

**ORDINANCE 3169**

**AN ORDINANCE REPEALING AND REPLACING TITLE 2 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO ADMINISTRATION AND PERSONNEL PROVISIONS.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 2 of the OCCGF outlining Provisions pertaining to Administration and Personnel in the OCCGF; and

**WHEREAS**, the City Commission has recognized deficiencies throughout OCCGF Title 2, 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 2; and

**WHEREAS**, the City Commission wishes to repeal current OCCGF provisions establishing a Youth Council, as there is lack of interest and participation in this Council; and

**WHEREAS**, the City Commission wishes to require that members of City boards, commissions, committees, and councils, with the exception of the Golf Advisory Board, be City residents and qualified electors; and

**WHEREAS**, the City Commission wishes to change the name of the “Fiscal Services Department” to “Finance Department”; and

**WHEREAS**, the City Commission wishes to require all City officials to disclose any potential conflicts of interest and establish a Great Falls Ethics Committee to resolve any potential or actual conflicts of interest.

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

Section 1. The revisions of OCCGF Title 2 are depicted in Exhibit “A” attached hereto, 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 second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 19, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 3, 2017.

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

ATTEST:

(CITY SEAL)

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

APPROVED FOR LEGAL CONTENT:

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

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

I, Darcy Dea, City Deputy 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 City Commission, Ordinance 3169 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 Court House;  
On the Bulletin Board, Great Falls Public Library

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

(CITY SEAL)

Title 2 ADMINISTRATION AND PERSONNEL

**Title 2 ADMINISTRATION AND PERSONNEL**

**Chapter**

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Chapter ~~41~~ - CITY COMMISSION

Chapter ~~82~~ - CITY MANAGER

Chapter ~~143~~ - MUNICIPAL COURT

Chapter ~~164~~ - ADMINISTRATIVE DEPARTMENTS

Chapter ~~185~~ - EMPLOYEE HOLIDAYS

Chapter ~~206~~ - OFFICER'S BONDS

Chapter ~~227~~ - ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS

Chapter ~~268~~ - MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD

Chapter ~~289~~ - BOARD OF ADJUSTMENT

Chapter ~~3010~~ - DESIGN REVIEW BOARD

Chapter ~~3211~~ - PARK AND RECREATION BOARD

Chapter ~~3612~~ - GOLF ADVISORY BOARD

Chapter ~~4013~~ - HISTORIC PRESERVATION ADVISORY COMMISSION

Chapter ~~4414~~ - LOAN ADVISORY BOARD

Chapter ~~4615~~ - PLANNING ADVISORY BOARD

Chapter ~~4716~~ - ZONING COMMISSION

Chapter ~~4817~~ - PARKING ADVISORY COMMISSION

Chapter ~~4918~~ - GREAT FALLS PUBLIC LIBRARY

Chapter ~~5019~~ - NEIGHBORHOOD COUNCILS

Chapter ~~5120~~ - YOUTH COUNCIL

Chapter ~~5221~~ - CODE OF ETHICS

Chapter ~~5422~~ - INDEMNIFICATION

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 5623 - BOARDS/COMMISSIONS/COUNCILS ATTENDANCE

**Chapter 41 CITY COMMISSION**

**Sections:**

~~2.4.010 Established.~~

~~2.4.015 Salary.~~

**2.1.010 Established.**

**2.1.020 Salary.**

**2.41.010 Established.**

The Charter of the City of Great Falls (Charter) establishes and promulgates the powers and duties of the City Commission.

~~(Ord. 2652, 1993).~~

**2.4.0151.020 Salary.**

The salary of each Commissioner shall be three hundred twelve dollars (\$312.00) per month. The salary of the Mayor shall be four hundred sixty-eight dollars (\$468.00) per month.

~~(Ord. 2814, 2001; Ord. 2652, 1993; Ord. 2818, 1988)~~

**Chapter 82 CITY MANAGER**

**Sections:**

~~2.8.010 Appointment - generally.~~

**2.2.8010 Appointment - generally.**

Title 2 ADMINISTRATION AND PERSONNEL

**2.2.010 Appointment - generally.**

The provisions for the appointment of a City Manager and his/ or her powers and duties are established by **the** Charter.

~~(Ord. 2652, 1993).~~

**Chapter 143 MUNICIPAL COURT**

**Sections:**

~~2.14.010 Established.~~

~~2.14.020 Appeal to District Court.~~

~~2.14.030 Municipal Court Judge.~~

~~2.14.040 Municipal Court Clerk.~~

**2.3.010 Established.**

**2.3.020 Appeal to District Court.**

**2.3.030 Municipal Court Judge.**

**2.3.040 Municipal Court Clerk.**

**2.143.010 Established.**

The Municipal Court of the City of Great Falls, Montana, is hereby established pursuant to Title 3, Chapter 6, Montana Code Annotated (MCA). The Municipal Court shall be a court of record by electronic recording or stenographic transcription and shall assume continuing jurisdiction over all pending Municipal Court cases from and after February 1, 1998.

~~(Ord. 2725, 1997; Ord. 2652, 1993).~~

**2.143.020 Appeal to District Court.**

Appeals of Municipal Court judgments or orders must be made to District Court and are confined to review of the record and questions of law. A party may appeal a Municipal Court judgment if:

- A. ~~The~~ **In criminal causes of action, the amount of controversy exceeds ~~two~~three hundred dollars (\$200300.00); or,**
- B. The judgment includes incarceration; or,
- C. **In civil causes of action, the amount of controversy exceeds one thousand dollars (\$1,000).**

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- D. Upon petition of an aggrieved party, the District Court may, in the interests of justice, accept appellate jurisdiction notwithstanding the amount in controversy.

**2.143.030 Municipal Court Judge.**

- A. There shall be one (1) Municipal Court Judge elected to a four- **(4)** year term pursuant to Title 3, Chapter, 6, MCA. The qualifications of a Municipal Court Judge shall be as required by Montana law to include:
1. The same qualifications as a judge of District Court as set forth in Article VII, Section 9, of the Montana Constitution ~~except a Municipal Court Judge need only be admitted to the practice of law in Montana for at least three (3) years prior to the date of the election; and;~~
  2. A Municipal Court Judge shall be a resident and voter in the City of Great Falls at the time of his or her election; and,
  3. A Municipal Court Judge shall be certified as provided in MCA ~~§§3-1-1502 to 3-1-1503~~, prior to assuming office.
- B. The salary of the Municipal Court Judge shall be set by **Commission** resolution.

~~(Ord. 2725, 1997; Ord. 2652, 1993; Ord. 2604, 1991; Ord. 2034, 1978; Ord. 1904 §6, 1976).~~

**2.143.040 Municipal Court Clerk.**

The position of a Municipal Court Clerk is hereby established pursuant to Title 3, Chapter 6, MCA, to administer and retain court records by paper or electronic filing or storage. The salary of the Municipal Court Clerk shall be set by **Commission** resolution.

