
City Attorney  
Joseph Cik,  
Assistant City Attorney  
Neil A. Anthon,  
Chief Prosecutor  
Cassidy R. Blomgren,  
Deputy Prosecutor  
Mark Dunn,  
Staff Attorney

October 2, 2018

VIA CERTIFIED MAIL  
7004 1350 0004 5947 9888

Mr. Michael M. Witsoe  
2612 1<sup>st</sup> Avenue South  
Great Falls, MT 59405

Re: 2612 1<sup>st</sup> Ave S, Great Falls, MT 59405; Michael Witsoe property

Dear Mr. Witsoe:

I am writing this letter to you as the legal property owner of the above referenced property. If you no longer own this property, please advise me as soon as possible.

The Great Falls City Commission (Commission) adopted Resolution 10197 on July 5, 2017. Resolution 10197 declared the above referenced property a Nuisance and authorized City Staff to force abatement of the Nuisance if necessary. The mandatory timeline for abatement pursuant to 10197 was not complied with, and the City commenced force abatement of the property. On January 2, 2018, the Commission adopted Resolution 10226. Resolution 10226 granted City Staff an additional 6 months to complete the forced abatement of the subject property.

On June 15, 2018, the City through its designated contractors completed all work necessary to abate the Nuisance at the subject property. Pursuant to The Official Code of the City of Great Falls (OCCGF) § 8.49.060, the City has kept itemized documentation of its expenses in abating the subject Nuisance. Pursuant to OCCGF § 8.49.060 the City is hereby providing you its statement of expense totaling three thousand eight-hundred, ninety-five dollars (\$3,895.00). Attached to this letter, and by reference incorporated herein, is an invoice and payment check supporting this statement of expense.

You are hereby advised that the Commission will consider Resolution 10271 on November 7 2018, at 7:00 p.m. at the City Commission Chambers. Pursuant to OCCGF § 8.49.070, the City Commission will be requested to adopt Resolution 10271 confirming this statement of expense. Should the Commission adopt Resolution 10271, you are further advised that failure to



Mr. Michael M. Witsoe  
October 2, 2018  
Page 2

pay the total balance of the City's expenses within five (5) calendar days will result in the City's expenses being collected as a special assessment against the subject property. *Id.*

You may contact me with any questions or concerns.

Sincerely,



/ Joseph Cik  
Assistant City Attorney

Enclosures

COPY


Print Close

Account #: MICR Acct. #: Check No.:  
Transaction Type: Check Amount: \$3,895.00 Date: 07/02/2018  
Sequence Number:

COPY

Front:

THIS CHECKS VIEW WITH ULTRA BLUE AND GREEN BACKGROUND AND WATERFICIALS WATERMARK ON THE BACK CHECKS CAN BE VIEWED



**City of Great Falls**  
2 Park Dr S  
Great Falls, MT 59401  
(406) 771-1180

U.S. Bank  
300 Central Ave  
Great Falls, MT 59403-3000  
(406) 464-8317

Check Date	Check No.	Amount
06/27/2018		\$3,895.00

**PAY** Three Thousand Eight Hundred Ninety-Five and 00/100 Dollars

**TO THE ORDER OF** ALR CONTRACTING LLC  
513 8TH AVE SW  
GREAT FALLS, MT 59404

BORDER CONTAINS MICROPRINTS

Back:

THIS CHECK CONTAINS THE FOLLOWING SECURITY FEATURES:

1. PAPER - SECURITY PAPER WITH WATERMARK
2. MICR - MICR LINE AT THE BOTTOM OF THE CHECK
3. ULTRA BLUE AND GREEN BACKGROUND
4. WATERFICIALS WATERMARK
5. SECURITY PRINTING
6. SECURITY THREAD
7. SECURITY GLASS
8. SECURITY INK
9. SECURITY PAPER
10. SECURITY PAPER

FOR MORE INFORMATION VISIT US AT WWW.CITYOFGREATFALLS.MT

RUSSELL COUNTRY FCU - GREAT FALLS, MT  
6/28/2018

FOR YOUR PROTECTION  
THIS CHECK IS VOID IF THE MICR LINE IS NOT PRINTED

COPY

**AFFIDAVIT OF PERSONAL SERVICE**

STATE OF MONTANA)

Cascade County )  
:ss.

I hereby certify under oath that I posted the foregoing Statement of Expense Letter, Res# 10271 at 2612 St Ave S, Great Falls MT on the 2nd day of October, 2018, at 2:23 hours.

[Redacted Signature]

Person Who Posted Statement of Expense Letter  
(Signature)

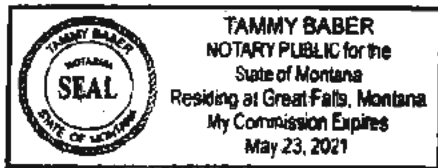
Heather Rohlf

Print Name

State of Montana  
County of Cascade

SUBSCRIBED AND SWORN TO before me on this 2nd day of October, 2018

State of Montana, County of Cascade



Tammy Baber  
Print or Type Name

[Redacted Signature]

Signature  
Notary Public for the State of Montana,  
Residing at Great Falls, Cascade County, Montana

My Commission Expires May 23, 2021



**Item:** Resolution 10257, "A Resolution Certifying the Abatement of a Nuisance Located at Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls, Cascade County, Montana, Addressed as 2612 1st Avenue South Completed."

**From:** Legal Department

**Initiated By:** Joseph Cik, Assistant City Attorney

**Presented By:** Joseph Cik, Assistant City Attorney

**Action Requested:** Adopt Resolution 10257.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10257."

2. Mayor requests a second to the motion, public comment, Commission discussion and calls for the vote.

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**Background:**

Beginning in October 1995, and continuing through June 2017, the Great Falls Planning and Community Development Department (P&CD) received multiple complaints about the condition of the property located at 2612 1st Avenue South, Lot 4 Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls Montana 59405.

Between October 1995 and the present, the Department made all efforts to work with the property occupant Michael M. Witsoe. The Department made several attempts to work with Mr. Witsoe with telephone calls, letters, and issuing citations in hopes that the Official Code of the City of Great Falls (OCCGF) deficiencies on the property would be cured. However, compliance never occurred.

Staff determined that these conditions constituted a Nuisance in accordance with Official Code of the City of Great Falls (OCCGF) Title 8, Chapter 49. A title report was examined by the Department on April 28, 2017. The report revealed that Michael M. Witsoe owned the property.

In response to City Staff's finding, notice was provided to Mr. Witsoe, pursuant to OCCGF Title 8, Chapter 49, informing him that he had ten (10) days to commence, and thirty (30) days to complete, abatement of the Nuisance. Abatement was neither commenced nor completed within the designated time

parameters.

Resolution 10197 was presented to, and adopted by, the Commission on July 5, 2017. Resolution 10197 declared the subject property a Nuisance and authorized City Staff to force abatement if necessary, to the satisfaction of the P&CD Director. Again, the Mr. Witsoe did not complete the abatement within the designated time parameters as dictated by the resolution. However, Mr. Witsoe's family members did show substantial compliance with the Resolution's abatement requirements, and much of the abatement occurred without City expense.

One required abatement action by the City was that the residential structure on the property be repainted for weather-proofing purposes. Due to inclement weather, this action was not completed during the six month resolution effective time period. In response, Resolution 10226 was presented to, and adopted by, the Commission on January 2, 2018. Resolution 10226 extended the effective time period of Resolution 10197 an additional six months.

City Staff contracted with ALR Contracting, LLC, for the painting of the residential structure on the subject property. Painting was completed on June 15, 2018. The repainting of the residential structure was the last remaining action to fully abate the subject Nuisance.

By adopting Resolution 10257, the Commission will certify that the subject Nuisance has been abated. If adopted, a copy of the Resolution will be recorded with the property file at the Cascade County Clerk and Recorder's Office.

**Fiscal Impact:**

The fiscal impact of the abatement will be addressed in the Agenda Report for Resolution 10271, on this evening's City Commission Agenda.

ATTACHMENTS:

- Resolution 10257

**RESOLUTION 10257**

**A RESOLUTION CERTIFYING THE ABATEMENT OF A NUISANCE LOCATED AT LOT 4, BLOCK 13, SECTION 8, TOWNSHIP 20 NORTH, RANGE 4 EAST, BLACK EAGLE FALLS ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 2612 1<sup>ST</sup> AVENUE SOUTH COMPLETED.**

\*\*\*\*\*

**WHEREAS**, the City Commission adopted Resolution 10197 on July 5, 2017;  
and

**WHEREAS**, Resolution 10197 declared certain property located at 2612 1<sup>st</sup> Avenue South, Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Cascade County, Montana, a Nuisance, ordered the Nuisance abated, and authorized staff to force abatement if necessary; and

**WHEREAS**, said forceable abatement process was completed by the City; and

**WHEREAS**, the City incurred costs in the forced abatement of said Nuisance; and

**WHEREAS**, the City Commission wishes to certify that the subject Nuisance has been abated, pursuant to the Official Code of the City of Great Falls § 8.49.080.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

1. The Commission hereby certifies that the Nuisance on the subject property legally described as Lot 4, Block 13, Section 8, Township 20 North, Range 4 East, Black Eagle Falls Addition, Great Falls, Cascade County, Montana, and addressed as 2612 1<sup>st</sup> Avenue South, is hereby fully abated; and
2. The method of abatement included City forced removal of various rubbish on the property and repainting of a residential structure.

**BE IT FURTHER RESOLVED BY SAID CITY COMMISSION** that this Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, on November 7, 2018.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Joseph P. Cik, Assistant City Attorney



**Item:** Resolution 10273, "A Resolution to Amend Resolution 10233 Extending the Effective Period Thereof."

**From:** Planning and Community Development

**Initiated By:** Planning and Community Development

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** Adopt Resolution 10273.

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**Suggested Motion:**

1. Commissioner moves:

" I move the City Commission (adopt/deny) Resolution 10273."

2. Mayor calls for a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Adopt Resolution 10273.

**Background:**

On May 1, 2018, the City Commission adopted Resolution 10233, declaring the property located at 2311 4th Avenue Southwest to be a Nuisance, pursuant to The Official Code of the City of Great Falls (OCCGF) Title 8, Chapter 49. Resolution 10233 ordered the Nuisance to be abated and authorized staff to force abatement if necessary. A copy of Resolution 10233 is attached to this report for reference as Exhibit "A".

The subject property condition was, in Staff's opinion, a substantial Nuisance. In addition to the administrative Nuisance declaration by the Commission, Michael Lewis, the former property owner was charged and ultimately convicted of both Maintaining a Criminal Public Nuisance, a misdemeanor in violation of OCCGF §§8.50.020 and 8.50.040, and Theft of Services, a misdemeanor in violation of Mont. Code Ann. §45-6-305. The former owner, in compliance with Resolution 10233 and conditions of his suspended Municipal Court sentence, made substantial improvements on the property over the course of approximately four months.

The former property owner, was subsequently sentenced by the Montana Eighth Judicial District Court



for unrelated felony offenses. He was committed to the Montana State Department of Corrections for five years. This commitment occurred before the Nuisance was completely abated. Shortly thereafter, Fannie Mae foreclosed on the property and has taken legal ownership.

Staff is requesting the subject time-period extension because it is in the best interest of the City to allow the current owner's representative to abate the subject Nuisance without the City's incurring of additional expenses in forced abatement. The current owner's representative has already engaged several service providers to begin the remaining repairs and clean up on the property to complete the abatement.

By adopting Resolution 10273, the Commission will provide the current property owner additional time to complete the subject abatement. If the Commission does not adopt the resolution under consideration, Staff will be required to initiate a new OCCGF enforcement investigation on the subject property.

**Fiscal Impact:**

None if the Resolution under consideration is adopted; however, if it is not adopted, the City may be required to undertake further abatement proceedings.

ATTACHMENTS:

- Resolution 10273
- Exhibit "A"

**RESOLUTION 10273**

**A RESOLUTION TO AMEND RESOLUTION 10233,  
EXTENDING THE EFFECTIVE PERIOD THEREOF.**

\*\*\*\*\*

**WHEREAS**, the City Commission adopted Resolution 10233 on May 1, 2018;  
and

**WHEREAS**, Resolution 10233 declared certain property located at, 2311 4<sup>th</sup> Avenue Southwest, Lot 3B Block 2, Sunset S 179.75' of E/2 Lt 3, Cascade County, Montana, a Nuisance pursuant to the Official Code of the City of Great Falls Title 8, Chapter 49, ordered the Nuisance abated, and authorized staff to force abatement if necessary; and

**WHEREAS**, said Nuisance abatement process continues; and

**WHEREAS**, because of substantial compliance with the requirements of Resolution 10233 and a change of legal ownership of the subject property, the City Commission wishes to give the current legal owner's representative additional time to complete the subject Nuisance abatement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF  
THE CITY OF GREAT FALLS, MONTANA:**

1. The effective period set forth in Resolution 10233, as provided in paragraph four thereof, is hereby extended to May 1, 2019; and
2. All other provisions of Resolution 10233 remain unchanged and in effect.

**BE IT FURTHER RESOLVED BY SAID CITY COMMISSION** that this Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, on November 7, 2018.

