



BPC
RESOLUTION NO. 2006-05

**A RESOLUTION OF THE GALLATIN COUNTY BOARD OF PARK COMMISSIONERS
PROHIBITING DEFACING OF COUNTY PARK PROPERTY 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 J. Clark. 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, vandalism, damage, destruction or defacing of county property is a detriment to the use and enjoyment of park facilities.

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. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, grills, railings, paving or paving material, water lines, equipment, signs, or other park property, improvements or appurtenances whatsoever, real or personal;

2. Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area;
3. Climb any tree or walk, climb, stand or sit upon buildings, monuments, statues, vases, planters, fountains, railings, fences or upon any other structure not designated or customarily used for such purpose;
4. Start a fire except in facilities installed and provided for such purpose, or to fail to completely extinguish a fire upon leaving the park;

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