**Chapter 164 ADMINISTRATIVE DEPARTMENTS**

**Sections:**

~~2.16.010 Established.~~

~~2.16.015 Deputy City Manager.~~

~~2.16.020 City Clerk.~~

~~2.16.030 Legal Department.~~

~~2.16.045 Fiscal Services Department.~~

~~2.16.050 Public Works Department.~~

~~2.16.060 Fire Department.~~

~~2.16.070 Police Department.~~

Exhibit "A"

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~~2.16.080 Planning and Community Development Department.~~

~~2.16.090 Park and Recreation Department.~~

~~2.16.100 Reserved.~~

~~2.162.4.010 Established.~~

~~2.4.020 Deputy City Manager.~~

~~2.4.030 City Clerk.~~

~~2.4.040 Legal Department.~~

~~2.4.050 Finance Department.~~

~~2.4.060 Public Works Department.~~

~~2.4.070 Fire Rescue Department.~~

~~2.4.080 Police Department.~~

~~2.4.090 Planning and Community Development Department.~~

~~2.4.100 Park and Recreation Department.~~

**2.4.010 Established.**

The administrative departments of the City are hereby established. Each department is subject to the control and supervision of the City Manager who may transfer, eliminate, or add to department functions.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

**2.16.015**

**2.4.020 Deputy City Manager.**

The City Manager shall appoint a Deputy City Manager who shall serve as acting City Manager in the absence of the City Manager assuming all responsibilities as outlined in the Charter. The Deputy City Manager shall oversee ~~management of the Great Falls Housing Authority and the Human Resource and Budgeting functions of the City.~~ The Deputy City Manager shall perform such ~~other~~ **other management** duties by direction of the City Manager or as required by law.

~~(Ord. 2825, 2002).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

Exhibit "A"

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**2.16.0204.030 City Clerk.**

The City Manager shall appoint a City Clerk who shall keep a history of the City of Great Falls, maintain public records, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993).~~

**2.16.0304.040 Legal Department.**

A **Legal** Department ~~of Law~~ is hereby created. The City Manager shall appoint a City Attorney, qualified under Montana law, to administer the **Legal** Department ~~of Law~~. The Department shall render legal services in all civil and administrative matters for the City ~~and~~, prosecute all charges in Municipal Court, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479~~

~~2(part), 1987).~~

**2.16.045 — Fiscal Services. 4.050 Finance Department.**

A ~~Fiscal Services~~**Finance** Department is hereby created. **Within this Code, this department may also be referred to as the Fiscal Services Department.** The City Manager shall appoint a director to administer said **Finance** Department. The Department shall render accounting, revenue collection, including utility billing, court receipts and accounts receivable, accounts payable, debt issuance, investment services, payroll, risk management, and information processing services to the City and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2825, 2002; Ord. 2703, 1996.)~~

**2.16.0504.060 Public Works Department.**

A Public Works Department is hereby created. The City Manager shall appoint a Director to administer the Public Works Department. The Department shall administer capital improvements, maintenance, operations, and utilities and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479~~

~~2(part), 1987).~~

**2.16.060.4.070 Fire Rescue Department.**

A Fire **Rescue** Department is hereby created. The City Manager shall appoint a Fire Chief to administer the Fire **Rescue** Department. The Department shall provide fire ~~—~~fighting, rescue operation, fire investigation, and fire prevention services for the City and perform such other duties by direction of the City Manager or as required by law.

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~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

~~2.16.070~~

**2.4.080 Police Department.**

A Police Department is hereby created. The City Manager shall appoint a Police Chief to administer the Police Department. The Department shall enforce the laws of the City and State to protect life and property, to control traffic, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

~~2.16.080~~

**2.4.090 Planning and Community Development Department.**

A Planning and Community Development Department is hereby created. The City Manager shall appoint a Director to administer the Planning and Community Development Department. The Department shall ~~render land use and transportation planning services and facilitate, promote and ensure orderly land development in the City; facilitate, promote and ensure quality development in the City; administer related federal programs; provide a neighborhood council liaison; and perform such other duties by direction of the City Manager or as required by law.:~~

- ~~(Ord. 2727, 1997; Ord. 2652, 1993; Ord. 2479 A.~~ **land use and transportation planning services and facilitate, promote, and ensure orderly land development in the City;**
- B. facilitate, promote, and ensure quality development in the City;**
- C. administer related federal programs; and**
- D. perform such other duties by direction of the City Manager or as required by law.**

~~2(part), 1987).~~

~~(Ord. No. 3057, § 1, 8 17 2010)~~

~~**2.16.090**~~ **Park.4.100 Parks and Recreation Department.**

A ~~Park~~**Parks** and Recreation Department is hereby created. The City Manager shall appoint a Director to administer the ~~Park~~**Parks** and Recreation Department. The Department shall manage all parks and recreational facilities ~~and, programs, and,~~ and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

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~~2.16.100 Reserved.~~

~~Editor's note~~ Ord. No. 3057, § 1, adopted August 17, 2010, repealed § 2.16.100, which pertained to the planning department. See also the Code Comparative Table.

**Chapter 185 EMPLOYEE HOLIDAYS**

**Sections:**

~~2.18.010 Holidays listed.~~

**2.5.010 Holidays listed.**

~~2.185.010~~ **Holidays listed.**

A. The employee holidays for all City employees are as follows:

1. New Year's Day, January 1;
2. Martin Luther King Jr. Day, ~~3<sup>rd</sup>~~ **the third** Monday in January;
3. President's Day, ~~3<sup>rd</sup>~~ **the third** Monday in February;
4. Memorial Day, **the** last Monday in May;
5. Independence Day, July 4;
6. Labor Day, **the** first Monday in September;
7. Veterans Day, November 11;
8. Thanksgiving Holiday, fourth Thursday and Friday in November;
9. Christmas Day, December 25; **and**
10. Every day in which a general election is held throughout the State (General Election Day).

B. ~~Designated~~ **Designated** holidays ~~falling~~ **fall** on an employee's regular days-off. ~~Employees,~~ **that employee** shall either be entitled to receive a day off with pay ~~on~~ the day preceding the holiday off, **or** on another day following the holiday in the same pay period.

~~(Ord. 2781, 2000).~~

**Chapter 206 OFFICER'S BONDS**

**Sections:**

~~2.20.010 Required amount.~~

Exhibit "A"

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~~2.20.020 Form.~~

~~2.20.030 Conditions.~~

**2.6.010 Required—amount.**

**2.6.020 Form.**

**2.6.030 Conditions.**

**2.206.010 Required—amount.**

Except when otherwise provided by law, all City employees, before discharging their official duties, for the duration of their term or employment, shall be bonded by the City for one hundred thousand dollars (\$100,000.00).

