

ORDINANCE 3064

**AN ORDINANCE OF THE CITY OF GREAT FALLS AMENDING TITLE 1,
CHAPTER 4 OF THE OFFICIAL CODE OF THE CITY OF GREAT
FALLS BY ADDING SECTION 045 TITLED "CITY FLAG"**

WHEREAS, the City Commission expressed its desire for the City of Great Falls to have an official flag of the City of Great Falls; and

WHEREAS, the logo was implemented after the Great Falls City Centennial Commission held a competition in 1982-1984 among graphic artists. The logo captures major elements of Great Falls, including the falls, the buffalo skull representing Charlie Russell, Lewis & Clark, Square Butte, strip farming, the big sky, the railroad tracks and, at one time, the smokestack. As the community was involved in the creation of the logo, it was determined the logo be the design on an official City of Great Falls flag as a display of pride of our community; and

WHEREAS, an official flag of the City of Great Falls shall be displayed in the Commission Chambers; and

WHEREAS, replicas of the official flag of the City of Great Falls may be used by elected officials and City staff for purposes of representing and publicizing the City of Great Falls in city-related events.

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

Section 1. That Title 1, Chapter 4 of the Official Code of the City of Great Falls be amended by adding Section 045 titled "CITY FLAG." The full text and provisions of which are set forth in Exhibit A, attached hereto and, by this reference, made a part hereof.

Section 2. EFFECTIVE DATE. This ordinance shall be effective 30 days after second reading and final adoption.

APPROVED by the City Commission of the City of Great Falls, Montana, on first reading January 18, 2011.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading February 1, 2011.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, 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 hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3064 in three 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 Court House;
- On the Bulletin Board, Great Falls Public Library

(Seal of the City)

Lisa Kunz, City Clerk

**Chapter 4
GENERAL PROVISIONS**

Sections:

1.4.010	Form of government	1.4.050	Official flower
1.4.020	Definitions	1.4.055	Naming and renaming city parks
1.4.030	City limits	1.4.060	Publication of ordinances
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1.4.045	City flag		

1.4.010 Form of government

The form of government is "commission-manager" established by charter with self-governing powers. (Ord. 2642 §(part), 1993).

1.4.020 Definitions

Unless otherwise specified or a different meaning is plainly intended, the following definitions apply throughout this code:

"Board of Appeals" hereinafter referred to as the Board of Adjustment.

"City" means the City of Great Falls, Montana, or the area within the territorial limits of the City of Great Falls, Montana, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

"Computation of time" means the time within which an act is to be done. It shall be computed by excluding the first day and including the last day; and if the last day is a Sunday or a legal holiday, that day shall be excluded.

"Commission" means the City Commission of the City of Great Falls, Montana. "All its members" or "all Commissioners" means the total number of Commissioners provided by the general laws of the State of Montana.

"County" means the County of Cascade, Montana.

"Law" denotes applicable federal law, the constitution and statutes of the State of Montana, the Ordinances of the City of Great Falls, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

"Manager" means City Manager.

"May" is permissive.

"Month" means a calendar month.

"Must" and "shall" are mandatory.

"Oath" shall be construed to include an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

"Ordinance" means a law of the City; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution.

"Owner" applied to a building or land includes any single owner, joint owner or tenant in common, of the whole or a part of such building or land.

"Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

"Personal property" includes money, goods, chattels, things in action and evidences of debt.

"Preceding" and "following" mean next before and next after, respectively.

"Property" includes real and personal property.

"Real property" includes lands, tenements and hereditament.

"Sidewalk" means that portion of a street between the curblines and the adjacent property line intended for the use of pedestrians.

"State" means the State of Montana.

"Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of the State.

"Tenant" and "occupant," applied to a building or land, includes any person who occupies whole or a part of such building or land, whether alone or with others.

"Title of Office." Use of the title of any officer, employee, department, board or Commission means that officer, employee, department, board or commission of the City.