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Bob Kelly, Mayor

ATTEST:

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Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Joseph P. Cik, Assistant City Attorney

**RESOLUTION 10233**

**A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT 2311 4TH AVENUE SOUTHWEST, LOT 3B, BLOCK 2, SUNSET S 179.75' OF E/2 LT 3, CASCADE COUNTY, MONTANA, A NUISANCE, ORDER THE NUISANCE BE ABATED AND AUTHORIZE CITY STAFF TO FORCE ABATEMENT IF NECESSARY.**

**WHEREAS**, Michael K Lewis, (hereinafter "property owner"), owner of the real property and structures located at 2311 4th Avenue Southwest, Lot 3B, Block 2, Sunset S 179.75' of E/2 LT 3, Cascade County, Montana, and within the incorporated boundaries of the City of Great Falls, was given notice pursuant to the Official Code of the City of Great Falls (OCCGF) Section 8.49.040, of a hearing before the City Commission on May 1, 2018, wherein said property owner was informed the City Commission would proceed to hear the testimony of City personnel and the testimony of any other interested party, who may be present, and desire to testify respecting the condition of the property; and

**WHEREAS**, said property owner was informed that the City Commission upon the conclusion of the hearing, would by resolution, declare its findings, and may declare the property to be a nuisance, and direct the owner to physically commence abatement of the nuisance within ten (10) days, and to complete said abatement within thirty (30) days, by having the property repaired, demolished, removed or other appropriate act necessary to cure the nuisance; and

**WHEREAS**, said property owner was informed that failure to abate the nuisance would result in the property being the subject of abatement, or other appropriate act, as the case may be, by the City and the expenses thereof shall remain a lien on the property; and

**WHEREAS**, the City Commission has conducted the hearing on May 1, 2018, regarding the property pursuant to OCCGF Section 8.49.050, hearing the testimony of the City personnel and the testimony of any other interested party, who was present, and desired to testify respecting the condition of the property, the estimated cost of repair, demolition, removal or other appropriate action.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

1. Staff and other interested parties having presented evidence of the condition of the subject property, and having described the condition of the subject property, the City Commission does hereby find the same to be a nuisance pursuant to OCCGF Section 8.49.010, and hereby directs the owner to commence abatement within ten (10) days of the date of this resolution to the satisfaction of the Great Falls Planning and Community Development Director, pursuant to Title 8, Chapter 49 of the OCCGF.

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Cascade County, Rina Ft Moore - Clerk & Recorder

2. It is further ordered that, abatement, to the satisfaction of the Great Falls Planning and Community Development Director, be completed within thirty (30) days of the date of this resolution, pursuant to Title 8, Chapter 49 of the OCCGF.
3. It is further ordered that, if the owner fails to abate said nuisance as ordered and within the time allowed, the City Staff is directed to take any and all steps necessary to abate the nuisance with all expenses to attach as a lien against the property.
4. This Resolution shall be in effect for a six (6) month period from the date below.
5. City staff shall serve the said property owner with a copy of this resolution by certified mail, postage prepaid, and return receipt requested, as required by Title 8, Chapter 49 of the OCCGF.

**BE IT FURTHER RESOLVED BY SAID CITY COMMISSION** that this Resolution shall become effective immediately upon its passage and approval.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, on May 1, 2018.

  
\_\_\_\_\_  
Bob Kelly Mayor

ATTEST:

  
\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

  
\_\_\_\_\_  
Sara Sexe, City Attorney





**Item:** Ordinance 3189, "An Ordinance Repealing and Replacing Title 15, Of The Official Code Of The City Of Great Falls (OCCGF), Pertaining To Buildings and Construction."

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Joseph Cik, Assistant City Attorney

**Action Requested:** Accept Ordinance 3189 on first reading and set public hearing for November 20, 2018.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3189 on first reading and set the public hearing for November 20, 2018.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission accept Ordinance 3189 on first reading and set the public hearing for November 20, 2018.

**Background:**

Members of the City Commission and Staff have examined numerous sections of the OCCGF and have noticed various types of deficiencies throughout numerous sections of the code. The deficiencies vary from typographical errors, needed updates, and conflicts with State and Federal law. Additionally, the OCCGF conflicts in various places with itself. In an effort to cure these issues, City staff has assembled input from the different departments to continue a comprehensive revision of the Code.

The first proposed substantive change is establishing clear penalty provisions for International Fire or Building Code (IFC or IBC) violations and for operating construction and building maintenance businesses without appropriate licensing. Staff is proposing this change to improve the code enforcement process.

The next substantive proposed change is amending IFC adoption procedure to allow the Great Falls Fire

Rescue Department (GFFR) to amend the Montana State adopted IFC administratively. The GFFR is required, under State law, to adopt the same IFC as the State. The State will often amend the IFC to be consistent with the specific needs of fire prevention in Montana. The current practice requires the GFFR to request the City Commission the adopt an ordinance amending the IFC to be consistent with the State. By allowing the GFFR to amend the IFC administratively, this will greatly increase efficiency in the adoption process.

Ordinance 3189 Exhibit "A" is a document illustrating the provisions that will replace the current OCCGF Title 15 with added language in bold and deleted language in strikeout. Exhibit "B", attached to this agenda report, illustrates the proposed Code in clean format.

**Fiscal Impact:**

None.

**Concurrences:**

City Manager's Office

Public Works

Planning and Community Development

GFFR

ATTACHMENTS:

- ▣ Ordinance 3189
- ▣ Ord. 3189 Exhibit "A"
- ▣ Ord. 3189 Exhibit "B"

**ORDINANCE 3189**

**AN ORDINANCE REPEALING AND REPLACING TITLE 15 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO BUILDINGS AND CONSTRUCTION**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 15 of the OCCGF outlining provisions pertaining to Buildings and Construction; and

**WHEREAS**, the City Commission has recognized deficiencies throughout OCCGF Title 15, including but not limited to, typographical, grammatical, formatting, and referencing deficiencies; and

**WHEREAS**, the City Commission wishes to cure the deficiencies contained in OCCGF Title 15; and

**WHEREAS**, the City Commission wishes to make substantive amendments to OCCGF Title 15; and

**WHEREAS**, the amendments include substantive changes to regulations including, but not limited to, International Fire Code adoption process and clearly established penalty provisions for OCCGF Title 15 violations; and

**WHEREAS**, the City Commission wishes to establish consistency within the OCCGF, and where applicable the Montana Code Annotated.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. OCCGF Title 15 is hereby repealed and replaced as depicted by Exhibit “A” attached hereto and by reference incorporated herein, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading November 7, 2018.



ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 20, 2018.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3189 on the Great Falls Civic Center posting board and the Great Falls City website.

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

Title 15 BUILDINGS AND CONSTRUCTION

**Title 15 BUILDINGS AND CONSTRUCTION**

**Chapter**

Chapter 1 - CODE ADOPTION

~~Chapter 5 - Reserved~~

~~Chapter 102 - MOBILE HOMES~~

~~Chapter 153 - INTERNATIONAL ENERGY CONSERVATION CODE~~

~~Chapter 204 - INTERNATIONAL EXISTING BUILDING CODE~~

~~Chapter 255 - MECHANICAL CODE~~

~~Chapter 306 - PLUMBING CODE~~

~~Chapter 357 - INTERNATIONAL FUEL GAS CODE~~

~~Chapter 408 - ELECTRICAL CODE~~

~~Chapter 509 - FIRE CODE~~

~~Chapter 5510 - SCREENING~~

~~Chapter 5711 - DESIGN PROFESSIONALS~~

~~Chapter 6012 - APPLICABILITY~~

**Chapter 1 CODE ADOPTION**

**Sections:**

~~15.1.010 Adoption.~~

~~15.1.020 Design Review Board.~~

~~15.1.030 Commission report.~~

~~15.1.040 House moving license.~~

~~15.1.041 Insurance and bond.~~

~~15.1.050 Moving buildings, permit, supervision.~~

~~15.1.060 Moving buildings, permit fee.~~

~~15.1.070 Special inspector.~~

~~15.1.080 Relocated structures.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.1.090 Asbestos in building construction.~~

**15.1.010 Adoption.**

**15.1.020 Design Review Board.**

**15.1.030 Commission report.**

**15.1.040 House moving license.**

**15.1.050 Insurance and bond.**

**15.1.060 Moving buildings, permit, and supervision.**

**15.1.070 Moving buildings, permit fee.**

**15.1.080 Special inspector.**

**15.1.090 Relocated structures.**

**15.1.100 Asbestos in building construction.**

**15.1.010 Adoption.**

The Building Code shall be the same edition as adopted by the State of **Montana**. The Building Code is adopted ~~by administrative action per section 24.301.202 of~~ **pursuant to** the Administrative Rules of Montana- **(ARM)**. The Building Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, www.iccsafe.org.

~~(Ord. 2874, 2004; Ord. 2810, (Exh. A) 2001)~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~A. Building Accessibility Rules of the Administrative Rules of Montana 8.70.1501 through 24.301.901 through 24.301.905.~~

**15.1.020 Design Review Board.**

**The Official Code of the City of Great Falls (OCCGF) Title 17.28, Chapter 12, Article 3**, establishes the Design Review Board and sets forth its purpose, authority, membership, and the process to review Board decisions. The Board will review and approve development proposals for new commercial and multifamily buildings of eight (8) units or more (excluding Planned Unit Developments and Townhouses).

~~(Ord. 2722, 1997)~~

**15.1.030 Commission report.**

~~The~~**During his or her term of office, the** Building Official shall keep, or cause to be kept, a record of the number, description, type, occupancy, size, and valuation of every building or structure erected in the City

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

during his/her term of office for which certificates or permits are issued. The Building Official shall also make a monthly report on or before the tenth day of each month, of the number of permits and certificates issued and the valuation of structures erected within the ~~corporate~~ **incorporated City** limits of the City and of fees collected during the preceding month.

~~(Ord. 2541 §2(Exh. B(part)), 1989).~~

**15.1.040 House moving license.**

Any person, firm or, corporation, **or other entity** desiring to move, ~~or engage in the business of moving~~ any house or structure into, out of, or within the City limits, shall first obtain a house mover's license, the annual fee for which shall be set by City Commission resolution.

~~(Ord. 2541 §2(Exh. B(part)), 1989).~~

**15.1.041050 Insurance and bond.**

Any person, firm, **entity** or corporation desiring to obtain a house mover's license shall make application to the Planning and Community Development Department and shall supply a commercial general liability insurance policy and license bond as specified by City Commission resolution. Upon approval of the application and payment of the annual fee, the license will be issued.

~~(Ord. 2801, 2001; Ord. 2541 §2(Exh. B(part)), 1989).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**15.1.050060 Moving buildings, permit, and supervision.**

- A. Before any house or structure may be moved into, out of, or within the City, such licensed house movers shall make application for a permit for the moving of each separate house or structure to the Building Official, and ~~said the~~ **Building Official** shall inspect the same and the route upon which house or structure is proposed to be moved.
- B. All house moving shall be **conducted** under the supervision of the Building Official ~~of the City~~, and the Building Official may demand any precaution deemed advisable for the protection of the streets.
- C. Any mover shall ~~make their own arrangements with all~~ **coordinate and receive appropriate authorization from:**
  - 1. **All impacted** public utilities;
  - 2. **The Great Falls Fire Rescue Department, (GFFR);**
  - 3. **The Great Falls Police Department, Park (GFPD);**
  - 4. **The Great Falls Park and Recreation Department; and**
  - 5. **The Montana Department of Highways, either by agreement or under provisions of the State for such moving and shall furnish proof of such agreement**

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**authorization** on forms supplied by the Building Official. ~~Each application shall furnish proof of compliance with all Montana regulations for such moving.~~

~~(Ord. 2541 §2(Exh. B(part)), 1989).~~

- D. Each application shall furnish proof of compliance with all Montana regulations for such moving.**

**15.1.060070 Moving buildings, permit fee.**

Fees for the issuance of a permit to remove any house or structure shall be as set by City Commission resolution.

**15.1.070080 Special inspector.**

If the Building Official determines any structure over forty (40) tons requires the services of an inspector while the building is in transit, an additional inspection fee shall be paid for all the time spent on inspection.

~~(Ord. 2541 §2(Exh. B(part)), 1989).~~

**15.1.080090 Relocated structures.**

Whenever ~~said~~ a moved structure is to be relocated within the jurisdiction of the City, permits required by ~~this the~~ **Official Code of the City of Great Falls (OCCGF)** shall be obtained for such work as ~~is~~ **are** necessary to locate, support, anchor, and supply utilities to the structure. Foundation and/or framing work at the relocated site shall be inspected and approved by the Building Official **or designee** prior to such structure being placed upon the lot. Buildings or structures moved into or within the City shall comply with ~~the all applicable OCCGF provisions of this Code~~ for new buildings or structures. Demolition of foundation and utility abandonment on the original site shall be as required by razing guidelines **as set forth by the City.**

~~(Ord. 2541. §2(Exh. B(part)), 1989).~~

**15.1.090100 Asbestos in building construction.**

~~A. Building Demolitions.~~

- A.** All buildings scheduled for demolition which contain asbestos insulation or fireproofing must follow the safeguards listed in Title 50, Chapter 64, Montana ~~Codes Code~~ Annotated. Periodic inspection ~~with~~ **pursuant to Mont. Code Ann. Title 50, Chapter 64, MCA** and this section, **may be required.**

~~B. Asbestos-Containing Spray Products.~~

~~1. "~~

- B.** "Asbestos-containing spray products" means any fibrated product or compound which is applied to a surface utilizing a spray or pneumatic means of applications, for whatever purpose.
- C.** "Friable asbestos material" means any material that contains more than one (1) percent asbestos by weight and that can be crumbled, pulverized or reduced to powder, when dry, by hand pressure.