~~(Ord. 2652, 1993; Prior code §1-11-8).~~

**2.206.020 Form.**

- A. Official bonds must be filed in the Human Resources Department.
- B. Unless otherwise provided, all official bonds must be joint and several and made payable to the City ~~in such penalty and~~ with such conditions as required in Section 2.206.030.
- C. The principal and sureties upon any official bond are also, in all cases, liable for the neglect, default, or misconduct in office of any City employee.

~~(Ord. 2652, 1993; Prior code §1-11-1).~~

**2.206.030 Conditions.**

The condition of every official bond must be that the principal shall well, truly, and faithfully perform all official duties ~~then~~ required by law and also such additional duties as may be imposed by any law of the State subsequently enacted, ~~and~~ by any law of the City subsequently enacted, and that the principal will account for ~~and~~, pay over, and deliver to the person or officer, entitled to receive the same, all moneys or other properties that may come into the hands as such officer.

~~(Ord. 2652, 1993; Prior code §1-11-4).~~

**Chapter 227 ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS**

**Sections:**

~~2.22.010 Creation.~~

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~~2.22.020 Purpose.~~

~~2.22.030 Members.~~

~~2.22.040 Duties.~~

**2.7.010 Creation.**

**2.7.020 Purpose.**

**2.7.030 Members.**

**2.7.040 Duties.**

**2.227.010 Creation.**

An Advisory Commission on International Relationships is hereby created to serve in an advisory capacity to the City Commission.

~~(Ord. 2788, 2000).~~

**2.227.020 Purpose.**

The purpose of the Advisory Commission shall **be to** provide support, coordination, and exchange of information for international programs in the community. The group shall develop its own mission statement.

~~(Ord. 2788, 2000).~~

**2.227.030 Members.**

The Advisory Commission shall consist of nine (9) to eleven (11) members appointed by the City Commission. **Commission members must be qualified electors and residents of the City.** Each of the members shall be appointed to hold office for a period of three (3) years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. All of the members of the Board shall serve without compensation, and are subject to removal by the City Commission for cause upon written charges and after public hearing.

~~(Ord. 2863, 2004; Ord. 2788, 2000).~~

**2.227.040 Duties.**

It shall be the duty of the Advisory Commission to:

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- A. Provide support for the Sister Cities program in consultation and cooperation with its Board of Directors-;
- B. Serve as a sounding board and a resource of advice and support for the Resource Cities partnership with Naryn. ~~Help develop a program for continuation after the funded program ends.~~ **cities located in other countries;**
- ~~CC.~~ **Help develop a program for continuation after the funded program ends;**
- D. Develop resources for and help facilitate educational exchanges particularly at the higher education level-;
- ~~DE.~~ Facilitate the community wide exchange of information among international programs-;
- ~~EF.~~ Develop community resources to support international programs-; **and**
- ~~FG.~~ Review and **submit proposals and** make recommendations; ~~may prepare and submit proposals~~ to the City Commission regarding international programs and relationships.

(Ord. 2788, 2000).

## **Chapter 268 MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD**

### **Sections:**

~~2.26.010 Creation.~~

~~2.26.020 Purpose.~~

~~2.26.030 Membership—appointment—compensation.~~

~~2.26.040 Terms.~~

~~2.26.050 Duties.~~

~~2.26.060 Reporting.~~

**2.8.010 Creation.**

**2.8.020 Purpose.**

**2.8.030 Membership—appointment—compensation.**

**2.8.040 Terms.**

**2.8.050 Duties.**

**2.8.060 Reporting.**

### **2.268.010 Creation.**

There is created a Mansfield Center for the Performing Arts Advisory Board, which shall hereafter be referred to as "Board—" **in this Chapter.**

(Ord. 2928, 2006; Ord. 2729, 1997).

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**2.268.020 Purpose.**

The Board shall advise the City Commission, and City Manager, on matters related to the successful operation of Mansfield Center for the Performing Arts including the use of the Theater, Convention Center, and meeting rooms as well as common areas and facility aesthetics.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.030 Membership—appointment—compensation.**

The Board shall consist of five (5) to seven (7) members appointed by the City Commission. **Members must be qualified electors and City residents.** The members shall serve without compensation. The City Commission shall attempt a balance in membership with representation from ~~these areas: performing arts, conventions and meetings, and civic leaders.~~ **the following areas:**

~~(Ord. 2928, 2006; Ord. 2813, 2001; Ord. 2729, 1997).~~ **A. Performing arts;**

**B. Conventions and meetings; and**

**C. Civic leaders.**

**2.268.040 Terms.**

The staggered terms of office shall be three (3) years.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.050 Duties.**

**The Duties of the Board include but are not limited to:**

A. The Board shall serve in an advisory capacity regarding the Mansfield Center for the Performing Arts and public meeting rooms-; **and**

B. The Board shall assist in identifying funding strategies for a capital improvement plan ~~and~~, special events, which may include fund-raising, and foundation development-;

~~C. The duties of the Board shall not necessarily be limited to those items identified above.~~

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.060 Reporting.**

The Board shall make available copies of regular-meeting minutes as well as an annual report to the City Commission and City Manager.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 289 BOARD OF ADJUSTMENT**

**Sections:**

Repealed.

~~(Ordinance 2958, 2007).~~ See Title 17.12.5 Board of Adjustment

**Chapter 3010 DESIGN REVIEW BOARD**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.3 Design Review Board

**Chapter 3211 PARK AND RECREATION BOARD**

**Sections:**

~~2.32.010 Creation.~~

~~2.32.020 Purpose.~~

~~2.32.030 Membership—appointment—compensation.~~

~~2.32.040 Term of office.~~

~~2.32.050 Duties.~~

**2.11.010 Creation.**

**2.11.020 Purpose.**

**2.11.030 Membership—appointment—compensation.**

**2.11.040 Term of office.**

**2.11.050 Duties.**

~~2.3211.010~~ **2.3211.010 Creation.**

A ~~Park~~**Parks** and Recreation Board is hereby created.

~~(Ord. 2652, 1993; Prior code §~~

~~2-4-1).~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**~~2.32.11.020~~ Purpose.**

The **Parks and Recreation** Board shall advise the City Commission and the City Manager on all matters related to the ~~Park~~**Parks** and Recreation program of the City, and ~~exercises~~**exercise** certain functions in regard to the disposition and acquisition of park land and/or facilities as set forth in Section ~~2.32~~**11.050**.

~~(Ord. 2652, 1993; Prior code §2-4-2).~~

~~2.32~~

**2.11.030 Membership—appointment—compensation.**

The Board shall consist of seven (7) members, residents of the City **and qualified electors**, appointed by the City Commission. The members shall serve without compensation.

~~(Ord. 2652, 1993; Prior code 2-4-3).~~

~~2.32~~

**2.11.040 Term of office.**

The staggered terms of office shall be three (3) years from and after January ~~1st~~**1**, of the year of appointment.

