



**Item:** Ordinance 3153, “**AN ORDINANCE AMENDING TITLE 2, CHAPTER 50, SECTIONS 040 AND 060 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO NEIGHBORHOOD COUNCILS**”

**From:** Sara Sexe, City Attorney

**Initiated By:** Sara Sexe, City Attorney

**Presented By:** Sara Sexe, City Attorney

**Action Requested:** Accept Ordinance 3153 on first reading and set the public hearing for February 7, 2017.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3153 on first reading and set the public hearing for February 7, 2017.”

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

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**Background/Recommendation:**

In the current Official Code of the City of Great Falls (OCCGF) regarding Neighborhood Councils, there are two provisions which require amendment. The first involves the dates for Neighborhood Council elections. The OCCGF at 2.50.040 references a statute which does not exist and should be removed. It further indicates that the filing period for neighborhood council candidates closes forty-five days prior to the general election, which is a different time period than that for mayoral and commission candidates. These dates should coincide with the other elected positions, for consistency.

The second necessary changes involve OCCGF 2.50.060, dealing with Neighborhood Council organization. The code indicates that the Councils should meet and organize with officers within thirty days following the election. However, this time period expires before the Council members are even provided their oaths of office or are sworn into office. The code has therefore been amended to allow for the time necessary to have the members properly placed in their positions.

**Fiscal Impact:** None

**Staff Recommendation:** City staff recommends the Commission vote to accept Ordinance 3153 on first reading and set the public hearing for February 7, 2017.

**Alternatives:**

1. The Commission could maintain the current version of OCCGF. However, staff does not recommend this alternative; or
2. The Commission could suggest revisions of the proposed code revision, which would be considered for input.

**Attachments/Exhibits:**

Ordinance 3153  
Ordinance 3153, Exhibit A and B

**ORDINANCE 3153**

**AN ORDINANCE AMENDING TITLE 2, CHAPTER 50, SECTIONS 040 AND 060 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO NEIGHBORHOOD COUNCILS**

**WHEREAS**, the City Commission recognizes the need for members of Neighborhood Councils to be given the oath of office prior to performing their duties, including electing officers; and

**WHEREAS**, the City Commission desires consistency in filing periods for candidates for public office.

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

- Section 1: Title 2, Chapter 50, Section 040 of the OCCGF pertaining to Council Elections be amended as depicted in Exhibit "A" attached hereto, which removes any language indicated by a ~~strike-out~~ and adds any language which is **bolded**; and
- Section 2: Title 2, Chapter 50, Section 060 of the OCCGF pertaining to Organization (removal of members of boards, commissions, and councils) be amended as depicted in Exhibit "B" attached hereto, which removes any language indicated by a ~~strike-out~~ and adds any language which is **bolded**; and
- Section 3: This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading January 17, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading February 7, 2017.

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

ATTEST:

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

(CITY SEAL)

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 3153 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Courthouse;  
On the Bulletin Board, Great Falls Public Library

(CITY SEAL)

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Lisa Kunz, City Clerk

Exhibit "A"

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 50 NEIGHBORHOOD COUNCILS

**Chapter 50 NEIGHBORHOOD COUNCILS**

**Sections:**

[2.50.040 Council elections.](#)

**2.50.040 Council elections.**

- A. Each neighborhood district shall have a council comprised of five (5) resident members; who must live within their designated neighborhood council district for which they were elected, as defined in M.C.A. 1-1-~~254~~**215**, for their term of office; such members shall be elected to two (2) year terms at the election held in conjunction with the City general election.
- B. Nominees for election to a neighborhood council must be qualified electors and residents of their designated neighborhood district.
- C. The filing period for neighborhood councils shall open **and close on** the same dates as the filing period for mayoral and commission candidates. ~~The filing period for neighborhood council candidates shall close forty five (45) days prior to the general election.~~ Neighborhood council candidates are not subject to primary elections.

**(Ord. 3153, 2017; Ord. 2735, 1998; Ord. 2727, 1997)**

Exhibit "B"

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 50 NEIGHBORHOOD COUNCILS

**Chapter 50 NEIGHBORHOOD COUNCILS**

**Sections:**

[2.50.060 Organization.](#)

**2.50.060 Organization.**

- A. Each council shall organize with a chairman, secretary, and an official delegate to attend City Commission meetings. **Each council may organize and appoint a Vice Chair or other officers as it deems necessary.**
- B. In the event of a vacancy on the council, the remaining members shall appoint a person eligible to hold the position to fill the vacancy until the next general election.
- C. ~~Within thirty (30) days~~ **On or before January 30** after each election, **or within thirty (30) days after new council member(s) elected in a special election receive the oath(s) of, and are sworn into, office,** each neighborhood council shall meet to organize as provided in this section.
- D. Neighborhood councils are encouraged to involve business persons, young people, and other individuals who may not necessarily qualify as an elected council member.
- E. Neighborhood Councils and the Great Falls Citizen's Council are further encouraged to involve minorities, ethnic groups, community service organizations, environmental interest groups, and other like organizations to ensure broad participation in the neighborhood council program.

(Ord. 3153, 2017; Ord. 2727, 1997.