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~2.~~

- D. The use of asbestos-containing spray products, other than those in which the asbestos fibers are encapsulated with a bituminous or resinous binder and which are not friable after drying, for whatever purpose, in the construction, remodeling, renovation, alteration of a building or structure is prohibited.
- E. **A violation of subsection (D) of this part is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00).**

(Ord. 2541 §2(Exh. B(part)), 1989).

**Chapter 5 — Reserved <sup>(1)</sup>**

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FOOTNOTE(S):

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~~(1)~~

**Editor's note** — Ord. No. 3141, § 1, adopted May 17, 2016, repealed the former Ch. 5, § 15.5.010. The former Ch. 5 pertained to the International Property Maintenance Code and derived from Ord.

3063, 2011; Ord. 2874, 2004; Ord. 2864, 2003; Ord. 2748, 1998; Ord. 2710 Exh. A), 1996; Ord. 2654 (Exh. B), 1993; Ord. 2627 §1(Exh B) 1992; Ord. 2538 §2(Exh. B), 1989. Provisions relating to similar subject matter have been added as Title 16, Ch. 1, § 16.1.010 of the Code by § 2 of this ordinance. (Back)

**Chapter 2 MOBILE HOMES <sup>(2)</sup>**

**Sections:**

~~15.10.010 Purpose.~~

~~15.10.040 Unsafe structures and utilities designated.~~

~~15.10.050 Unsafe structures and utilities abatement notice.~~

~~15.10.060 Building official decision.~~

~~15.10.070 Appurtenances installation.~~

~~15.10.080 Footing.~~

~~15.10.090 Pier.~~

~~15.10.100 Cap.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.10.110 Shim.~~

~~15.10.120 Foundations and piers—use approval.~~

~~15.10.150 Skirting requirements.~~

~~15.10.160 Permit—fees.~~

**15.2.010 Purpose.**

**15.2.020 Unsafe structures and utilities—designated.**

**15.2.030 Unsafe structures and utilities penalty.**

**15.2.040 Appurtenances—installation.**

**15.2.050 Footing.**

**15.2.060 Pier.**

**15.2.070 Cap.**

**15.2.080 Shim.**

**15.2.090 Foundations and piers—use approval.**

**15.2.100 Skirting requirements.**

**15.2.110 Permit—fees.**

**15.402.010 Purpose.**

The purpose of this regulation is to provide minimum standards to safeguard ~~life and limb~~, health, **safety**, property, and public welfare by regulating and controlling use and occupancy of all mobile homes, trailer homes, trailers, or any similarly named structure within the City.

~~(Ord. 2874, 2004; Prior code §4-7-1); Ord. 2651 (Exh. B), 1993).~~

**15.10.0402.020 Unsafe structures and utilities—designated.**

Unsafe mobile homes, trailer homes, trailers, or other similar structures designed for living purposes for one (1) or more persons are defined as follows:

- A. ~~“Unsafe Structure. An unsafe”~~ **means a structure is one** (1) which constitutes a fire hazard or hazard to life, health, property, or public welfare by reason of use, inadequate maintenance or dilapidation, or abandonment. ~~However, without limitations of the foregoing, any~~ **Any** structure in which any one (1) or more of the following conditions exists shall be deemed conclusively to be an unsafe structure:
1. ~~These~~ **A structure** which ~~show~~ **shows** damage or deterioration of the non-supporting enclosing or outside walls or covering to such an extent that they will not resist the wind pressure or lateral forces all in accordance with the standards adopted in this ~~chapter~~ Chapter;
  2. ~~These in~~ **A structure** which the loads upon the floors or roof exceed the maximum design limits; **or**

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

- 3.—~~Those in~~ **A structure** which parts thereof are so attached that they may fall and cause injury to persons or personal property.
- B. ~~"Unsafe Utility. An unsafe"~~ **means a utility is one (1)** which constitutes a fire hazard or hazard to life, health, **safety**, property, or public welfare by reason of use, construction, quality of material or inadequate maintenance, or dilapidation. ~~However, without limitation of the foregoing, any~~ **Any** utility in which any one (1) or more of the following conditions exists shall be deemed to be an unsafe utility:
- 1.—~~Gas~~ **Damaged gas** fired, oil fired, or solid fuel fired appliances, ~~devices~~; **or**
  2. **Devices** or other apparatus which have any of the following defects:
    - a.i. Broken or cracked heat exchangers,;
    - b.ii. Defective or deteriorated vents, venting, or flues which permit leakage of the flue gas through the walls,;
    - c.iii. Defective fuel supply lines,;
    - d.iv. Insufficient air supply for combustion of the fuel,;
    - e.v. Defective or improperly installed and/or adjusted controls and appurtenances or a lack of such required controls,;
    - f.vi. Equipment locations which constitute a fire or explosive hazard,; **or**
    - g.vii. Defective or improperly installed **gas-fueled** equipment.

**15.10.0502.030 Unsafe structures and utilities—~~abatement—notice~~ penalty.**

- A.—~~If after inspection of the structure it is determined to be unsafe, it is a nuisance and shall be abated by removal, upon written notice by the Building Official or duly authorized representative to the person or persons having a record title therein.~~
- B.—~~If the owner of any unsafe structure fails to carry out removal required to be carried out by the written notice within ninety (90) days after receipt of the notice, the Building Official or authorized agent shall cause to be posted upon the structure a warning notice declaring the structure to be unsafe for human occupancy, and he/she shall order all utilities disconnected until such unsafe condition has been abated.~~
- C.—~~Failure to comply with the abatement of the unsafe structure shall constitute a violation of this chapter, and the owner shall be subject to the penalties of Chapter 1.04.070.~~

~~(Ord. 2874, 2004; Prior code §5-7-3 (B)).~~

- A. **An unsafe structure or utility is hereby declared a Nuisance pursuant to OCCGF Title 8, Chapter 49.**
- B. **Owning or maintaining an unsafe structure or utility is a misdemeanor, punishable by a term not to exceed 6 months in jail, a fine not to exceed five hundred dollars (\$500.00 or both. The Court may in its discretion order the unsafe structure or utility removed or destroyed.**

**15.10.060—~~Building official—decision.~~**



Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~Any decision or order issued by the Building Official may be appealed to the Board of Appeals. If such order of the Building Official is sustained or modified by the Board of Appeals, such decision shall be deemed final.~~

~~(Ord. 2874, 2004; Prior code §4-7-3(C)).~~

**15.10.0702.040 Appurtenances—installation.**

- A. Footings, piers, caps, and shims shall be installed directly under the main frame or chassis of the mobile home according to the manufacturer's recommendations ~~so long as, if those recommendations meet the minimum standards set out in this section and Sections 15.10.080 through 15.10.120~~**Chapter.**
- B. All footings, piers, caps, and shims shall be located under both frame rails and shall be installed so the longest dimension of each piece of material used for the construction of a pier and of each footing, cap, and shim is parallel ~~with to~~ the ground and perpendicular to the frame rail. Those nearest ~~to~~ each end of the mobile home shall be within five (5) feet from the end of the home, and shall have a maximum spacing of ten (10) feet on the centers.
- C. All grass and organic material shall be removed from beneath the footings.

~~(Ord. 2874, 2004; Prior code §4-7-4(part)).~~

**15.10.0802.050 Footing.**

- A. A footing is that portion of the blocking between the ground and the frame rail which spreads and transmits loads directly to the soil.
- B. All footings shall be of a material impervious to rot which has a minimum weight bearing ability equal to or greater than a solid piece of wood having minimum nominal dimensions of two (2) inches by twelve (12) inches by eighteen (18) inches.
- C. Each footing may be constructed from more than one (1) piece of material, provided that each piece of material has minimum nominal dimensions of not less than two (2) inches by twelve (12) inches by eighteen (18) inches, unless smaller dimensions are approved by the section prior to use.
- D. All footings shall be at least four (4) inches longer and four (4) inches wider than the pier resting upon it, unless smaller dimensions are approved by the section prior to use.

~~(Ord. 2874, 2004; Prior code §4-7-4(part)).~~

**15.10.0902.060 Pier.**

- A. A pier is a vertical structural support that transmits the load from the mobile home chassis to the footing.
- B. A pier shall be constructed of a material or materials which have a minimum weight bearing ability equal to or greater than a standard eight (8) inches by eight (8) inches by sixteen (16) inches minimum celled concrete block. If a celled material, e.g., a celled concrete block or an expanded shell, is used to construct piers, the material shall be installed so the open end of each cell is perpendicular to the frame rail and to the ground.

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

- C. A pier shall be not less than eight (8) nominal inches wide, and in any event, shall be the same width as a cap resting upon it.
- D. A pier eight (8) inches in height, or less, may be constructed of more than one (1) piece of material provided each piece has minimum nominal dimensions of two (2) inches by four (4) inches by sixteen (16) inches.
- E. A pier more than eight (8) inches in height may be constructed of more than one (1) piece of material having minimum nominal dimensions of eight (8) inches wide, eight (8) inches high, and sixteen (16) inches long, provided that the pieces fit flush, one (1) to another.

~~(Ord. 2874, 2004; Prior code §4-7-4 (part)).~~

**15.10.1002.070 Cap.**

- A. A cap is a covering structure that is placed between the pier and shim to provide a surface on which the shims may rest so as to transmit the mobile home load uniformly to the pier bearing surface.
- B. All piers shall be topped with a cap not more than four (4) inches in height and not less than eight (8) nominal inches wide and sixteen (16) inches long.
- C. Each cap shall be constructed of the same material throughout and may be constructed of more than one (1) piece of material each having minimum nominal dimensions of one (1) inch by eight (8) inches by sixteen (16) inches.

~~(Ord. 2874, 2004; Prior code §4-7-4(part)).~~

**15.10.1102.080 Shim.**

- A. A shim is a thin tapered slip of wood or metal used to fill in between the cap and mobile home chassis for the purpose of leveling the mobile home.
- B. All shims shall be four (4) inches or less in thickness and wide enough to provide bearing over the width of the cap.
- C. The shims shall be driven tight between the cap and the frame rail to provide uniform bearing and leveling.

~~(Ord. 2874, 2004; Prior code §4-7-4(part)).~~

**15.10.1202.090 Foundations and piers—use approval.**

Other types of piers and foundations, including heavy metal adjustable screw columns, of equal performance and weight bearing ability may be used when approved by the ~~administrative authority.~~ **Building Official or designee.** Tie-downs shall be provided to resist overturning caused by seismic or wind loadings.

~~(Ord. 2874, 2004; Ord. 2335, 1983; prior code §4-7-4(part)).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.10.1502.100 Skirting requirements.**

All mobile homes placed upon mobile home zoned lots shall have the space below the mobile home skirted by weatherproof materials compatible with the exterior design of the mobile home. When such skirting is placed around a mobile home that has combustion air for the furnace and hot water tank taken from beneath the unit, provision shall be taken to louvre the air intake to outside of the skirt. A proper louvre shall be placed over the intake to prevent the entrance of birds and rodents.

~~(Ord. 2874, 2004; Prior code §4-7-7).~~

**15.10.1602.110 Permit—fees.**

A fee for each permit to place a mobile home on a lot outside of a licensed trailer court shall be **set by Commission resolution and** paid to the Planning and Community Development Department ~~and the fee therefore shall be as set by City Commission resolution.~~

~~(Ord. 2874, 2004; Ord. 2280 §1, 1981; prior code §4-7-8).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

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FOOTNOTE(S):

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~~(2)~~

~~For provisions on mobile home parks, see Title 17 of this Code. ([Back](#))~~

**Chapter 153 INTERNATIONAL ENERGY CONSERVATION CODE**

**Section:**

~~15.15.010 Adoption.~~

**15.3.010 Adoption.**

**15.153.010 Adoption.**

The International Energy Conservation Code (**IECC**) shall be the same edition as adopted by the State of **Montana**. The ~~International Energy Conservation Code~~ **IECC** is adopted ~~by administrative action per section 24.301.202 of~~ **pursuant to** the Administrative Rules of Montana. The ~~International Energy Conservation Code~~ **IECC** currently being enforced by the City of Great Falls is on file in the Planning and

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Fossmoor Road, Country Club Hills, IL 60478, www.iccsafe.org.

