



BPC
RESOLUTION NO. 2006-03

**A RESOLUTION OF THE GALLATIN COUNTY BOARD OF PARK COMMISSIONERS
PROHIBITING LITTERING AND ESTABLISHING PENALTIES FOR VIOLATION OF
RESTRICTION**

THIS RESOLUTION was introduced by the Board of Park Commissioners, moved by Commissioner C. Collins, and seconded by Commissioner R. Logar. This resolution was adopted unanimously.

WHEREAS, on October 5, 2004, the Gallatin County Commissioners, pursuant to Mont. Code Ann. § 7-16-2301 *et. seq.*, created a Board of Park Commissioners (Resolution No. 2004-130); and

WHEREAS, the Board of Park Commissioners manages and oversees all county parkland within Gallatin County; and

WHEREAS, Mont. Code Ann. § 7-16-2322(i) provides that the Board of Park Commissioners may make rules to protect and promote the improvement of land and facilities under the care and control of the board, and

WHEREAS, Mont. Code Ann. § 7-16-2322(ii) provides that the Board of Park Commissioners may make rules for the use of the land and facilities by the public; and

WHEREAS, Mont. Code Ann. § 7-16-2322(iii) provides that the Board of Park Commissioners may provide penalties for the violations of park rules; and

WHEREAS, littering causes increased costs of repair and maintenance to park facilities, and is damaging to the health and safety of county parklands.

NOW THEREFORE BE IT RESOLVED,

That it is a violation of this resolution and hereby subject to civil penalties for any person in a Gallatin County park to:

1. Dump dirt, grass and tree clippings or dig, remove, plant or deposit any soil, rock sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment or other means or agency except as authorized by the county;

2. Litter or fail to deposit litter in provided garbage receptacles. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere;

3. Break glass objects and then fail to remove broken glass and safely dispose of the broken glass in such fashion so as not to cause injury to persons or property;

Pursuant to Mont. Code Ann. § 7-16-2322(1)(a)(iii) violation of this Resolution shall result in a civil penalty with the first offense carrying a fine of \$25.00, the second offense constituting a fine of \$50.00 and the third and all other subsequent offenses constituting a \$100.00 fine.

PASSED, ADOPTED, AND APPROVED this 15th day of August, 2006 by the Board of Park Commissioners.

BOARD OF PARK COMMISSIONERS OF
GALLATIN COUNTY, MONTANA



Debbie Deagen, Chairperson