

## **ORDINANCE # 911**

AN ORDINANCE TO CLARIFY AND REVISE THE RED LODGE STOPPING, PARKING AND USE OF CITY OWNED LANDS INCLUDING DEDICATED PARKS AND RIGHTS-OF-WAY FOR OVERNIGHT CAMPING. TITLE 4, Chapter 1 Section 9 OF THE RED LODGE MUNICIPAL CODE.

WHEREAS: The City Council of the City of Red Lodge, Montana has determined the need to clarify the limitations on overnight camping and parking within the City Limits; and

WHEREAS: The City Council has determined that a significant amount of confusion exists within the City as to where or if overnight camping in tents, recreational vehicles or otherwise is allowed within the City of Red Lodge; and

WHEREAS: The City Council is aware that allowing City owned land to be used for overnight camping must be competitively priced with for profit enterprises providing similar services; and

WHEREAS: The City Council recognizes the delicate balance that must be maintained in a resort community between the protection of residential properties and reasonable expectations to use privately owned property.

Now therefore:

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA:

Overnight Camping:

1. No person shall camp in, or occupy as a temporary sleeping area, any vehicle or temporary structure including but not limited to tents, vans, pick-up campers, travel trailers, fifth wheels or motorhomes on any city owned property, including but not limited to streets, avenues and alleys, dedicated parks, improved or unimproved lots owned by the city, or city facility parking lots, at any time.
2. No person shall camp in, or occupy as a temporary sleeping area, any vehicle or temporary structure, including but not limited to tents, vans, pick-up campers, travel trailers, fifth wheels or motorhomes for more than 14 consecutive days on any privately owned property that is subject to design review for structures. The Red Lodge Police Department will issue permits for such camping or occupation at no charge.
3. The City Council may waive this requirement for organizations with specific pre-planned events. The Council may also set costs for considering the waiver and use of City Owned Land at a level the Council considers appropriate and market comparable.
4. Penalties for non-compliance:

- a. First Offense: \$50.00\*\*
- b. Second Offense: \$250.00\*\* plus towing expenses
- c. Third Offense: \$500.00\*\* plus towing expenses
- d. Subsequent Offense: \$500.00\*\* plus towing expenses and up to 30-days in jail.

\*\* Each day shall be considered to be a separate and distinct violation.

- 5. Enforcement of this section is the responsibility of the Red Lodge Police Department.

Effective Date.

This ordinance shall be effective 30-days after approval of second reading by the Red Lodge City Council.

Be It Ordained By the Council Members of the City of Red Lodge.

First Reading by the Council on the \_\_\_ day of \_\_\_\_\_ 2014.

Second Reading by the Council on the \_\_\_ day of \_\_\_\_\_ 2014

PASSED and APPROVED by a majority of the elected members of the Red Lodge City Council this \_\_\_ day of \_\_\_\_\_ 2014.

The City of Red Lodge

By: \_\_\_\_\_  
Ed Williams, Mayor

Attest: \_\_\_\_\_  
Loni Hanson, City Clerk