~~(Ord. 2887, 2004; Ord. 2874, 2004; Ord. 2818, 2002; Ord. 2810, (Exh. A), 2001).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

## **Chapter 204 INTERNATIONAL EXISTING BUILDING CODE**

### **Section:**

~~15.20.010 Adoption.~~

**15.4.010 Adoption.**

### **15.204.010 Adoption.**

The International Existing Building Code (**IEBC**) shall be the same edition as adopted by the State of **Montana**. The ~~International Existing Building Code~~ **IEBC** is adopted by administrative action per Section 24.304.202 of **pursuant to** the Administrative Rules of Montana. The ~~International Existing Building Code~~ **IEBC** currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, Ill 60478, www.iccsafe.org.

~~(Ord. 2874, 2004; Ord. 2818, 2002; Ord. 2779, 2000; Ord. 2748, 1998; Ord. 2710, 1996; Ord. 2651, 1993; Ord. 2626, 1992; Ord. 2591, 1991)~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

## **Chapter 255 MECHANICAL CODE**

### **Section:**

~~15.25.010 Adoption.~~

**15.5.010 Adoption.**

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.25.010 Adoption.**

The Mechanical Code shall be the same edition as adopted by the State of Montana. The Mechanical Code is adopted by administrative action per Section 24.301.202 of **pursuant to** the Administrative Rules of Montana. The Mechanical Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, www.iccsafe.org.

(Ord. 2874, 2004; Ord. 2810, 2001; Ord. 2748, 1998; Ord. 2723, 1997; Ord. 2710, 1996; Ord. 2651, 1993; Ord. 2625, 1991; Ord. 2589, 1991; Ord. 2536, 1989).

(Ord. No. 3057, § 1, 8-17-2010)

**Chapter 306 PLUMBING CODE**

**Sections:**

~~15.30.010 Adoption.~~

~~15.30.012 Definition.~~

~~15.30.016 Permit fees.~~

~~15.30.020 Plumbing requirements.~~

~~15.30.021 Contractor licensing.~~

~~15.30.022 Application.~~

~~15.30.023 Insurance and bond.~~

~~15.30.024 License term.~~

~~15.30.025 Fee.~~

~~15.30.026 Permit issuance.~~

~~15.30.030 Plumber's licensing.~~

~~15.30.031 Fee—plumber's license.~~

~~15.30.050 Homeowner's permit.~~

~~15.30.051 Medical gas requirements.~~

~~15.30.052 Contractor licensing.~~

~~15.30.053 Application.~~

~~15.30.054 Insurance and bond.~~

~~15.30.055 Fee.~~

~~15.30.056 Medical gas systems licensing.~~

~~15.30.057 Fee—medical gas systems licensing.~~

~~15.30.060 Violation—penalty.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.6.010 Adoption.**

**15.6.020 Authority designated.**

**15.6.030 Permit fees.**

**15.6.040 Plumbing requirements.**

**15.6.050 Permit issuance.**

**15.6.060 Homeowner's permit.**

**15.6.070 Medical gas requirements.**

**15.6.080 Violation—penalty.**

**15.306.010 Adoption.**

The **Uniform** Plumbing Code shall be the same edition as adopted by the State of **Montana**. The **Uniform** Plumbing Code is adopted by ~~administrative action per Section 24.301.202 of~~ **pursuant to** the Administrative Rules of Montana. The **Uniform** Plumbing Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Association of Plumbing and Mechanical Officials (IAPMO), 20001 Walnut Drive South, Walnut, CA 91789-2825.

~~(Ord. 2874, 2004; Ord. 2818, 2002; Ord. 2810, 2001; Ord. 2781, 2000; Ord. 2748, 1998; Ord. 2711, 1996; Ord. 2651, 1993; Ord. 2624, 1992; Ord. 2540, 1989).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**15.30.012 Definition.**

~~Authority having jurisdiction referred to in this Code shall be the Building Official as defined in the International Building Code.~~

~~(Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

**15.6.020 Authority designated.**

**The Great Falls Building Official or designee shall have the authority to enforce this Chapter.**

**15.30.0166.030 Permit fees.**

~~Section 103.4 Fees:~~ **Shall be as specified Permit fees shall be set** by City Commission resolution.

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~(Ord. 2874, 2004; Ord. 2818, 2002).~~

**15.30.0206.040 Plumbing requirements.**

For purposes of definition, plumbing shall involve all sections of the Uniform Plumbing Code, except Chapter 12, Fuel gas piping.

~~(Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

**~~15.30.021 Contractor licensing.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2540, 1989).~~

**~~15.30.022 Application.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

**~~15.30.023 Insurance and bond.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2801; 2001; Ord. 2711 (Exh. A), 1996; Ord. 2540 §2(Exh. B(part)), 1989).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**~~15.30.024 License term.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172; Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

**~~15.30.025 Fee.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2711 (Exh. A), 1996; Ord. 2540 §2(Exh. B(part)), 1989).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.306.050026 Permit issuance.**

Permits shall be issued only to plumbing contractors or homeowners ~~meeting~~ **who meet** the requirements of this chapter ~~Chapter~~, or Title 37, Chapter 69, of MCA. (~~Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989~~). **the Montana Code Annotated.**

~~**15.30.030 Plumber's licensing.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

~~**15.30.031 Fee plumber's license.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2711 (Exh. A), 1996; Ord. 2566 §2, 1990; Ord. 2540 §2(Exh. B(part)), 1989).~~

~~**15.30.05015.6.060 Homeowner's permit.**~~

An owner of a single-family residence used exclusively for personal use, may install all sanitary plumbing or potable water supply piping. The standard fee schedule applies to all permits obtained under this ~~article of the Code~~ **Chapter**.

~~(Ord. 2874, 2004; Ord. 2711 (Exh. A), 1996; Ord. 2540 §2(Exh. B(part)), 1989).~~

~~**15.30.0516.070 Medical gas requirements.**~~

For purposes of definition medical gas systems shall involve only ~~NFPA~~ **National Fire Protection Association** 99C Gas and Vacuum Systems current edition.

~~(Ord. 2926, 2006; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~**15.30.052 Contractor licensing.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~**15.30.053 Application.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~



Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.30.054 — Insurance and bond.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~15.30.055 — Fee.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~15.30.056 — Medical gas systems licensing.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~15.30.057 — Fee — medical gas systems licensing.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2761, 1999)~~

~~15.30.0606.080 Violation—penalty.~~

~~A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may also result in a revocation of any special business license issued pursuant to OCCGF Title 5.~~

~~Any person, firm or corporation found guilty of violating any of the applicable provisions of this chapter shall be liable to penalty as prescribed by Chapter 1.4.070 of this Code.~~

~~(Ord. 2874, 2004; Ord. 2540 §2(Exh. B(part)), 1989).~~

**Chapter 357 INTERNATIONAL FUEL GAS CODE**

**Sections:**

~~15.35.010 Adoption.~~

~~15.35.012 Definition.~~

~~15.35.020 Permit fees.~~

~~15.35.021 Fuel Gas piping requirements.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.35.022 Contractor licensing.~~

~~15.35.023 Application.~~

~~15.35.024 Insurance and bond.~~

~~15.35.030 Fee.~~

~~15.35.031 Gas fitters licensing.~~

~~15.35.040 Application.~~

~~15.35.041 Fee—gas fitters license.~~

~~15.35.042 License term.~~

~~15.35.050 Permit issuance.~~

~~15.35.060 Violation—penalty.~~

**15.7.010 Adoption.**

**15.7.020 Definition.**

**15.7.030 Permit fees.**

**15.7.040 Fuel Gas piping requirements.**

**15.7.050 Permit issuance.**

**15.7.060 Violation—penalty.**

~~15.357.010~~ **Adoption.**

The **International** Fuel Gas Code shall be the same edition as adopted by the State of Montana. The **International** Fuel Gas Code is adopted by administrative action per Section 24.301.202 of the administrative **pursuant to the Administrative** Rules of Montana. The **International** Fuel Gas Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, www.iccsafe.org.

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~15.35.0127.020~~ **Definition.**

The code official referred to in this **Fuel Gas** Code **Official** shall be the **Great Falls** Building Official or **designee**, as defined in the ~~International Building Code~~.

~~(Ord. 2874, 2004)~~

~~15.35.0207.030~~ **Permit fees.**

~~Section 106.5.2 Fee schedule.~~ Shall **Permit fees shall** be as specified **set** by City Commission resolution.

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~(Ord. 2874, 2004)~~

**15.35.0217.040 Fuel Gas piping requirements.**

For purposes of definition, fuel gas piping shall involve only the International Fuel Gas Code.

~~(Ord. 2874, 2004)~~

**~~15.35.022 Contractor licensing.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2569 §2(Exh. B(part)), 1990).~~

**~~15.35.023 Application.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2569 §1(Exh. B(part)), 1990).~~

**~~15.35.024 Insurance and bond.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2801, 2001; Ord. 2592 §2(part), 1991)~~

**~~15.35.030 Fee.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2711 (Exh. A), 1996; Ord. 2569 §2(Exh. B(part)), 1990).~~

**~~15.35.031 Gas fitters licensing.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2569 §2(Exh. B(part)), 1990).~~

**~~15.35.040 Application.~~**

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2569 §1(Exh. B(part)), 1990).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.35.041 — Fee — gas fitters license.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2711 (Exh. A), 1996; Ord. 2569 §2(Exh. B(part)), 1990).~~

~~15.35.042 — License term.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2569 §2(Exh. B(part)), 1990).~~

~~15.3515.7.050 Permit issuance.~~

~~Only a gas fitting contractor licensed pursuant to **OCCGF** Title 5 of this Code, shall be eligible to obtain a permit for fuel gas piping systems.~~

~~(Ord. 31732, 2017; Ord. 2874, 2004; Ord. 2569 §2(Exh. B(part)), 1990).~~

~~15.357.060 Violation—penalty.~~

~~Any person, firm or corporation found guilty of violating any of the provisions of this chapter shall be liable to penalty as prescribed by Chapter 1.4.070 of this Code.~~

~~(Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~Chapter 40~~

~~A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not to exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may result in the revocation of any special business license issued pursuant to OCCGF Title 5.~~

**Chapter 408 ELECTRICAL CODE**

**Sections:**

~~15.40.010 Adoption.~~

~~15.40.020 Electrical contractor's license.~~

~~15.40.021 Application for City electrical contractor's license.~~

~~15.40.022 Insurance and bond.~~

~~15.40.023 License term.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.40.024 Fee.~~

~~15.40.030 Homeowner electrical permit.~~

~~15.40.031 Application—homeowner's permit.~~

~~15.40.040 Individual wiring certificate.~~

~~15.40.041 Application—individual wiring certificate.~~

~~15.40.042 Fee—individual wiring certificate.~~

~~15.40.050 Electrical permit issuance.~~

~~15.40.051 Permit fees.~~

~~15.40.060 Violation—penalty.~~

**15.8.010 Adoption.**

**15.8.020 Homeowner electrical permit.**

**15.8.030 Application—homeowner's permit.**

**15.8.040 Electrical permit issuance.**

**15.8.050 Permit fees.**

**15.8.060 Violation—penalty.**

**15.408.010 Adoption.**

The Electrical Code shall be the same edition as adopted by the State of **Montana**. The Electrical Code is adopted ~~by administrative action per Section 24.304.202 of~~ **pursuant to** the Administrative Rules of Montana. The Electrical Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the National Fire Protection Association, Inc., #1 Battery march Park, Quincy, Massachusetts, 02269, [www.necdirect.org](http://www.necdirect.org).

~~(Ord. 2874, 2004; Ord. 2818, 2002; Ord. 2810 (Exh. A), 2001; Ord. 2723, 1997; Ord. 2666, 1994; Ord. 2651, 1993; Ord. 2592, 1991).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~**15.40.020—Electrical contractor's license.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~**15.40.021—Application for City electrical contractor's license.**~~

~~Repealed. See Title 5.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~**15.40.022 — Insurance and bond.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2801, 2001; Ord. 2592 §2(part), 1991).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~**15.40.023 — License term.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~**15.40.024 — Fee.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

**15.408.020 Homeowner electrical permit.**

An individual may obtain an electrical permit for doing electrical work on his **or her** own property or residence; provided, that said property or residence is maintained for his **or her** own use. The electrical work shall be done by the owner or a member of the family residing at the same address. Any other individual(s) performing work under the electrical permit are in violation of this ~~Code~~ **Chapter**.

~~(Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~**15.40.0318.030 Application—homeowner's permit.**~~

Every person desiring a homeowner's permit under the provisions of ~~Section 15.40.030~~ **this Chapter** shall first file an application for registration, ~~which.~~ **The** application shall set forth the location of the building where the work is proposed to be done, state that the applicant is the owner of said building, and attest to understanding applicable provisions of this ~~chapter~~ **Chapter** and electrical codes. Permit fees shall be established by City Commission resolution.

~~(Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~**15.40.040 — Individual wiring certificate.**~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.40.041 Application—individual wiring certificate.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

~~15.40.042 Fee—individual wiring certificate.~~

~~Repealed. See Title 5.~~

~~(Ord. 3172, 2017; Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

**15.408.0540 Electrical permit issuance.**

Electrical permits may be issued only to a person, firm or corporation, **or other entity** qualified or licensed under ~~Chapter 68~~, **by applicable** Montana Codes Annotated **state law** and ~~this chapter~~ **the OCCGF**, or to individuals qualifying as homeowners in ~~Section 15.40.030~~ **pursuant to this Chapter**.

