

ORDINANCE No. 931

AN ORDINANCE OF THE CITY OF RED LODGE, MONTANA, TO AMEND THE MUNICIPAL CODE PERTAINING TO RECKLESS DRIVING

WHEREAS, The State of Montana and the City of Red Lodge have determined that driving recklessly presents a significant risk to the public safety and general welfare; and

WHEREAS, the provisions of Montana Law allow municipal governments to regulate traffic upon streets within the Corporate limits; and

WHEREAS, The Red Lodge City charter provides for the exercise of self-government powers; and

WHEREAS, Montana Law grants authority and powers to local governments to regulate the operation of motor vehicles by a person operating a motor vehicle in a willful or wanton disregard for the safety of others under §61-8-301(b)(2)

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL:

1. The Municipal Code of the City of Red Lodge, Montana is hereby amended in those parts set forth below:

Section 6-1-12: RECKLESS DRIVING.

6-1-12 A Purpose and Intent

6-1-12 B Reckless Driving

6-1-12 C Penalties.

6-1-12A: Purpose and Intent

Any person operating a motor vehicle on the streets of Red Lodge who operates the vehicle in a willful or wanton disregard for the safety of other persons or property or who passes a school bus that has stopped and is displaying visual flashing red signal creates a significant risk to public safety, health and general welfare. To help secure public safety, health and general welfare for all persons, the City of Red Lodge adopts this chapter in an effort to deter persons from engaging in this dangerous activity. This chapter is adopted pursuant to Montana Code Annotated §61-8-301 and §61-8-715 as well as pursuant to the exercise of the City of Red Lodge's self-government powers granted by the City of Red Lodge Charter.

6-1-12B: Reckless Driving

A person commits the offense of reckless driving if the person (a) operates a vehicle in a willful or wanton disregard for the safety of persons or property; or (b) operates a vehicle in a willful or wanton disregard for the safety of persons or property while passing, in either direction, a school bus that has stopped and is displaying the visual flashing red signal.

6-1-12C: Penalties.

The penalties for a violation of this chapter are established pursuant to this section. Incarceration is not a penalty for violation of this chapter. A person convicted under this chapter shall be subject to a fine of not less than \$100.00 and no more than \$500.00.

2. Repealer.

All other Ordinances, Resolutions, and Documents, of the City of Red Lodge, Montana, pertaining to above noted Sections of the City Municipal Code are repealed upon the effective date of this Ordinance.

3. Effective Date.

This Ordinance shall be effective 30 days after approval of second reading by the City Council of the City of Red Lodge, Montana.

First Reading by the Council on the 22nd day of August, 2017.

Second Reading by the Council on the 12th day of September 2017.

PASSED and APPROVED this 12th day of September, 2017.

City of Red Lodge

By: _____

Michael Schoenike, Mayor

Attest: _____

Loni Hanson, City Clerk