~~(Ord. 2652, 1993; Prior code~~

~~2-4-4).~~

**~~2.32.11.050~~ Duties.**

The Board shall review and **prepare proposals and** make recommendations ~~and may prepare and submit proposals~~ to the City Commission.

~~(Ord. 2652, 1993).~~

**Chapter 3612 GOLF ADVISORY BOARD**

**Sections:**

~~2.36.010 Creation.~~

~~2.36.020 Purpose.~~

~~2.36.030 Memberships.~~

~~2.36.040 Terms.~~

~~2.36.050 Duties.~~

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**2.12.010 Creation.**

**2.12.020 Purpose.**

**2.12.030 Memberships.**

**2.12.040 Terms.**

**2.12.050 Duties.**

**2.3612.010 Creation.**

A Golf Advisory Board is hereby created which shall hereafter be referred to **in this Chapter** as "Board."

~~(Ord. 2652, 1993; Ord. 2648, 1993).~~

**2.3612.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and **Park** Parks and Recreation Department staff on all matters related to the operation of the municipal golf courses.

~~(Ord. 2652, 1993).~~

**2.3612.030 Memberships.**

The Board shall consist of five (5) members ~~of the City~~ who shall be appointed by the City Commission. Membership will consist of one (1) member representing the City's Men's Golf Associations, one (1) member representing the City's Women's Golf Association, one (1) member representing the Malmstrom Golf Association, and two (2) members representing non-league golfers. The Chairman of the Park and Recreation Board or a designated representative from the Board will be an ex officio member of the Board. **All members must be qualified electors.**

~~(Ord. 2652, 1993).~~

**2.3612.040 Terms.**

The term of office of each member of the Board shall be three (3) years from and after March 1, of the year in which the member is appointed, except two (2) members of the first Board who shall hold office for a period of two (2) years from and after the first day of March 1, 1993.

~~(Ord. 2652, 1993).~~

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**2.3612.050 Duties.**

The Board shall serve in an advisory capacity regarding the operation of the municipal golf courses, specifically ~~as regards to:~~ **regarding:**

- A. Fees and charges, tournament requests policies, procedures, and rules;
- B. Capital improvements or projects;
- C. Promotion of usage at the golf courses; **and**
- D. All other matters relating to the golf courses which may be assigned or requested by the City Commission or the City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4013 HISTORIC PRESERVATION ADVISORY COMMISSION**

**Sections:**

Repealed.

~~(Ord. 2958, 2007) See Title 17.12.4 Historic Preservation Advisory Board~~

**Chapter 4414 LOAN ADVISORY BOARD**

**Sections:**

~~2.44.010 Creation.~~

~~2.44.020 Purpose.~~

~~2.44.030 Members.~~

~~2.44.040 Duties.~~

**2.14.010 Creation.**

**2.14.020 Purpose.**

**2.14.030 Members.**

**2.14.040 Duties.**

**2.4414.010 Creation.**

A Loan Advisory Board is hereby created to serve in an advisory capacity to the City Commission.

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~~(Ord. 2652, 1993).~~

**2.4414.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to changes to existing loans, **and** primarily Tax Increment Loans. In addition, to advise on matters relating to lending funds for economic development.

~~(Ord. 2652, 1993).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**2.4414.030 Members.**

The Board shall be ad-hoc and appointed by the City Commission when needed. **All members shall be qualified electors and residents of the City.**

~~(Ord. 2683, 1995; Ord. 2652, 1993).~~

**2.4414.040 Duties.**

It shall be the duty of the Board to review economic development proposals involving the use of available funds and make recommendations to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4615 PLANNING ADVISORY BOARD**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.1 Planning Advisory Board

**Chapter 4716 ZONING COMMISSION**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.2 Zoning Commission

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**Chapter 4817 PARKING ADVISORY COMMISSION**

**Sections:**

~~2.48.010 Creation.~~

~~2.48.020 Purpose.~~

~~2.48.030 Members.~~

~~2.48.040 Duties.~~

**2.17.010 Creation.**

**2.17.020 Purpose.**

**2.17.030 Members.**

**2.17.040 Duties.**

**2.4817.010 Creation.**

A Parking Advisory Commission is hereby created to serve in an advisory capacity to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**2.4817.020 Purpose.**

The purpose of the ~~Board~~**Parking Advisory Commission** shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to parking issues within the Parking Districts.

~~(Ord. 2652, 1993).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~2.48~~

**2.17.030 Members.**

The Parking Advisory Commission shall consist of five (5) members, residents of the City, **and qualified electors**, appointed by the City Commission whose staggered terms shall be for three (3) years. A sixth, ex-officio member, shall be appointed by the Business Improvement District.

~~(Ord. 2683, 1995; Ord. 2652, 1993).~~

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**2.4817.040 Duties.**

It shall be the duty of the Parking Advisory Commission to review the Great Falls Parking Program and make recommendations to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4918 GREAT FALLS PUBLIC LIBRARY**

**Sections:**

~~2.49.010 Legislative findings.~~

~~2.49.020 Establishment.~~

~~2.49.030 Purpose.~~

~~2.49.040 Tax levy—Special library fund.~~

~~2.49.050 Library Board of Trustees.~~

~~2.49.060 Trustees—Powers and duties.~~

~~2.49.070 City authority to contract with Board of Trustees for library services.~~

**2.18.010 Legislative findings.**

**2.18.020 Establishment.**

**2.18.030 Purpose.**

**2.18.040 Tax levy—Special library fund.**

**2.18.050 Library Board of Trustees.**

**2.18.060 Trustees—Powers and duties.**

**2.18.070 City authority to contract with Board of Trustees for library services.**

**2.4918.010 Legislative findings.**

**The Commission makes the following legislative findings regarding the Great Falls Public Library:**

- A. Since 1890, when Paris and Valeria Gibson, and Robert Vaughn, contributed toward the establishment of the first library in this city, the people of Great Falls have enjoyed the benefits of a free public library-;
- B. The City of Great Falls assumed operation of the library in 1892, and in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library remains operational to this day-;
- C. The 1910 ordinance is antiquated in several particulars, and is in need of revision, although independent management and control of the library, through an appointed Board of Trustees, as provided by law, should be maintained-;

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- D. The need for independent management of the library must be balanced with the City Commission's authority under both state law and the City Charter to approve the budget and mill levy for the library--;
- E. To accomplish this balance, there is a need to establish a structured relationship between the Board of Trustees and the City Commission-; **and**
- EF. The City Commission welcomes the continued cooperation of other public bodies, including the State of Montana and Cascade County, in the operation of the public library, as well as contributions from individuals and foundations.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.020 Establishment.**

The first library was established in Great Falls in 1890. The City assumed operation of the library in 1892 and, in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library remains operational to this day. Pursuant to Mont. Code Ann. § 22-1-303(1) and Article VII, Section 3 of the Charter of the City of Great Falls, the Great Falls Public Library is hereby established in the Official Code of the City of Great Falls.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.030 Purpose.**

A free public library allows residents the fullest opportunity to enrich and inform themselves through reading, as well as social, cultural, recreational, and educational activities.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.040 Tax levy—Special library fund.**

- A. Subject to provisions of state law and the Charter of the City of Great Falls, the City Commission may levy in the same manner, and at the same time, as other taxes are levied a tax for the support of public library services.
- B. The City Commission may, by resolution, submit the question of imposing a tax levy to a vote of the qualified electors at an election as provided in state law.
- C. Upon a petition being filed with the City Commission and signed by not less than five (5) percent of the resident taxpayers of the City of Great Falls requesting an election for the purpose of imposing a mill levy, the City Commission shall submit to a vote of the qualified electors at an election, conducted as provided by state law, the question of imposing the mill levy.