~~(Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

**15.40.0548.050 Permit fees.**

Electrical permit fees shall be ~~collected as~~ set by City Commission resolution.

~~(Ord. 2874, 2004)~~

**15.408.060 Violation—penalty.**

~~Any person, firm or corporation found guilty of violating any of the provisions of this chapter shall be liable to penalty as prescribed by Chapter 1.4.070 of this Code.~~

~~(Ord. 2874, 2004; Ord. 2592 §2(part), 1991).~~

**A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not to exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may result in the revocation of any special business license issued pursuant to OCCGF Title 5.**

**Chapter 950 FIRE CODE**

**Sections:**

~~15.50.010 International Fire Code (IFC)—adoption.~~

~~15.50.040 Definitions.~~

~~15.50.060 Bureau of Fire Prevention—established—duties.~~

~~15.50.080 International Fire Code—amendments.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.50.100 Pipes thawed with torch prohibited.~~

~~15.50.140 Violation—penalty.~~

**15.9.010 International Fire Code (IFC)—adoption.**

**15.9.020 Definitions.**

**15.9.030 Bureau of Fire Prevention—established—duties.**

**15.9.040 Pipes thawed with torch prohibited.**

**15.9.050 Violation—penalty.**

**15.509.010 International Fire Code—adoption.**

- A. ~~There is for~~ **The City of Great Falls hereby adopts** the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain Code and Standards known as the **most currently Montana state adopted** International Fire Code (IFC), **as may be administratively amended by the Great Falls Fire Rescue Department (GFFR).**
- B. A copy of such Code **the IFC, as may be amended,** is ~~now filed~~ **available for inspection** in the **City Clerk's office of and the City Clerk GFFR Fire Marshall's office.**
- C. Copies of the ~~2012-IFC~~ may **also** be obtained from the International Code Council.

~~(Ord. 2905, 2005; Ord. 2874, 2004; Ord. 2794, 2001; Ord. 2651 (Exh. B), 1993; Ord. 2455 (part), 1987; Ord. 2429 § 2 (part), 1986).~~

~~(Ord. No. 2998, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3112, § 1, 9-17-2013; Ord. No. 3137, § 1(Exh. A), 11-17-2015)~~

**15.50.0409.020 Definitions.**

Whenever the following words are used in the ~~2012-IFC~~, the following definitions shall apply:

- A. "Chief of the Bureau of Fire Prevention" means the ~~Fire Marshal of the City~~ **Great Falls Fire Rescue Department (GFFR) Chief.**
- B. "Corporation Counsel" means the **Great Falls** City Attorney.
- C. "Jurisdiction" means the **incorporated City limits of Great Falls.**
- D. "Removal" in relation to storage tanks includes vents and fill pipes and all other incidental hardware.

~~(Ord. 2874, 2004; Ord. 2455 (part), 1987; Ord. 2429 § 2 (part), 1986).~~

~~(Ord. No. 2908, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3112, § 1, 9-17-2013; Ord. No. 3137, § 1(Exh. A), 11-17-2015)~~



Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.50.0609.030 Bureau of Fire Prevention—established—duties.**

The 2012-IFC shall be enforced by the **GFFR** Bureau of Fire Prevention in the Fire Department of the City, which is established and which shall be operated, under the supervision of the Fire Chief.

(Ord. 2874, 2004).

(Ord. No. 2998, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3112, § 1, 9-17-2013; Ord. No. 3137, § 1(Exh. A), 11-17-2015)

**15.50.080 International Fire Code—amendments.**

The 2012 IFC is adopted in full with the exceptions as follows:

- A. ~~If there is any conflict between the adopted code and the Montana Code Annotated, the provisions of the Montana Code Annotated control.~~
- B. ~~The 2012 IFC is adopted with the following exceptions, additions and amendments:~~
  - a. ~~Section 104.2 Application and Permits is not adopted.~~
  - b. ~~Section 105 Permits and Approvals and any other sections of the 2012 IFC referring to permits are not adopted. This section applies only to the 2012 IFC permitting requirements, not to permitting requirements contained in Montana law. Fees shall be set by Commission resolution.~~
  - c. ~~The Permit sections of the following chapters are not adopted: 3, 5, 6, 9, 20-35 and 50-67.~~
  - d. ~~Section 108 Board of Appeals is not adopted.~~
  - e. ~~Section 113 Fees is not adopted.~~
  - f. ~~Section 308.1.6 Open Flame Devices is adopted but deleting "except by a permit in accordance with Section 105.6 secured from the fire code official."~~
  - g. ~~Section 308.2 Permits Required is not adopted.~~
  - h. ~~Section 405.2 Delete section and replace with: "Frequency required emergency evacuation drills shall be held at the intervals specified in § 20-1-402 MCA. There must be at least eight (8) emergency evacuation/disaster drills held a year in a school. At least four (4) of the drills must be fire exit drills. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual disasters." In Table 405.2 delete the word "monthly" from the frequency column, applicable to Group E and replace with "20-1-402 MCA."~~
  - i. ~~Section 603.4 Portable Unvented Heaters is adopted but the "Exceptions" are not adopted.~~
  - j. ~~Section 603.4.1 Prohibited Locations is not adopted.~~
  - k. ~~Section 906.1 Portable Fire Extinguishers (1) Exception is not adopted.~~
  - l. ~~Section 907.6.5 Monitoring. Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. Single communications technology to the supervising station is prohibited unless the technology contains redundancy and is approved by the fire code official. When required by the fire code official, non required fire alarm systems shall be monitored by an approved supervising station in accordance with NFPA 72 and this code.~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

- m. ~~Section 1008.1.4 Door Operations is adopted adding the sentence, "Exit doors shall not be locked, chained, bolted, barred, latched or otherwise rendered unusable. All locking devices shall be of an approved type.~~
- n. ~~Sections 2306.7.9 through 2306.7.9.2.4 Vapor Recovery and Vapor Processing Systems are not adopted.~~
- o. ~~Section 5601.1.3 Approval Required is adopted but deleting "a permit and."~~
- p. ~~Sections 5601.2.2 through 5601.2.4.2 are not adopted.~~
- q. ~~Section 5606.5.2.1 Smokeless Propellant is not adopted. The maximum quantities, storage conditions, and fire protection requirements of gunpowder and ammunition stored in a building shall be as follows: Smokeless powder and small arms primers or percussion caps shall be in accordance with Sections 50-61-120 and 50-61-121 MCA.~~
- r. ~~Section 5606.5.2.3 Small Arms Primers is not adopted. See Sections 50-61-120 and 50-61-121 MCA.~~
- s. ~~Section 5608 Fireworks Display is not adopted. See Title 50 Chapter 37 MCA~~
- t. ~~Section 5706.1 General— In paragraph number 1 delete "farms and."~~
- u. ~~Section 5706.2 delete "farms and" from the heading and "on farms and rural areas and" from the paragraph.~~
- v. ~~Section 5706.2.5.1 (2) is not adopted.~~

The following annexes are adopted as a part of this Code:

- A. ~~Appendix A Board of Appeals is not adopted.~~
- B. ~~Appendix B Fire Flow Requirements of Buildings is adopted.~~
- C. ~~Appendix C Fire Hydrant Location and Distribution is adopted.~~
- D. ~~Appendix D Fire Access Roads is adopted.~~
- E. ~~Appendix E Hazard Categories is not adopted.~~
- F. ~~Appendix F Hazard Ranking is not adopted.~~
- G. ~~Appendix G Cryogenic Fluids is not adopted.~~
- H. ~~Appendix H Hazardous Materials is not adopted.~~
- I. ~~Appendix I Fire Protection Systems Noncompliant Conditions is adopted.~~
- J. ~~Appendix J Building Information Sign is not adopted.~~

~~(Ord. 2905, 2005; Ord. 2874, 2004; Ord. 2794, 2001).~~

~~(Ord. No. 2998, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3112, § 1, 9-17-2013; Ord. No. 3137, § 1(Exh. A), 11-17-2015)~~

**15.50.1009.040 Pipes thawed with torch prohibited.**

- A. It is unlawful to use any torch or other flame-producing device for the purpose of thawing out any pipe in or under any house, building or structure in the City. Any person, who in consequence of violating the provisions of this section causes a fire, shall, in addition to the penalties prescribed in this section, be liable to the City in damage to the extent of the

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

costs to the Fire Department for answering a fire alarm and services in extinguishing such fire, such penalty to be recovered by a civil action, or structure in the incorporated City limits.

~~(Ord. 2874, 2004; Ord. 2455 (part), 1987; Ord. 2429 § 2(part), 1986).~~

~~(Ord. No. 2898, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3137, § 1(Exh. A), 11-17-2015)~~

- B. A violation of this section is a misdemeanor punishable by a term not to exceed (six) 6 months in jail, a fine not to exceed five hundred dollars (\$500.00), or both.**
- C. Costs incurred by City emergency personal responding to a violation of this section may be assessed as a lien on the subject property by Commission resolution.**

**15.50.1409.050 Violation—penalty.**

A.—Any **Unless otherwise specified in this Chapter, any** person who violates any of the provisions of the 2012 IFC ~~as adopted in Section 15.50.010 of this chapter, or fails to comply therewith is guilty of a misdemeanor, punishable by a fine of term not less than ten dollars (\$10.00) nor more than to exceed (six) 6 months in jail, a fine not to exceed five hundred dollars (\$500.00), or both. by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one (1) penalty for any . violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.~~

**B. A property that contains a violation shall not excuse of the IFC, or any other violation of this Chapter is hereby declared a Nuisance as defined by OCCGF Title 8, Chapter 49.**

~~B.—The application of the above penalty shall not be held to prevent the enforced removal or prohibited conditions.~~

~~(Ord. 2874, 2004; Ord. 2455 (part), 1987; Ord. 2429 § 2 (part), 1986).~~

~~(Ord. No. 2998, § 1, 3-4-2008; Ord. No. 3048, § 1, 4-6-2010; Ord. No. 3112, § 1, 9-17-2013; Ord. No. 3137, § 1(Exh. A), 11-17-2015)~~

**Other pertinent OCCGF Codes:**

- 9.9.90 Fireworks Policy
- 9.5.28.010 Negligent Smoking
- 9.9.90.060 Discharging Fireworks in Parks
- 8.60.010 Abandoned Refrigerators
- 10.48.060(B) Hydrant Codes
- 13.14.010 Unlawful Materials in Sewer

Title 15 BUILDINGS AND CONSTRUCTION

**Chapter 5510 SCREENING**

**Sections:**

~~15.55.010 Title.~~

~~15.55.020 Purpose.~~

~~15.55.030 Enforcement.~~

~~15.55.040 Definitions.~~

~~15.55.050 Screening—required.~~

~~15.55.060 Nonconforming uses.~~

~~15.55.070 Violations and penalties.~~

**15.10.010 Title.**

**15.10.020 Purpose.**

**15.10.030 Enforcement.**

**15.10.040 Definitions.**

**15.10.050 Screening—required.**

**15.10.060 Violations and penalties.**

**15.5510.010 Title.**

This ~~chapter~~**Chapter** shall be known as the Great Falls Screening Code (**GFSC**).~~may be cited as such and will be referred to in this chapter as "this Code."~~

~~(Ord. 2874, 2004; Ord. 2651 (Exh. B), 1993; Ord. 2405 (Exh. A (part)), 1985~~

**15.5510.020 Purpose.**

The purpose of this Code is to provide a standard to enhance life, health, property, and public welfare by requiring the screening of salvage establishments. The intent is to present a visually attractive appearance, allowing only standard fencing materials or landscaping methods.

~~(Ord. 2874, 2004; Ord. 2405 (Exh. A (part)), 1985).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

**15.5510.030 Enforcement.**

The Planning and Community Development Director or ~~a duly authorized representative~~ **designee** is authorized and directed to enforce this Code.

~~(Ord. 2874, 2004; Ord. 2405 (Exh. A (part)), 1985).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**15.5510.040 Definitions.**

- A. "Public view" means a point six (6) feet above the surface of the center of any adjacent public right-of-way including but not limited to avenues, streets, and alleys.
- B. "Salvage" or "scrap" means fragments of material discarded as waste in manufacturing operations, or machines, tools, equipment or parts of these, no longer in serviceable condition, or such items and materials no longer used for their original intent or purpose or such items or materials which are valuable only as raw material for reprocessing. Classes of scrap include but are not limited to ~~metal, rubber, textiles, rope, paper, leather, lumber, plastics and equipment made of these.:~~
  - 1. **metal;**
  - 2. **rubber;**
  - 3. **textiles,**
  - 4. **rope;**
  - 5. **paper;**
  - 6. **leather;**
  - 7. **lumber;**
  - 8. **plastics; and**
  - 9. **equipment made of such material.**
- C. "Salvage" or "scrap dealer" means any place of business which is maintained, operated or used for storing, keeping or selling salvage. This excludes a motor vehicle graveyard ~~or,~~ garbage dump, or sanitary landfill which are regulated by other codes **OCCGF provisions.**

~~(Ord. 2874, 2004; Ord. 2405 (Exh. A (part)), 1985).~~

**15.5510.050 Screening—required.**

~~A. All salvage or scrap material accumulating, disposing of or storing salvage or scrap within the City, when the accumulating, disposing or storing thereof is outside a building or not entirely enclosed by a building hereafter so deposited, stored or accumulated shall enclose the lot or place of deposit where the salvage or scrap is stored within a visually attractive screening sufficient to enclose the salvage or scrap from public view from the outside of the enclosure.~~

~~B.~~

- A. **Screening, in compliance with the provisions of this Chapter, is required for the accumulation, storage, or disposal of salvage or scrap.**
- B. Screening refers to fencing or other manmade barriers to conceal a facility **salvage** from public view. It also refers to natural barriers. Any screening barrier must conform to all local

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

zoning, planning, building **and protective covenant**, provisions and any other legal restrictions that may be in effect for each **site property**.

