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HOUSE BILL NO. 208

INTRODUCED BY G. OVERSTREET, T. SHARP, C. COCHRAN, M. BERTOGLIO, C. SPRUNGER, K.

SEEKINS-CROWE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A MUNICIPALITY TO REGULATE UNAUTHORIZED CAMPING ON PUBLIC PROPERTY OR FACILITIES; AND AMENDING SECTION 7-1-4124, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-1-4124, MCA, is amended to read:

"7-1-4124. Powers. A municipality with general powers has the power, subject to the provisions of state law, to:

- (1) enact ordinances and resolutions;
- (2) except as provided in 7-5-103(2)(d)(iv) and 7-5-121(2)(c)(iv), sue and be sued;
- (3) buy, sell, mortgage, rent, lease, hold, manage, or dispose of any interest in real or personal property;
- (4) contract with persons, corporations, or any other governmental entity;
- (5) pay debts and expenses;
- (6) borrow money;
- (7) solicit and accept bequests, donations, or grants of money, property, services, or other advantages and comply with any condition that is not contrary to the public interest;
- (8) execute documents necessary to receive money, property, services, or other advantages from the state government, the federal government, or any other source;
- (9) make grants and loans of money, property, and services for public purposes;
- (10) require the attendance of witnesses and production of documents relevant to matters being considered by the governing body;
- (11) hire, direct, and discharge employees and appoint and remove members of boards;
- (12) ratify any action of the municipality or its officers or employees that could have been approved

1 in advance;

2 (13) have a corporate seal and flag;

3 (14) acquire by eminent domain, as provided in Title 70, chapter 30, any interest in property for a

4 public use authorized by law;

5 (15) initiate a civil action to restrain or enjoin violation of an ordinance;

6 (16) enter private property, obtaining warrants when necessary, for the purpose of enforcing

7 ordinances that affect the general welfare and public safety;

8 (17) conduct a census;

9 (18) conduct inventories of public property and preparatory studies;

10 (19) condemn and demolish hazardous structures;

11 (20) purchase insurance and establish self-insurance plans;

12 (21) impound animals and other private property creating a nuisance or obstructing a street or

13 highway;

14 (22) establish quarantines;

15 (23) classify all violations of city ordinances as civil infractions, with civil penalties, as provided in 7-

16 1-4150; and

17 (24) exercise powers not inconsistent with law necessary for effective administration of authorized

18 services and functions; and

19 (25) prohibit or otherwise regulate the unauthorized occupancy of or camping on or in public

20 property or facilities owned by or under the control of the municipality."

21 - END -