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- D. The proceeds of the tax constitute a separate fund called the public library fund and may not be used for any purpose except those of the public library.
- E. Money may not be paid out of the public library fund, by the **Finance** Department of ~~Fiscal Services~~ of the City of Great Falls, except by order or warrant of the Library Board of Trustees, or its authorized designee with approval by the Library Board.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.050 Library Board of Trustees.**

- A. The City Commission shall appoint an advisory board to govern and manage the Great Falls Public Library to be known as the "Great Falls Library Board of Trustees," hereafter referred to as the "Board."
- B. The Board shall consist of five (5) members. In addition, one (1) member of the City Commission shall be appointed by the City Commission to sit on the Board as an ex officio, non-voting member. **Board members will be qualified electors and residents of the City.**
- C. Members of the Board shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds.
- D. Trustees shall hold office for five (5) years from the date of appointment by the City Commission ~~and, or~~ until their successors are appointed. Appointments shall be governed by state law. All trustees serving on the Library Board of Trustees, in existence at the time Ordinance 3140 becomes effective, shall retain their offices for the duration of their appointments. If a Board member vacates that member's seat, a successor member shall be appointed to fill the remainder of that member's appointment, which term shall not be considered a full term under Mont. Code Ann. § 22-1-308.
- E. In July of each year, or the next regularly scheduled Board meeting afterward, the trustees shall meet and elect a presiding officer and other officers that they consider necessary, for one (1) year terms. Vacancies on the Board of Trustees must be filled for the unexpired term in the same manner as original appointments.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.060 Trustees—Powers and duties.**

- A. The Board has those powers and duties as provided by Mont. Code Ann. §§ 22-1-309 and ~~22-1-311~~, including, but not limited to, the management and control of the Great Falls Public Library.
- B. In accordance with Article VII, Section 3, of the City Charter, the Board is also considered advisory with respect to the City Commission in the exercise of its duties. The Board may advise the City Commission on such matters as it deems necessary and appropriate, and the City Commission may seek Board advice and comment on such matters as it deems necessary and appropriate.

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- ~~C. Pursuant to state law, the Board may exclude from the use of the Great Falls Public Library any and all persons who shall willfully violate the rules of the Great Falls Public Library.~~ C. The Board may extend the privileges and use of the Great Falls Public Library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.
- D. The Board shall keep a record of its transactions, and shall make a report to the City Commission at least once each calendar year, addressing the business transacted during that year.
- E. The Board may exact and enforce reasonable fines and penalties to be assessed for violations of Great Falls Public Library rules, policies, and regulations.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.070 City authority to contract with Board of Trustees for library services.**

- A. The City, through its Manager, with the approval of the City Commission, may contract with the Board to provide various services, including, but not limited to, personnel services.
- B. Any and all contracts between the City and the Board in effect as of the date of adoption of Ordinance 3140 shall remain in full force and effect.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**Chapter 5019 NEIGHBORHOOD COUNCILS**

**Sections:**

~~2.50.010 Establishment.~~

~~2.50.020 Purpose.~~

~~2.50.030 District boundaries.~~

~~2.50.040 Council elections.~~

~~2.50.050 Duties and powers.~~

~~2.50.060 Organization.~~

~~2.50.070 By-Laws.~~

~~2.50.080 Open meetings and public records.~~

~~2.50.090 Great Falls Citizen's Council.~~

~~2.50.100 City resources.~~

**2.19.010 Establishment.**

**2.19.020 Purpose.**

**2.19.030 District boundaries.**

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Title 2 ADMINISTRATION AND PERSONNEL

**2.19.040 Council elections.**

**2.19.050 Duties and powers.**

**2.19.060 Organization.**

**2.19.070 By-Laws.**

**2.19.080 Open meetings and public records.**

**2.19.090 Great Falls Citizen's Council.**

**2.19.100 City resources.**

**2.5019.010 Establishment.**

Pursuant to the Charter for the City of Great Falls, a program of neighborhood councils is hereby established.

~~(Ord. 2727, 1997)~~

**2.5019.020 Purpose.**

The purpose of the neighborhood council program is to provide a means for the citizens of Great Falls to actively participate in their local government through a formal organization working at the neighborhood level.

**2.5019.030 District boundaries.**

- A. The City Commission shall divide the City of Great Falls into no less than nine (9) and no more than thirteen (13) neighborhood council districts. The residents of a district shall comprise the electorate for that district pursuant to the Great Falls City Charter.
- B. The district boundaries shall be established by a resolution of the City Commission.
- C. Neighborhood councils may petition the City Commission to amend district boundaries for good cause consistent with the purpose and intent of this chapter.

**2.5019.040 Council elections.**

- A. Each neighborhood **council** 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. 1-1-215,~~ for their term of office; such members

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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~~**date** as the filing period for mayoral and commission candidates. Neighborhood council candidates are not subject to primary elections.

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

**2.5019.050 Duties and powers.**

- A. The councils shall act in an advisory capacity to the City Commission, the City Manager and to other City advisory bodies. They may contribute information, opinions, advice, suggestions and recommendations to the City Commission, City Manager and other City advisory bodies on all governmental affairs and services having an effect on the area the neighborhood council represents. Topics and issues for council involvement may include, but are not limited to the following:
  - 1. Public finance;
  - 2. Public works;
  - 3. Public safety;
  - 4. Social services;
  - 5. Transportation;
  - 6. Economic development;
  - 7. Planning and zoning;
  - 8. Public health and sanitation;
  - 9. Parks and recreation; **and**
  - 10. Environmental issues.
- B. Neighborhood Councils may also work cooperatively, in an advisory capacity with, other governmental and quasi-governmental entities such as school districts, county government and the transit district.
- C. As advisory bodies, neighborhood councils shall not:
  - 1. Appropriate or commit City resources;
  - 2. Enact or enforce City Codes or ordinances;
  - 3. Engage in law enforcement;
  - 4. Assume a supervisory role or directorship over any City employee; ~~nor~~
  - 5. Interfere in any way with a City employee in the performance of his/her duties.

