

ORDINANCE NO. 104

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SHERIDAN, MONTANA, REQUIRING REMOVAL OF DOORS FROM ABANDONED OR DISCARDED ICEBOXES, REFRIGERATORS AND CERTAIN OTHER CONTAINERS THAT MAY BE ACCESSIBLE TO CHILDREN AND PROVIDING A PENALTY FOR VIOLATION.

BE IT ORDAINED by the Town Council of the Town of Sheridan, Montana, that:

Section 1. It is unlawful for any person to leave, abandon, discard or permit to remain outside any building or within any unoccupied or abandoned building, structure or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, or other container which has a door or lid and snap lock, or other locking device, which may not be released from the inside the container, without first removing such door, lid or snap lock, or other locking device.

Section 2. Any person violating the provisions of this ordinance is guilty of a misdemeanor and, upon conviction, shall be fined not less than \$50 nor more than \$500.

Absolute Liability

Section 3. It is the legislative purpose of the Sheridan Town Council, pursuant to the provisions of 45-2-104, M.C.A., to impose absolute liability for the misdemeanor offenses(s) enacted by and set forth in this ordinance. Those offenses shall not require proof of the mental status described in 45-2-101, M.C.A.

Repealer

Section 4. All resolutions, ordinances and sections of the Sheridan Municipal Code and parts thereof in conflict herewith are hereby repealed.

Severability

Section 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Effective Date

Section 6. This ordinance shall be in full force and effect thirty (30) days after passage on second reading.

References:

PASSED AND ADOPTED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 13th day of August, 2007.

ATTEST:

Dean Derryberry, Mayor

Gail Leary, Town Clerk

PASSED, ADOPTED AND FINALLY APPROVED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 27th day of August, 2007.

ATTEST:

Dean Derryberry, Mayor

Gail Leary, Town Clerk

APPROVED AS TO FORM:

Douglas Smith, City Attorney