"Written" includes printed, typewritten, mimeographed or multigraphed.

"Year" means a calendar year.

All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning. (Ord. 2642 §(part), 1993).

1.4.030 City limits

The corporate limits of the City shall be as shown on the official City map, which map shall be on file in the Department of Public Works at all times. (Ord. 2642 § (part), 1993; Prior code §1-3-1).

1.4.040 City seal

The corporate seal of the City shall be circular in form with inner and outer circles of rope design. The outer circle shall be one and three-fourths inches in diameter, and the inner circle shall be one and one-fourth inches in diameter. It shall bear upon the upper portion of the space between the inner and outer circles the words, "City of Great Falls" and upon the lower portion of the space the word, "Montana." Upon the upper portion of the space within the inner circle shall be the word, "Seal" and upon the lower portion of the space the inscription, "Incorporated 1888." All lettering shall be in gothic style type. Within the inner circle shall also be a replica of a waterfall. (Ord. 2642 §(part), 1993; Prior code §1-4-1).

1.4.045 City flag

A. Official Flag. The flag hereafter described is adopted as the Official Flag of the City of Great Falls for the purpose of display in the Commission Chambers. Replicas of the Official Flag of the City of Great Falls may be used by elected officials and City staff for representing and publicizing purposes in City-related events.

B. Description. On the background of white shall appear the logo of the City of Great Falls surrounded by a blue border. (Ord. 3064, 2011).

1.4.050 Official flower

The "iris" is designated and shall be the official flower of the City. (Ord. 2642 §(part), 1993; Prior code §1-12-1).

1.4.055 Naming and renaming city parks

A. **Naming a park.** To name a city park the following procedure shall be used.

1. Each park shall be named upon adoption of a resolution by the City Commission. The City Commission shall conduct a public hearing prior to the consideration of the park naming resolution.
2. When developing names for a park the Neighborhood Council in the district where the park is located may review a list of options submitted by the Park and Recreation staff in order to make a recommendation to the Park and Recreation Board. The Park and Recreation Board may use the input of the Neighborhood Council and any interested citizens when making a recommendation to the City Commission.

B. **Changing the name of park.** To change a name of a park the following procedure shall be used:

1. A written request for a park name change shall be submitted to the Park and Recreation Director.
2. The Park and Recreation Director shall meet with the appropriate Neighborhood Council to discuss the requested name change and receive a recommendation from them to take to the Park and Recreation Board.
3. The Park and Recreation Board shall make a recommendation to the City Commission based on, but not limited to, the following:
 - a. Justification/rationale for change
 - b. Appropriateness of the proposed name
 - c. Amount of support for the change
4. The park name may be changed upon adoption of a resolution by the City Commission. The City Commission shall conduct a public hearing on the resolution changing the name of the park.

C. **Park names in memory, dedication or in honor of an individual or group.** Parks named in memory, dedication, or in honor of an individual will only be done if that person has made a significant contribution toward the development of that specific park or in some way has made a notable contribution to the City, State or Nation. In order for a park to be named after a group, club, or organization, that entity must have made a major financial or service contribution toward the development of that specific park. (Ord. 2770, 2000)

1.4.060 Publication of ordinances

Except as otherwise specified, an ordinance shall contain only one comprehensive subject clearly expressed in its title and shall be posted in three conspicuous places within the City, as the governing body shall direct and prescribe. (Ord. 2642 § (part), 1993; Ord. 1903 §2(part), 1976).

1.4.070 General penalty

- A. Except as otherwise specified, any person convicted of a violation of any section of this code shall be fined a sum not to exceed five hundred dollars or incarcerated for a period not to exceed six months, or both. (Ord. 2642 § (part), 1993; Ord. 1902 §2(part), 1976)
- B. Any person convicted of a violation of any section of this code, where any duty is prescribed or obligation imposed, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this code. (Ord. 2642 § (part), 1993; Ord. 1902 § (part), 1976).