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**2.5019.060 Organization.**

- A. Each council shall select from its members, a chairman, secretary, an official delegate to attend City Commission meetings, 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. In the event that a council cannot agree upon the appointment of a replacement member, the City Commission shall do so.
- C. 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.

**2.5019.070 By-Laws.**

- A. Each council shall adopt by-laws prescribing additional duties of the council, meeting criteria and times, and such other provisions as the council may deem appropriate.
- B. The City Clerk shall provide model by-laws for use by the councils in drafting their own by-laws.
- C. By-laws shall be reviewed by the office of the City Attorney and certified for consistency with the provisions of the Great Falls City Charter, the City Codes and the laws of Montana.
- D. A copy of the by-laws shall be on file in the office of the City Clerk.

**2.5019.080 Open meetings and public records.**

- A. All meetings of the neighborhood councils shall be open to the public.
- B. All records maintained by the council shall be available for public inspection.

**2.5019.090 Great Falls Citizen's Council.**

- A. The purpose of the Great Falls Citizen's Council (GFCC) is to act as a forum to address issues of community wide concern and to resolve disputes among the individual neighborhood councils.
- B. ~~Organization.~~**The GFCC shall organize as follows:**

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1. ~~The~~**the** GFCC shall consist of one (1) member from each neighborhood council and two (2) members of the Great Falls City Commission who shall be appointed by the Mayor-;
2. ~~The~~**the** GFCC shall determine its rules of organization and operation, except that no rules adopted shall be inconsistent with the provisions of ~~this~~**the** Charter of **the City of Great Falls, this Code**, or the laws of **the State of** Montana-; **and**
3. ~~In~~**in** addition to the membership set forth in subsection B, any council representing any unincorporated neighborhood or community may petition the GFCC for membership.

~~2.50~~**19.100** **City resources.**

- A. The City Commission, at its discretion, may provide funding and other resources to neighborhood councils and to the Great Falls Citizen's Council.
- B. A neighborhood liaison function is hereby established within the ~~Planning and Community Development Department.~~**City Manager's Office.**
- C. The City of Great Falls shall not be liable for any obligations incurred by the councils or the GFCC unless expressly approved by the City Commission.

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**Chapter 5120 YOUTH COUNCIL**

**Sections:**

~~2.51.010 Establishment.~~

~~2.51.020 Purpose.~~

~~2.51.030 Membership/Appointment/Terms.~~

~~2.51.040 Duties and Powers.~~

~~2.51.050 Organization.~~

~~2.51.060 By-Laws.~~

~~2.51.070 Open meetings and public records.~~

**2.51.010 — Establishment.**

~~Pursuant to Article VII, Section 3 of the Charter for the City of Great Falls, a Youth Council is hereby established.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

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**2.51.020 — Purpose.**

~~The Great Falls Youth Council is dedicated to making the voice of the Great Falls Youth heard. Goals include bettering the community as a whole, making Great Falls safer and more enjoyable, and providing chances for youth to express themselves, become familiar with City government, and showcase their contributions. By inspiring youth and adults through their maturity, patience, open-mindedness and respect, the members of the Great Falls Youth Council will be leaders to unite the youth of the community.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.030 — Membership/Appointment/Terms.**

- ~~A. The age range for membership in the Youth Council is 14 to 19 years of age. If a member turns twenty (20) during an appointment to the Youth Council, the member will be allowed to complete the year with the Council.~~
- ~~B. The limit on voting members is thirty (30).~~
- ~~C. Annual elections will be held in December with no limits on term appointments.~~
- ~~D. Officers must attend seventy-five (75) percent of scheduled meetings to retain voting privileges, with the exception of personal emergencies.~~
- ~~E. Volunteer positions for those interested in the Youth Council after the 30 voting positions have been filled are open to all fourteen (14) to nineteen (19) year old interested parties, with the purpose of assistance in special projects.~~
- ~~F. Applications to the Youth Council will be reviewed by the Officers. Applications will first go through the Neighborhood Council Coordinator for removal of personal identification information for an impartial assessment.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.040 — Duties and Powers.**

~~The Youth Council will be composed of thirty (30) voting members, with six (6) Officers managing six (6) key areas of the Youth Council. These six (6) positions are as follows:~~

~~Minister of Finance (Treasurer):~~

- ~~• Tracks cash deposits and withdrawals.~~
- ~~• Announces balance at each meeting.~~
- ~~• Budgets projects in cooperation with the Neighborhood Council Coordinator.~~

~~Knight or Lady of Internal Activities (Youth Council Social Coordinator):~~

- ~~• Organizes internal Youth Council Social Events.~~
- ~~• Reserves and makes payment to facilities.~~

~~Earl or Countess of Records (Secretary):~~

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- ~~• Archival of official documents related to Youth Council.~~
- ~~• Takes minutes of scheduled Youth Council business meetings.~~
- ~~• Maintains log of activities other than scheduled business meetings.~~
- ~~• Cooperates with other members to produce business meeting agenda.~~
- ~~• Documents attendance.~~

~~Duke or Duchess of External Projects (Youth Council Community Projects Coordinator):~~

- ~~• Plans community and fundraising events in cooperation with other members.~~
- ~~• Corresponds with appropriate facilities, directors, members of the community for projects.~~

~~Grand Chairperson (Chair):~~

- ~~• Spokesperson for Youth Council to the media and other entities.~~
- ~~• Calls meetings to order and presides over agenda.~~

~~Duke or Duchess of Advertisement (Public Relations):~~

- ~~• Produces promotional material for public events.~~
- ~~• Oversees maintenance and initial formation of website.~~
- ~~• Produces announcements and recruitment material for new applicants.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.050 — Organization.**

~~The Youth Council will be comprised of no more than thirty (30) voting members, and six (6) presiding officers. Interested youth other than the thirty (30) voting members are invited to participate in special projects on a voluntary basis. The six (6) board members will have no more power or voting privileges than the other twenty-four (24) voting members but will serve as lead organizers on projects in which the entire Youth Council has input. The Youth Council, started by the Weed and Seed Initiative through the Community Development Office, will move to management under the Neighborhood Council Coordinator in the Community Development Office after the end of the Weed and Seed grant in 2010.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.060 — By-Laws.**

- ~~A. The Youth Council shall adopt by-laws prescribing additional duties of the council, meeting criteria and times, and such other provisions as the council may deem appropriate.~~
- ~~B. A copy of the by-laws shall be on file in the office of the City Clerk.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

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~~2.51.070 — Open meetings and public records.~~

~~A. — All meetings of the Youth Council shall be open to the public.~~

~~B. — All records maintained by the Youth Council shall be available for public inspection.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**Repealed.**

**Chapter 5221 CODE OF ETHICS**

**Sections:**

~~2.52.010 Title.~~

~~2.52.020 Findings.~~

~~2.52.030 Purpose and authority.~~

~~2.52.040 Definitions.~~

~~2.52.050 Ethical standards.~~

~~2.52.060 Nepotism.~~

~~2.52.070 Distribution.~~

**2.21.010 Title.**

**2.21.020 Findings.**

**2.21.030 Purpose and authority.**

**2.21.040 Definitions.**

**2.21.050 Ethical standards.**

**2.21.060 Great Falls Ethics Committee established.**

**2.21.070 Committee purpose.**

**2.21.080 Committee membership.**

**2.21.090 Committee meeting schedule.**

**2.21.100 Committee duties.**

**2.21.110 Nepotism.**

**2.21.120 Distribution.**

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**2.21.010 Title.**

This chapter shall be known and may be cited as the "City of Great Falls Code of Ethics."