- C. If a fence is used, the boards may be spaced and/or slanted to reduce wind load. The space which can be seen from a broadside view will not be more than one and one-half (1½) inches wide when viewed at any angle from forty-five (45) degrees to ninety (90) degrees to the fence. The interval between spaces will not be less than seven and one-half (7½) inches. Chain-link metal fences with standard fiberglass or other inserts are acceptable, provided the gap between adjacent slats does not exceed one and one-half (1 1/5-) inches. The breaks in the fence may be vertical or at any angle; they cannot be horizontal.
- D. ~~Screening with shrubs and trees, while not subject to precise measurements, is to provide a similar degree of screening at all times of the year. A berm may be constructed of any solid material, including stumps, demolition debris, etc. The slopes of the berm are to be covered and graded smooth, with not less than three (3) inches of topsoil and seeded with an adequate seeding formula.~~
- D. ~~Any screening must be of sufficient height that none of the salvage or scrap on the premises is visible from public view. This is not intended to require that permanent buildings, other structures, utility poles, cranes or derricks or similar structures be screened.~~
- E. ~~Fences are to be constructed of sound building materials. Rough dimensional lumber or better is acceptable. Slabs are not considered rough dimensional lumber. Plastics or other materials that are placed over the salvage or scrap are not acceptable. Trees and shrubs can best be used in conjunction with other screening materials to improve the appearance of the salvage or scrap facility. Chain-link type metal fence with slats inserted is acceptable. Other screening~~ **Screening other** than the two (2) types of fencing specifically approved above (metal and wood) but of equivalent permanence, attractiveness, and screening qualities are also acceptable, if approved by the Board of Adjustment ~~as provided for in compliance with OCCGF Title 17 of this Municipal Code.~~
- E. Screening with shrubs and trees, while not subject to precise measurements, is to provide a similar degree of screening at all times of the year. A berm may be constructed of any solid material, including stumps, demolition debris, etc. The slopes of the berm are to be covered and graded smooth, with not less than three (3) inches of topsoil and seeded with an adequate seeding formula.
- F. No more than one (1) of the approved screening materials is to be used on one (1) side of the **facility premises**. Trees and shrubs may be placed on the outside of the screening material. Other sides may use different approved materials.
- G. The screening is to be maintained by the ~~facility operator~~ **property or salvage dealer** in a neat and workmanlike manner. ~~It and in compliance with all applicable Official Code of the City of Great Falls provisions. Screening is to be replaced where when necessary by the operator. property owner or salvage dealer. Damage by vandals criminal acts, or other causes, is at the risk of the operator and is not to be reason for not maintaining the screening. owner or designee.~~
- H. Signage on the screening must comply with ~~OCCGF Title 17, Chapter 60 of this Code book.~~

~~(Ord. 2874, 2004; Ord. 2405 (Exh. A (part)), 1985).~~

Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

~~15.55.060~~ — ~~Nonconforming uses.~~

~~Salvage material dealers in operation at the time of the enactment of this Code and which are not conforming to the provisions, shall be regarded as nonconforming. All non-conformance salvage material dealers shall be screened so as to fall under compliance with this Code within one (1) year of the enactment of this Code.~~

~~(Ord. 2405 (Exh. A (part)), 1985).~~

~~15.5510.0760~~ **Violations and penalties.**

~~It shall be unlawful for any salvage or scrap dealer to operate contrary to or in~~

- ~~A. A violation of this Code. Any person violating this Code shall be guilty of Chapter is a misdemeanor, and upon conviction of any such violation, such person shall be punishable by a **term not to exceed (six) 6 months in jail, a fine of not more than to exceed** five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment), or both.~~

~~(Ord. 2874, 2004; Ord. 2405 (Exh. A (part))), 1985).~~

- ~~B. A property that contains any violation of this Chapter is hereby declared a Nuisance as defined by OCCGF Title 8, Chapter 49.~~

**Chapter 5711 DESIGN PROFESSIONALS**

**Section:**

~~15.57.010 Requirement for design professionals.~~

**15.11.010 Requirement for design professionals.**

~~15.5711.010~~ **Requirement for design professionals.**

~~Where structural integrity or, mechanical, electrical, or plumbing complexity, or any other applicable code provision necessitates, the Building Official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the State to practice as such even if not required by State law of Montana.~~

~~(Ord. 2875, 2004)~~

Title 15 BUILDINGS AND CONSTRUCTION

**Chapter 6012 APPLICABILITY**

**Sections:**

~~15.60.010 Applicability.~~

~~15.60.020 Appeals.~~

**15.12.010 Applicability.**

**15.12.020 Appeals.**

~~15.60~~**12.010 Applicability.**

~~These codes are~~ **OCCGF Title 15** is applicable to all buildings within the ~~building code enforcement area of incorporated City limits~~ of Great Falls, including but not limited to, ~~residential:~~

- A. Residential** buildings, containing less than ~~five~~ **(4)** dwelling units or their attached-to structures, ~~any~~;
- B. Any** farm or ranch building,; and ~~any~~
- C. Any** private garage or private storage structure used only for the owner's own use as provided by ~~§Mont. Code Ann. § 50-60-102(1)(a), MCA.~~

~~(Ord. 2874, 2004; Ord. 2748, 1998)~~

~~15.60~~**12.020 Appeals.**

Appeals may be filed to any order, requirement, permit decision, refusal or determination of the Building Official **or designee** in accordance with **OCCGF Title 17, Chapter 12, Article 5.**

~~(Ord. 2874, 2004; Ord. 2748, 1998).~~

(Ord. 3189, 2018; Ord. 3172, 2017; Ord. 3141, 2016; Ord. 3137, 2015; Ord. 3112, 2013; Ord. 3063, 2011; Ord. 3057, 2010; Ord. 3048, 2010; Ord. 2998, 2008; Ord. 2926, 2006; Ord. 2905, 2005; Ord. 2887, 2004; Ord. 2875, 2004; Ord. 2874, 2004; Ord. 2864, 2003; Ord. 2839, 2003; Ord. 2834, 2002; Ord. 2818, 2002; Ord. 2817, 2002; Ord. 2810, 2001; Ord. 2801, 2001; Ord. 2794, 2001; Ord. 2791, 2000; Ord. 2786, 2001; Ord. 2782, 2001; Ord. 2779, 2000; Ord. 2761, 1999; Ord. 2748, 1998; Ord. 2736, 1998; Ord. 2723, 1997; Ord. 2722, 1997; Ord. 2718, 1996; Ord. 2711, 1996; Ord. 2710, 1996; Ord. 2669, 1994; Ord. 2666, 1994; Ord. 2665, 1994; Ord. 2651, 1993; Ord. 2644, 1993; Ord. 2636, 1992; Ord. 2629, 1992; Ord. 2628, 1992; Ord. 2627, 1992; Ord. 2626, 1992; Ord. 2625, 1992; Ord. 2624, 1992; Ord. 2597, 1991; Ord. 2592, 1991; Ord. 2591, 1991; Ord. 2590, 1991; Ord. 2589, 1991; Ord. 2588, 1991; Ord. 2569, 1990; Ord. 2567, 1990; Ord. 2566, 1990; Ord. 2559, 1990; Ord. 2541, 1989; Ord. 2540, 1989; Ord. 2539, 1989; Ord. 2538, 1989; Ord. 2537, 1989; Ord. 2536, 1989; Ord. 2513, 1988; Ord. 2497, 1988; Ord. 2482, 1987; Ord. 2464, 1987; Ord. 2463, 1987; Ord. 2455, 1987;



Exhibit "A"

Title 15 BUILDINGS AND CONSTRUCTION

Ord. 2434, 1986; Ord. 2429, 1986; Ord. 2426, 1986; Ord. 2425, 1986; Ord. 2424, 1986; Ord. 2423, 1986; Ord. 2422, 1986; Ord. 2421, 1986; Ord. 2420, 1986; Ord. 2419, 1986; Ord. 2416, 1986; Ord. 2415, 1986; Ord. 2405, 1985; Ord. 2377, 1985; Ord. 2376, 1985; Ord. 2375, 1985; Ord. 2374, 1985; Ord. 2337, 1983; Ord. 2336, 1983; Ord. 2335, 1983; Ord. 2334, 1983; Ord. 2333, 1983; Ord. 2332, 1983; Ord. 2331, 1983; Ord. 2330, 1983; Ord. 2329, 1983; Ord. 2328, 1983; Ord. 2327, 1983; Ord. 2280, 1981; Ord. 2253, 1981; Ord. 2230, 1980; Ord. 2204, 1980; Ord. 2203, 1980; Ord. 2202, 1980; Ord. 2058, 1979; Ord. 2038, 1978; Prior Code: §5-7-3(B); 4-7-8; 4-7-7; 4-7-4; 4-7-3(C)).

Title 15 BUILDINGS AND CONSTRUCTION

**Title 15 BUILDINGS AND CONSTRUCTION**

**Chapter**

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Chapter 1 - CODE ADOPTION

Chapter 2 - MOBILE HOMES

Chapter 3 - INTERNATIONAL ENERGY CONSERVATION CODE

Chapter 4 - INTERNATIONAL EXISTING BUILDING CODE

Chapter 5 - MECHANICAL CODE

Chapter 6 - PLUMBING CODE

Chapter 7 - INTERNATIONAL FUEL GAS CODE

Chapter 8 - ELECTRICAL CODE

Chapter 9 - FIRE CODE

Chapter 10 - SCREENING

Chapter 11 - DESIGN PROFESSIONALS

Chapter 12 - APPLICABILITY

**Chapter 1 CODE ADOPTION**

**Sections:**

15.1.010 Adoption.

15.1.020 Design Review Board.

15.1.030 Commission report.

15.1.040 House moving license.

15.1.050 Insurance and bond.

15.1.060 Moving buildings, permit, and supervision.

15.1.070 Moving buildings, permit fee.

15.1.080 Special inspector.

15.1.090 Relocated structures.

15.1.100 Asbestos in building construction.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

**15.1.010 Adoption.**

The Building Code shall be the same edition as adopted by the State of Montana. The Building Code is adopted pursuant to the Administrative Rules of Montana (ARM). The Building Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, [www.iccsafe.org](http://www.iccsafe.org).

**15.1.020 Design Review Board.**

The Official Code of the City of Great Falls (OCCGF) Title 17, Chapter 12, Article 3, establishes the Design Review Board and sets forth its purpose, authority, membership, and the process to review Board decisions. The Board will review and approve development proposals for new commercial and multifamily buildings of eight (8) units or more (excluding Planned Unit Developments and Townhouses).

**15.1.030 Commission report.**

During his or her term of office, the Building Official shall keep, or cause to be kept, a record of the number, description, type, occupancy, size, and valuation of every building or structure erected in the City for which certificates or permits are issued. The Building Official shall also make a monthly report on or before the tenth day of each month, of the number of permits and certificates issued and the valuation of structures erected within the incorporated City limits and of fees collected during the preceding month.

**15.1.040 House moving license.**

Any person, firm, corporation, or other entity desiring to move any house or structure into, out of, or within the City limits, shall first obtain a house mover's license, the annual fee for which shall be set by City Commission resolution.

**15.1.050 Insurance and bond.**

Any person, firm, entity or corporation desiring to obtain a house mover's license shall make application to the Planning and Community Development Department and shall supply a commercial general liability insurance policy and license bond as specified by City Commission resolution. Upon approval of the application and payment of the annual fee, the license will be issued.

**15.1.060 Moving buildings, permit, and supervision.**

- A. Before any house or structure may be moved into, out of, or within the City, such licensed house movers shall make application for a permit for the moving of each separate house or structure to the Building Official, and the Building Official shall inspect the same and the route upon which house or structure is proposed to be moved.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

- B. All house moving shall be conducted under the supervision of the Building Official, and the Building Official may demand any precaution deemed advisable for the protection of the streets.
- C. Any mover shall coordinate and receive appropriate authorization from:
  - 1. All impacted public utilities;
  - 2. The Great Falls Fire Rescue Department (GFFR);
  - 3. The Great Falls Police Department (GFPD);
  - 4. The Great Falls Park and Recreation Department; and
  - 5. The Montana Department of Highways, either by agreement or under provisions of the State for such moving and shall furnish proof of such authorization on forms supplied by the Building Official.
- D. Each application shall furnish proof of compliance with all Montana regulations for such moving.