**2.5221.020 Findings.**

The City Commission of the City of Great Falls finds and declares that:

- A. Public office and employment are a public trust;
- B. The vitality and stability of representative democracy depends upon the public's confidence in the integrity of its elected and appointed representatives; **and**
- C. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to ~~appraise~~ **appraise** their officers and employees of the behavior which is expected of them while conducting such duties.

**2.5221.030 Purpose and authority.**

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to:

- A. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective;
- B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant-;
- C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; **and**
- D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

**2.5221.040 Definitions.**

As used in this section:

- A. "Agency" means any agency, board, governing body, including the chief executive officer, office, commission, or other instrumentality within the City of Great Falls, and any independent local authority created by or appointed under the authority of the City of Great Falls.
- B. "Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity-;

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- C. "Employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on an agency, who is not a local government officer;.
- D. "Interest" means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization, but shall not include the control of assets in a non-profit entity or labor union;.
- E. "Member of immediate family" means the spouse or dependent child of an officer or employee residing in the same household.
- F. "Officer" means any person whether compensated or not, whether part-time or full-time, who is one (1) of the following:
  - 1. Member of the City Commission;.
  - 2. City Manager;.
  - 3. Deputy City Manager;.
  - 4. Director, Department of ~~Fiscal Services~~.**Finance**;
  - 5. Director, Department of Planning and Community Development;.
  - 6. Director, Department of Public Works;.
  - 7. Director, Department of Parks and Recreation;.
  - 8. Chief of Police;.
  - 9. City Clerk;.
  - 10. City Attorney;.
  - 11. Municipal Judge;.
  - 12. Fire Chief;.
  - 13. **Library** Director, ~~Library~~; or
  - 14. **A member of any City board, council, committee, or commission.**
- G. "Officer or employee" means an officer or employee of the City of Great Falls or of an agency under the authority of or appointed by the City Commission.

~~(Ord. 2703, 1996)~~

~~(Ord. No. 3057, § 1, 8 17 2010)~~

**2.5221.050 Ethical standards.**

~~Officers~~**In addition to complying with the provisions of Mont. Code Ann. Title 2, Chapter 2, officers** and employees of the City of Great Falls shall comply with the following provisions:

- A. No officer or employee of the City of Great Falls or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

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- B. No officer or employee shall use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for himself, herself or others;
- C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment;
- D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;
- E. No officer or employee, any member of his or her immediate family, or any business organization in which he or she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment, or other thing of value for the purpose of influencing him **or her**, directly or indirectly, in the discharge of his or her official duties. ~~In this regard,~~ the appearance of impropriety must be avoided by the acceptance of such a gift;
- F. No officer or employee shall use, or allow to be used, his or her public office or employment or any information, not generally available to the members of the public, which he or she receives or acquires in the course of employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;
- G. No officer or employee, or any business organization in which he or she has an interest, shall represent any other person or party except the City in connection with any cause, proceeding, application, or other matter pending before any agency of the City of Great Falls. ~~The only other exceptions shall be;~~ **except** in the process of collective bargaining for public employees or where any officer or employee or members of his or her immediate family shall represent himself, herself or themselves, in negotiations or proceedings concerning his, her, or their own interests;
- H. No officer shall be in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon, no particular material or monetary gain accrues to him or her, **or his or her immediate family**;
- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if in return, no fee, reward, or other thing of value is directly or indirectly promised to or accepted by the officer or a member of his or her immediate family;
- J. No officer or employee, elected or appointed in the City, shall without receiving formal written authorization from the appropriate person or body, disclose any confidential information concerning any other officer or employee or any other person or any property or governmental affairs of the City;
- K. No officer or employee shall approve ~~or~~, disapprove, or in any way recommend the payment of any bill, voucher, or indebtedness in which he or she has direct or indirect interests except reimbursement for proper expenses otherwise approved by the City Manager;
- L. No officer or employee shall request, use, or permit the use of any public property, vehicle, equipment, labor, or service for personal convenience or advantage for himself or any other person. ~~The only exception shall be;~~ **except** where it is the general practice to make the same available to the public at large, or where the same is provided pursuant to stated public policy for the use of officials and employees in the conduct of official business;

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- M. All officers or employees shall exercise prudence and integrity in management of public funds in their custody and in all financial transactions;
- N. All officers or employees shall uphold the letter and spirit of the constitution, statutes, and regulations governing their duties and report violations of the law to appropriate authorities;
- O. All officers or employees shall be sensitive and responsive to the concerns and questions of the public-; **and**
- ~~2.52.060~~**P. All officers, whether elected and appointed, shall file a signed written disclosure with the City Clerk, and City Attorney, disclosing any appearance of a violation of this chapter, and said disclosure may, within the City Manager's discretion, be forwarded to the Great Falls Ethics Committee for determination if a violation of this chapter exists and appropriate course of action.**

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**2.21.060 Great Falls Ethics Committee established.**

The City Commission hereby establishes The Great Falls Ethics Committee hereinafter referred to in this chapter as the "Committee."

**2.21.070 Committee purpose.**

The purpose of the Committee is to ensure that all City officers and employees are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions of this chapter.

**2.21.080 Committee membership.**

- A. Subject to the provisions provided in Subsection (B.) of this part, the Committee shall consist of three (3) members appointed by the City Commission for not more than three (3) consecutive, three-year terms. Members shall not be City employees. The senior member of the committee shall serve as the committee chairperson. As is reasonably possible, the members shall have experience and or training in the following:**
  - 1. Public administration;**
  - 2. Governmental operation;**
  - 3. Political practices; or**
  - 4. Legal practice.**
  
- B. The first appointee to the Great Falls Ethics Committee shall serve an initial term of three (3) years, the second appointee shall serve an initial term of two (2) years, and the third appointee shall serve an initial term of one (1) year. Following the expiration of these initial terms, the provisions of Subsection (A.) of this part shall apply.**

**2.21.090 Committee meeting schedule.**

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The Committee shall meet on an as needed basis, in the City Commission Chambers, on the first Wednesday of the month after a matter has been referred to the Committee pursuant to this Chapter, or by direction of the City Manager. Committee meetings shall be open to the public, pursuant to Mont. Code Ann. Titles 2, and 7, and Committee meeting minutes shall be maintained by the City Clerk.

**2.21.100 Committee duties.**

The Committee shall meet and be presented testimony regarding matters referred to it. Based on the information and testimony presented, the Committee shall:

- A. Make a finding as to whether there is an appearance of a violation of any provision on Mont. Code Ann. Title 2, Chapter 2, or a violation of this chapter;
- B. Make a finding as to whether the appearance of a violation rises to a level of an actual violation; and
- C. Make a recommendation, in consultation with the City Attorney's Office, as to the correct course of action to eliminate any violation and/or reduce the appearance of any violation.

**2.21.110 Nepotism.**

All personnel matters shall be administered on the basis of merit and through regular management procedure ~~except:~~

- A. No one participating actively in the appointment of a position, i.e., City Commissioners, City Manager, representatives of the Human Resources Department, the appointing department head, or division head, shall appoint any person related or connected by consanguinity within the fourth degree or by affinity within the second degree;
  - 1. "Consanguinity" means blood relation and degrees are determined as follows:
    - i. Parent and child are of the first degree; ~~grandparents~~
    - ii. **Grandparents**, grandchildren, brothers and sisters are of the second degree; ~~uncles~~
    - iii. **Uncles**, aunts, nephews, nieces and great grandparents are of the third degree; ~~firstand~~
    - iv. **First** cousins, great uncles and great aunts and great-great grandparents are of the fourth degree.
  - 2. "Affinity" means a relationship by marriage and the degrees are determined as follows: ~~husband~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- i. **Husband** and wife are of the first degree; ~~brothers and~~
  - ii. **Brothers**-in-law, sisters-in-law, fathers-in-law and mothers-in-law are of the second degree.
- B. No one may be appointed to a position, within a City department, if related or connected by consanguinity within the fourth degree or by affinity within the second degree to any person sitting on a board or commission representing or advising that department. ~~The above shall include but not be limited to the following: City Commission, Board of Adjustment, Board of Health, Housing Authority, Library Board, Park and Recreation Board, Parking Commission, Planning Board, Police Commission.~~
- C. **The above shall include but not be limited to the following:**
  - 1. **City Commission;**
  - ~~2.52.070~~ **Board of Adjustment;**
  - 3. **Board of Health;**
  - 4. **Housing Authority;**
  - 5. **Library Board;**
  - 6. **Park and Recreation Board;**
  - 7. **Parking Commission;**
  - 8. **Planning Board and Zoning Commission;**
  - 9. **Police Commission;**
  - 10. **Business Improvement District;**
  - 11. **Tourism Business Improvement District; and**
  - 12. **Great Falls Ethics Committee.**

**2.21.120 Distribution.**

The City Clerk shall cause a copy of this Code of ~~ethics ordinance~~ **Ethics** to be distributed to every public officer and employee of the City within thirty (30) days after enactment ~~of this ordinance~~. Each public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy before entering upon the duties of ~~this~~ **his or her** office or employment.

**Chapter 5422 INDEMNIFICATION**

**Sections:**

~~2.54.010 Indemnification.~~

**2.22.010 Indemnification.**

Title 2 ADMINISTRATION AND PERSONNEL

**2.5422.010 Indemnification.**

~~In any civic action brought against any public official or employee of the City of Great Falls alleging a violation of Initiative 75, the City of Great Falls shall defend the action on behalf of the official or employee and indemnify the official or employee for any liability resulting from the alleged violation of Initiative 75.~~

~~(Ord. 2747, 1998).~~ **Repealed.**

**Chapter 5623 BOARDS/COMMISSIONS/COUNCILS ATTENDANCE**

**Sections:**

~~2.56.010 Scope.~~

~~2.56.020 Removal of members of boards, commissions and councils.~~

**2.23.010 Scope.**

**2.23.020 Removal of members of boards, commissions and councils.**

**2.5623.010 Scope.**

The provisions of this chapter shall apply to all boards, commissions, **committees**, and councils **elected or** appointed by the City Commission except ~~as follows: Where~~**where** a conflicting provision appears in state statutes or in City ordinances relating to a particular board, commission, **committee**, or council, the specific statute or ordinance shall apply.

~~(Ord. 2793, 2001)~~

**2.5623.020 Removal of members of boards, commissions, committees, and councils.**

A member of any board, commission, **committee**, or council, including Neighborhood Council, may be removed from office, by majority vote of the City Commission, if:

- A. The member misses more than one-third (1/3) of the regular meetings in a calendar year without a health or medical excuse;
- B. The member is unable to fulfill the duties of the office as a result of physical illness or mental disorder. A determination of whether the incumbent has a mental disorder shall be made pursuant to MCA Title 53, Chapter 21;
- C. The member neglects or refuses to discharge the member's duties;
- D. The member ceases to be a resident of the City, or in the case of a neighborhood council member, the member ceases to be a resident of the council member's district;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- E. The member is convicted of a felony, or of any offense involving moral turpitude, or a violation of official duties or the City Code of Ethics, Title 2, Chapter 52, while serving on a board, council, or commission; or
- F. Any other reason which City Commission deems to be in the best interests of the City, and in such case, only by a four-fifths vote.

If a member is to be removed from any board, commission, or council and be replaced by the City Commission, the member will be provided written notice of removal, stating the reasons for removal, by certified mail, postage prepaid, return receipt requested, or by hand delivery. Notice will be provided no less than ten (10) days prior to the City Commission hearing where said removal will be subject to the vote of the Commission.

(Ord. 3169, 2017; Ord. 3153, 2017; Ord. 3149, 2017; Ord. 2793, 2001).

**3149, 2017; Ord. 3140, 2016; Ord. 3045, 2009; Ord. 2968, 2007; Ord. 2928, 2006; Ord. 2918, 2005; Ord. 2747, 1998; Ord. 2735, 1998; Ord. 2729, 1997; Ord. 2725, 1997; Ord. 2722, 1997; Ord. 2703, 1996; Ord. 2683, 1995; Ord. 2652, 1993; Ord. 2604, 1991; Ord. 2563, 1990; Ord. 2479, 1987; Ord. 2444, 1986; Ord. 2267, 1981; Ord. 2228, 1980; Ord. 2210, 1980; Ord. 2200, 1980; Ord. 2199, 1980; Ord. 2190, 1980; Ord. 2172, 1979; Ord. 2037, 1978; Ord. 2035, 1978; Ord. 1977, 1876; Ord. 1910, 1976; Ord. 1909, 1976; Ord. 1908, 1976; Ord. 1907, 1976; Ord. 1906, 1976; Ord. 1905, 1976; Ord. 1859, 1975; Ord. 1858, 1975; Ord. 1843, 1974).**