**15.1.070 Moving buildings, permit fee.**

Fees for the issuance of a permit to remove any house or structure shall be as set by City Commission resolution.

**15.1.080 Special inspector.**

If the Building Official determines any structure over forty (40) tons requires the services of an inspector while the building is in transit, an additional inspection fee shall be paid for all the time spent on inspection.

**15.1.090 Relocated structures.**

Whenever a moved structure is to be relocated within the jurisdiction of the City, permits required by the Official Code of the City of Great Falls (OCCGF) shall be obtained for such work as are necessary to locate, support, anchor, and supply utilities to the structure. Foundation and/or framing work at the relocated site shall be inspected and approved by the Building Official or designee prior to such structure being placed upon the lot. Buildings or structures moved into or within the City shall comply with all applicable OCCGF provisions for new buildings or structures. Demolition of foundation and utility abandonment on the original site shall be as required by razing guidelines as set forth by the City.

**15.1.100 Asbestos in building construction.**

- A. All buildings scheduled for demolition which contain asbestos insulation or fireproofing must follow the safeguards listed in Title 50, Chapter 64, Montana Code Annotated. Periodic inspection pursuant to Mont. Code Ann. Title 50, Chapter 64, and this section, may be required.
- B. "Asbestos-containing spray products" means any fibrated product or compound which is applied to a surface utilizing a spray or pneumatic means of applications, for whatever purpose.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

- C. "Friable asbestos material" means any material that contains more than one (1) percent asbestos by weight and that can be crumbled, pulverized or reduced to powder, when dry, by hand pressure.
- D. The use of asbestos-containing spray products, other than those in which the asbestos fibers are encapsulated with a bituminous or resinous binder and which are not friable after drying, for whatever purpose, in the construction, remodeling, renovation, alteration of a building or structure is prohibited.
- E. A violation of subsection (D) of this part is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00).

## **Chapter 2 MOBILE HOMES**

### **Sections:**

- 15.2.010 Purpose.
- 15.2.020 Unsafe structures and utilities—designated.
- 15.2.030 Unsafe structures and utilities penalty.
- 15.2.040 Appurtenances—installation.
- 15.2.050 Footing.
- 15.2.060 Pier.
- 15.2.070 Cap.
- 15.2.080 Shim.
- 15.2.090 Foundations and piers—use approval.
- 15.2.100 Skirting requirements.
- 15.2.110 Permit—fees.

### **15.2.010 Purpose.**

The purpose of this regulation is to provide minimum standards to safeguard, health, safety, property, and public welfare by regulating and controlling use and occupancy of all mobile homes, trailer homes, trailers, or any similarly named structure within the City.

### **15.2.020 Unsafe structures and utilities—designated.**

Unsafe mobile homes, trailer homes, trailers, or other similar structures designed for living purposes for one (1) or more persons are defined as follows:

- A. "Unsafe Structure" means a structure (1) which constitutes a fire hazard or hazard to life, health, property, or public welfare by reason of use, inadequate maintenance or dilapidation, or abandonment. Any structure in which any one (1) or more of the following conditions exists shall be deemed conclusively to be an unsafe structure:

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

1. A structure which shows damage or deterioration of the non-supporting enclosing or outside walls or covering to such an extent that they will not resist the wind pressure or lateral forces all in accordance with the standards adopted in this Chapter;
  2. A structure which the loads upon the floors or roof exceed the maximum design limits; or
  3. A structure which parts thereof are so attached that they may fall and cause injury to persons or personal property.
- B. "Unsafe Utility" means a utility which constitutes a fire hazard or hazard to health, safety, property, or public welfare by reason of use, construction, quality of material or inadequate maintenance, or dilapidation. Any utility in which any one (1) or more of the following conditions exists shall be deemed to be an unsafe utility:
1. Damaged gas fired, oil fired, or solid fuel fired appliances; or
  2. Devices or other apparatus which have any of the following defects:
    - i. Broken or cracked heat exchangers;
    - ii. Defective or deteriorated vents, venting, or flues which permit leakage of the flue gas through the walls;
    - iii. Defective fuel supply lines;
    - iv. Insufficient air supply for combustion of the fuel;
    - v. Defective or improperly installed and/or adjusted controls and appurtenances or a lack of such required controls;
    - vi. Equipment locations which constitute a fire or explosive hazard; or
    - vii. Defective or improperly installed gas-fueled equipment.

**15.2.030 Unsafe structures and utilities penalty.**

- A. An unsafe structure or utility is hereby declared a Nuisance pursuant to OCCGF Title 8, Chapter 49.
- B. Owning or maintaining an unsafe structure or utility is a misdemeanor, punishable by a term not to exceed 6 months in jail, a fine not to exceed five hundred dollars (\$500.00 or both. The Court may in its discretion order the unsafe structure or utility removed or destroyed.

**15.2.040 Appurtenances—installation.**

- A. Footings, piers, caps, and shims shall be installed directly under the main frame or chassis of the mobile home according to the manufacturer's recommendations, if those recommendations meet the minimum standards set out in this Chapter.
- B. All footings, piers, caps, and shims shall be located under both frame rails and shall be installed so the longest dimension of each piece of material used for the construction of a pier and of each footing, cap, and shim is parallel to the ground and perpendicular to the frame rail. Those nearest to each end of the mobile home shall be within five (5) feet from the end of the home, and shall have a maximum spacing of ten (10) feet on the centers.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

- C. All grass and organic material shall be removed from beneath the footings.

**15.2.050 Footing.**

- A. A footing is that portion of the blocking between the ground and the frame rail which spreads and transmits loads directly to the soil.
- B. All footings shall be of a material impervious to rot which has a minimum weight bearing ability equal to or greater than a solid piece of wood having minimum nominal dimensions of two (2) inches by twelve (12) inches by eighteen (18) inches.
- C. Each footing may be constructed from more than one (1) piece of material, provided that each piece of material has minimum nominal dimensions of not less than two (2) inches by twelve (12) inches by eighteen (18) inches, unless smaller dimensions are approved by the section prior to use.
- D. All footings shall be at least four (4) inches longer and four (4) inches wider than the pier resting upon it, unless smaller dimensions are approved by the section prior to use.

**15.2.060 Pier.**

- A. A pier is a vertical structural support that transmits the load from the mobile home chassis to the footing.
- B. A pier shall be constructed of a material or materials which have a minimum weight bearing ability equal to or greater than a standard eight (8) inches by eight (8) inches by sixteen (16) inches minimum celled concrete block. If a celled material, e.g., a celled concrete block or an expanded shell, is used to construct piers, the material shall be installed so the open end of each cell is perpendicular to the frame rail and to the ground.
- C. A pier shall be not less than eight (8) nominal inches wide, and in any event, shall be the same width as a cap resting upon it.
- D. A pier eight (8) inches in height, or less, may be constructed of more than one (1) piece of material provided each piece has minimum nominal dimensions of two (2) inches by four (4) inches by sixteen (16) inches.
- E. A pier more than eight (8) inches in height may be constructed of more than one (1) piece of material having minimum nominal dimensions of eight (8) inches wide, eight (8) inches high, and sixteen (16) inches long, provided that the pieces fit flush, one (1) to another.

**15.2.070 Cap.**

- A. A cap is a covering structure that is placed between the pier and shim to provide a surface on which the shims may rest so as to transmit the mobile home load uniformly to the pier bearing surface.
- B. All piers shall be topped with a cap not more than four (4) inches in height and not less than eight (8) nominal inches wide and sixteen (16) inches long.
- C. Each cap shall be constructed of the same material throughout and may be constructed of more than one (1) piece of material each having minimum nominal dimensions of one (1) inch by eight (8) inches by sixteen (16) inches.

## Exhibit "B"

### Title 15 BUILDINGS AND CONSTRUCTION

#### **15.2.080 Shim.**

- A. A shim is a thin tapered slip of wood or metal used to fill in between the cap and mobile home chassis for the purpose of leveling the mobile home.
- B. All shims shall be four (4) inches or less in thickness and wide enough to provide bearing over the width of the cap.
- C. The shims shall be driven tight between the cap and the frame rail to provide uniform bearing and leveling.

#### **15.2.090 Foundations and piers—use approval.**

Other types of piers and foundations, including heavy metal adjustable screw columns, of equal performance and weight bearing ability may be used when approved by the Building Official or designee. Tie-downs shall be provided to resist overturning caused by seismic or wind loadings.

#### **15.2.100 Skirting requirements.**

All mobile homes placed upon mobile home zoned lots shall have the space below the mobile home skirted by weatherproof materials compatible with the exterior design of the mobile home. When such skirting is placed around a mobile home that has combustion air for the furnace and hot water tank taken from beneath the unit, provision shall be taken to louvre the air intake to outside of the skirt. A proper louvre shall be placed over the intake to prevent the entrance of birds and rodents.

#### **15.2.110 Permit—fees.**

A fee for each permit to place a mobile home on a lot outside of a licensed trailer court shall be set by Commission resolution and paid to the Planning and Community Development Department.

## **Chapter 3 INTERNATIONAL ENERGY CONSERVATION CODE**

### **Section:**

15.3.010 Adoption.

#### **15.3.010 Adoption.**

The International Energy Conservation Code (IECC) shall be the same edition as adopted by the State of Montana. The IECC is adopted pursuant to the Administrative Rules of Montana. The IECC currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Fossmoor Road, Country Club Hills, IL 60478, [www.iccsafe.org](http://www.iccsafe.org).



Title 15 BUILDINGS AND CONSTRUCTION

**Chapter 4 INTERNATIONAL EXISTING BUILDING CODE**

**Section:**

15.4.010 Adoption.

**15.4.010 Adoption.**

The International Existing Building Code (IEBC) shall be the same edition as adopted by the State of Montana. The IEBC is adopted pursuant to the Administrative Rules of Montana. The IEBC currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, [www.iccsafe.org](http://www.iccsafe.org).

**Chapter 5 MECHANICAL CODE**

**Section:**

15.5.010 Adoption.

**15.25.010 Adoption.**

The Mechanical Code shall be the same edition as adopted by the State of Montana. The Mechanical Code is adopted pursuant to the Administrative Rules of Montana. The Mechanical Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, [www.iccsafe.org](http://www.iccsafe.org).

**Chapter 6 PLUMBING CODE**

**Sections:**

15.30.010 Adoption.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

15.6.010 Adoption.

15.6.020 Authority designated.

15.6.030 Permit fees.

15.6.040 Plumbing requirements.

15.6.050 Permit issuance.

15.6.060 Homeowner's permit.

15.6.070 Medical gas requirements.

15.6.080 Violation—penalty.

**15.6.010 Adoption.**

The Uniform Plumbing Code shall be the same edition as adopted by the State of Montana. The Uniform Plumbing Code is adopted pursuant to the Administrative Rules of Montana. The Uniform Plumbing Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building Codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Association of Plumbing and Mechanical Officials (IAPMO), 20001 Walnut Drive South, Walnut, CA 91789-2825.

**15.6.020 Authority designated.**

The Great Falls Building Official or designee shall have the authority to enforce this Chapter.

**15.6.030 Permit fees.**

Permit fees shall be set by City Commission resolution.

**15.6.040 Plumbing requirements.**

For purposes of definition, plumbing shall involve all sections of the Uniform Plumbing Code, except Chapter 12, Fuel gas piping.

**15.6.050 Permit issuance.**

Permits shall be issued only to plumbing contractors or homeowners who meet the requirements of this Chapter, or Title 37, Chapter 69, of the Montana Code Annotated.

**15.6.060 Homeowner's permit.**

An owner of a single-family residence used exclusively for personal use, may install all sanitary plumbing or potable water supply piping. The standard fee schedule applies to all permits obtained under this Chapter.

Title 15 BUILDINGS AND CONSTRUCTION

**15.6.070 Medical gas requirements.**

For purposes of definition medical gas systems shall involve only National Fire Protection Association 99C Gas and Vacuum Systems current edition.

**15.6.080 Violation—penalty.**

A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may also result in a revocation of any special business license issued pursuant to OCCGF Title 5.

**Chapter 7 INTERNATIONAL FUEL GAS CODE**

**Sections:**

15.7.010 Adoption.

15.7.020 Definition.

15.7.030 Permit fees.

15.7.040 Fuel Gas piping requirements.

15.7.050 Permit issuance.

15.7.060 Violation—penalty.

**15.7.010 Adoption.**

The International Fuel Gas Code shall be the same edition as adopted by the State of Montana. The International Fuel Gas Code is adopted pursuant to the Administrative Rules of Montana. The International Fuel Gas Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies of each are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the International Code Council (ICC), 4051 West Flossmoor Road, Country Club Hills, IL 60478, [www.iccsafe.org](http://www.iccsafe.org).

**15.7.020 Definition.**

The Fuel Gas Code Official shall be the Great Falls Building Official or designee.

**15.7.030 Permit fees.**

Permit fees shall be set by City Commission resolution.

**15.7.040 Fuel Gas piping requirements.**

For purposes of definition, fuel gas piping shall involve only the International Fuel Gas Code.

Title 15 BUILDINGS AND CONSTRUCTION

**15.7.050 Permit issuance.**

Only a gas fitting contractor licensed pursuant to OCCGF Title 5, shall be eligible to obtain a permit for fuel gas piping systems.

**15.7.060 Violation—penalty.**

A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not to exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may result in the revocation of any special business license issued pursuant to OCCGF Title 5.

**Chapter 8 ELECTRICAL CODE**

**Sections:**

15.8.010 Adoption.

15.8.020 Homeowner electrical permit.

15.8.030 Application—homeowner's permit.

15.8.040 Electrical permit issuance.

15.8.050 Permit fees.

15.8.060 Violation—penalty.

**15.8.010 Adoption.**

The Electrical Code shall be the same edition as adopted by the State of Montana. The Electrical Code is adopted pursuant to the Administrative Rules of Montana. The Electrical Code currently being enforced by the City of Great Falls is on file in the Planning and Community Development Department. Copies are available for inspection. Copies may be obtained from the Department of Labor & Industry, Building Standards Division, Building codes Bureau, P.O. Box 200517, Helena, MT 59620, at cost plus postage; or the National Fire Protection Association, Inc., #1 Battery march Park, Quincy, Massachusetts, 02269, [www.necdirect.org](http://www.necdirect.org).

**15.8.020 Homeowner electrical permit.**

An individual may obtain an electrical permit for doing electrical work on his or her own property or residence; provided, that said property or residence is maintained for his or her own use. The electrical work shall be done by the owner or a member of the family residing at the same address. Any other individual(s) performing work under the electrical permit are in violation of this Chapter.

**15.8.030 Application—homeowner's permit.**

Every person desiring a homeowner's permit under the provisions of this Chapter shall first file an application for registration. The application shall set forth the location of the building where the work is proposed to be done, state that the applicant is the owner of said building, and attest to understanding

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

applicable provisions of this Chapter and electrical codes. Permit fees shall be established by City Commission resolution.

**15.8.040 Electrical permit issuance.**

Electrical permits may be issued only to a person, firm, corporation, or other entity qualified or licensed by applicable Montana state law and the OCCGF, or to individuals qualifying as homeowners pursuant to this Chapter.

**15.8.050 Permit fees.**

Electrical permit fees shall be set by City Commission resolution.

**15.8.060 Violation—penalty.**

A violation of any provision of this Chapter is a misdemeanor, punishable by a term not to exceed six (6) months in jail, a fine not to exceed five hundred dollars (\$500.00), or both. A violation of this Chapter may result in the revocation of any special business license issued pursuant to OCCGF Title 5.

**Chapter 9 FIRE CODE**

**Sections:**

15.9.010 International Fire Code—adoption.

15.9.020 Definitions.

15.9.030 Bureau of Fire Prevention—established—duties.

15.9.040 Pipes thawed with torch prohibited.

15.9.050 Violation—penalty.

**15.9.010 International Fire Code —adoption.**

- A. The City of Great Falls hereby adopts the most currently Montana state adopted International Fire Code (IFC), as may be administratively amended by the Great Falls Fire Rescue Department (GFFR).
- B. A copy of the IFC, as may be amended, is available for inspection in the City Clerk's office and the GFFR Fire Marshall's office.
- C. Copies of the IFC may also be obtained from the International Code Council.

**15.9.020 Definitions.**

Whenever the following words are used in the IFC, the following definitions shall apply:

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

- A. "Chief of the Bureau of Fire Prevention" means the Great Falls Fire Rescue Department (GFFR) Chief.
- B. "Corporation Counsel" means the Great Falls City Attorney.
- C. "Jurisdiction" means the incorporated City limits of Great Falls.
- D. "Removal" in relation to storage tanks includes vents and fill pipes and all other incidental hardware.

**15.9.030 Bureau of Fire Prevention—established—duties.**

The IFC shall be enforced by the GFFR Bureau of Fire Prevention, under the supervision of the Fire Chief.

**15.9.040 Pipes thawed with torch prohibited.**

- A. It is unlawful to use any torch or other flame-producing device for the purpose of thawing out any pipe in or under any house, building, or structure in the incorporated City limits.
- B. A violation of this section is a misdemeanor punishable by a term not to exceed (six) 6 months in jail, a fine not to exceed five hundred dollars (\$500.00), or both.
- C. Costs incurred by City emergency personal responding to a violation of this section may be assessed as a lien on the subject property by Commission resolution.

**15.9.050 Violation—penalty.**

- A. Unless otherwise specified in this Chapter, any person who violates any of the provisions of the IFC as adopted, or fails to comply therewith is guilty of a misdemeanor, punishable by a term not to exceed (six) 6 months in jail, a fine not to exceed five hundred dollars (\$500.00), or both.
- B. A property that contains a violation of the IFC, or any other violation of this Chapter is hereby declared a Nuisance as defined by OCCGF Title 8, Chapter 49.

**Chapter 10 SCREENING**

**Sections:**

15.10.010 Title.

15.10.020 Purpose.

15.10.030 Enforcement.

15.10.040 Definitions.

15.10.050 Screening—required.

15.10.060 Violations and penalties.

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

**15.10.010 Title.**

This Chapter shall be known as the Great Falls Screening Code (GFSC).

**15.10.020 Purpose.**

The purpose of this Code is to provide a standard to enhance life, health, property, and public welfare by requiring the screening of salvage establishments. The intent is to present a visually attractive appearance, allowing only standard fencing materials or landscaping methods.

**15.10.030 Enforcement.**

The Planning and Community Development Director or designee is authorized and directed to enforce this Code.

**15.10.040 Definitions.**

- A. "Public view" means a point six (6) feet above the surface of the center of any adjacent public right-of-way including but not limited to avenues, streets, and alleys.
- B. "Salvage" or "scrap" means fragments of material discarded as waste in manufacturing operations, or machines, tools, equipment or parts of these, no longer in serviceable condition, or such items and materials no longer used for their original intent or purpose or such items or materials which are valuable only as raw material for reprocessing. Classes of scrap include but are not limited to:
  - 1. metal;
  - 2. rubber;
  - 3. textiles,
  - 4. rope;
  - 5. paper;
  - 6. leather;
  - 7. lumber;
  - 8. plastics; and
  - 9. equipment made of such material.
- C. "Salvage or scrap dealer" means any place of business which is maintained, operated or used for storing, keeping or selling salvage. This excludes a motor vehicle graveyard, garbage dump, or sanitary landfill which are regulated by other OCCGF provisions.

**15.10.050 Screening—required.**

- A. Screening, in compliance with the provisions of this Chapter, is required for the accumulation, storage, or disposal of salvage or scrap.
- B. Screening refers to fencing or other manmade barriers to conceal salvage from public view. It also refers to natural barriers. Any screening barrier must conform to all local zoning, planning, building, provisions and any other legal restrictions that may be in effect for each property.
- C. If a fence is used, the boards may be spaced and/or slanted to reduce wind load. The space which can be seen from a broadside view will not be more than one and one-half

## Exhibit "B"

### Title 15 BUILDINGS AND CONSTRUCTION

(1½) inches wide when viewed at any angle from forty-five (45) degrees to ninety (90) degrees to the fence. The interval between spaces will not be less than seven and one-half (7½) inches. Chain-link metal fences with standard fiberglass or other inserts are acceptable, provided the gap between adjacent slats does not exceed one and one-half (1 1/5) inches. The breaks in the fence may be vertical or at any angle; they cannot be horizontal.

- D. Fences are to be constructed of sound building materials. Rough dimensional lumber or better is acceptable. Slabs are not considered rough dimensional lumber. Plastics or other materials that are placed over the salvage or scrap are not acceptable. Trees and shrubs can best be used in conjunction with other screening materials to improve the appearance of the salvage or scrap facility. Screening other than the two (2) types of fencing specifically approved above (metal and wood) but of equivalent permanence, attractiveness, and screening qualities are also acceptable, if approved by the Board of Adjustment in compliance with OCCGF Title 17.
- E. Screening with shrubs and trees, while not subject to precise measurements, is to provide a similar degree of screening at all times of the year. A berm may be constructed of any solid material, including stumps, demolition debris, etc. The slopes of the berm are to be covered and graded smooth, with not less than three (3) inches of topsoil and seeded with an adequate seeding formula.
- F. No more than one (1) of the approved screening materials is to be used on one (1) side of the premises. Trees and shrubs may be placed on the outside of the screening material. Other sides may use different approved materials.
- G. The screening is to be maintained by the property or salvage dealer in a neat and workmanlike manner and in compliance with all applicable Official Code of the City of Great Falls provisions. Screening is to be replaced when necessary by the property owner or salvage dealer. Damage by criminal acts, or other causes, is at the risk of the owner or designee.
- H. Signage on the screening must comply with OCCGF Title 17.

#### **15.10.060 Violations and penalties.**

- A. A violation of this Chapter is a misdemeanor, punishable by a term not to exceed (six) 6 months in jail, a fine not to exceed five hundred dollars (\$500.00), or both.
- B. A property that contains any violation of this Chapter is hereby declared a Nuisance as defined by OCCGF Title 8, Chapter 49.

## **Chapter 11 DESIGN PROFESSIONALS**

### **Section:**

15.11.010 Requirement for design professionals.



Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

**15.11.010 Requirement for design professionals.**

Where structural integrity, mechanical, electrical, or plumbing complexity, or any other applicable code provision necessitates, the Building Official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the State of Montana.

**Chapter 12 APPLICABILITY**

**Sections:**

15.12.010 Applicability.

15.12.020 Appeals.

**15.12.010 Applicability.**

OCCGF Title 15 is applicable to all buildings within the incorporated City limits of Great Falls, including but not limited to:

- A. Residential buildings, containing less than four (4) dwelling units or their attached-to structures;
- B. Any farm or ranch building; and
- C. Any private garage or private storage structure used only for the owner's own use as provided by Mont. Code Ann. § 50-60-102(1)(a).

**15.12.020 Appeals.**

Appeals may be filed to any order, requirement, permit decision, refusal or determination of the Building Official or designee in accordance with OCCGF Title 17.

(Ord. 3189, 2018; Ord. 3172, 2017; Ord. 3141, 2016; Ord. 3137, 2015; Ord. 3112, 2013; Ord. 3063, 2011; Ord. 3057, 2010; Ord. 3048, 2010; Ord. 2998, 2008; Ord. 2926, 2006; Ord. 2905, 2005; Ord. 2887, 2004; Ord. 2875, 2004; Ord. 2874, 2004; Ord. 2864, 2003; Ord. 2839, 2003; Ord. 2834, 2002; Ord. 2818, 2002; Ord. 2817, 2002; Ord. 2810, 2001; Ord. 2801, 2001; Ord. 2794, 2001; Ord. 2791, 2000; Ord. 2786, 2001; Ord. 2782, 2001; Ord. 2779, 2000; Ord. 2761, 1999; Ord. 2748, 1998; Ord. 2736, 1998; Ord. 2723, 1997; Ord. 2722, 1997; Ord. 2718, 1996; Ord. 2711, 1996; Ord. 2710, 1996; Ord. 2669, 1994; Ord. 2666, 1994; Ord. 2665, 1994; Ord. 2651, 1993; Ord. 2644, 1993; Ord. 2636, 1992; Ord. 2629, 1992; Ord. 2628, 1992; Ord. 2627, 1992; Ord. 2626, 1992; Ord. 2625, 1992; Ord. 2624, 1992; Ord. 2597, 1991; Ord. 2592, 1991; Ord. 2591, 1991; Ord. 2590, 1991; Ord. 2589, 1991; Ord. 2588, 1991; Ord. 2569, 1990; Ord. 2567, 1990; Ord. 2566, 1990; Ord. 2559, 1990; Ord. 2541, 1989; Ord. 2540, 1989; Ord. 2539, 1989; Ord. 2538, 1989; Ord. 2537, 1989; Ord. 2536, 1989; Ord. 2513, 1988; Ord. 2497, 1988; Ord. 2482, 1987; Ord. 2464, 1987; Ord. 2463, 1987; Ord. 2455, 1987; Ord. 2434, 1986; Ord. 2429, 1986; Ord. 2426, 1986; Ord. 2425, 1986; Ord. 2424, 1986; Ord. 2423, 1986; Ord. 2422, 1986; Ord. 2421, 1986; Ord. 2420, 1986; Ord. 2419,

Exhibit "B"

Title 15 BUILDINGS AND CONSTRUCTION

1986; Ord. 2416, 1986; Ord. 2415, 1986; Ord. 2405, 1985; Ord. 2377, 1985; Ord. 2376, 1985; Ord. 2375, 1985; Ord. 2374, 1985; Ord. 2337, 1983; Ord. 2336, 1983; Ord. 2335, 1983; Ord. 2334, 1983; Ord. 2333, 1983; Ord. 2332, 1983; Ord. 2331, 1983; Ord. 2330, 1983; Ord. 2329, 1983; Ord. 2328, 1983; Ord. 2327, 1983; Ord. 2280, 1981; Ord. 2253, 1981; Ord. 2230, 1980; Ord. 2204, 1980; Ord. 2203, 1980 Ord. 2202, 1980; Ord. 2058, 1979; Ord. 2038, 1978; Prior Code: §5-7-3(B); 4-7-8; 4-7-7; 4-7-4; 4-7-3(C)).