

ORDINANCE NO. 238

AN ORDINANCE RELATING TO DANGERS FROM TREES, ROOTS, AND OTHER OBSTRUCTIONS TO SEWERS, DRAINAGE, WATER PIPES, HOUSES, PROPERTY AND PERSONS, DECLARING AN EMERGENCY, FIXING PENALTIES, REPEALING CONFLICTING ORDINANCES, AND FIXING EFFECTIVE DATE.

Be it ordained by the city council of the city of Polson, in Lake County, Montana:

Section 1. Owners of property, or other persons having the control of premises within said city are hereby prohibited from permitting trees, roots or other obstructions from encroaching upon, effecting, obstructing, injuring, endangering, or interfering with or injuring or liable to injure, interfere with or obstruct any sewer, sewer line, water line, pipe line, sidewalk, street, alley, home, premise, person or other property within said city.

Section 2. Any person violating section 1, hereof, shall be deemed creating a public nuisance unless he abates said nuisance as hereinafter provided.

Section 3. Any person violating section 1, hereof, upon notice, oral, or in writing, by the police, street commissioner, city attorney, or other proper officer of the city, who does not within 10 days after receipt of such notice, or such further time as the officer may specify, and who does not within such time and notice so specified, abate and remove such nuisance shall upon conviction be deemed guilty of a misdemeanor, and violating this ordinance, and be punished as hereinafter provided.


Section 4. The street commissioner of said city in addition may remove said nuisance, certify the costs to the city clerk and it shall be the clerk's duty to certify to the proper authorities a cost lien upon the premises of said property, collectible by taxation or as provided for by laws.

Section 5. Any person violating this ordinance shall be subject to a fine not exceeding \$200, or by jail not exceeding 30 days or by both such fine and imprisonment, if convicted.

Section 6. That the ordinance herein is necessary to preserve the health, welfare, well being and the peace of said city, and by reason thereof is declared an emergency and takes effect upon its passage and approval.

Section 7. All ordinances in conflict are hereby repealed.

Passed, adopted and approved this 1st day of October, 1951.


Mark H. Derr Mayor

Attest Harding Hanson City Clerk

CORPORATE SEAL
CITY OF POLSON
MONTANA

Resolution No. 124

A RESOLUTION OF INTENTIONS TO CREATE A SPECIAL IMPROVEMENT DISTRICT OF AND WITHIN THE CITY OF POLSON, LAKE COUNTY, MONTANA, DESIGNATE THE NUMBER THEREOF, DEFINE THE BOUNDARY OF THE SAME, DESIGNATE AND STATE THE GENERAL CHARACTER AND NATURE OF THE IMPROVEMENTS PROPOSED TO BE MADE THEREIN, THE APPROXIMATE COST THEREOF, AND ORDERING AND DIRECTING THAT NOTICE BE GIVEN AS BY LAW PROVIDED, UPON THE PASSAGE AND APPROVAL OF THIS RESOLUTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POLSON, LAKE COUNTY, MONTANA:

SECTION 1. That it is the intention of the City Council of the City of Polson, Lake County, Montana, to create a Special Improvement District, within the City of Polson, Montana, the Original Townsite thereof, the boundary of which is hereinafter designated, setout and particularly described.

SECTION 2. That said Special Improvement District aforesaid shall be known and designated as Special Improvement District Number 17.

SECTION 3. That this Special Improvement District is proposed to be created, that certain excavations, filling and refilling, basing and rebasing, and graveling, a portion of a street, and a portion of certain avenues in the City of Polson, with provision for carrying subdrainage into storm sewers, and thus preparing the same for paving with oil and gravel surface, the said street and avenues aforesaid, or portions thereof to be included being as follows, to-wit:

First Street East, from the South property line of Second Avenue East to the North property line of Seventh Avenue East, being five blocks and street and alley intersections therein. 4th Avenue, between Main Street and First Street East. 5th Avenue, between Main Street and First Street East. 6th Avenue, between Main Street and First Street East.

That the property included within, and the boundary of said Special Improvement District is determined by the inclusion of each and all of the lots and parts of lots, and each and every part and parcel thereof, said lots so included being as follows, to-wit:

Lots 6 and 7, Block 14; Lots 1 and 12, Block 19;

Lots 1 to 6, inclusive, Block 10; Lots 6 and 7 Block 9; Lots 1 to 6, inclusive, Block 14; Lots 6 and 7 Block 15; Lots 1 to 6, inclusive, Block 19; Block 18; Lots 1 and 12, Block 24; Lots 6 and 7 Block 25; Lots 1 and 12, Block 29; Lots 6 and 7 Block 28; Lots 6 and 7, Block 19; Lots 1 to 6 inclusive Block 24; Lots 7 to 12 inclusive, Block 24; and Lots 1 to 6 inclusive Block 29.

All in the Original Townsite of Polson, Lake County, Montana, according to the Plat thereof on file and of record in the office of the County Clerk and Recorder of Lake County, Mont.

SECTION 4. That the district included within the aforesaid boundary, is hereby declared to be the district benefited by the making of said improvements and the property included therein, and within said boundary, is hereby declared to be the property benefited, and hereby declared to be the property to be assessed for the cost and expense of making such improvements.

The City Council further hereby declares that such lots or parts of lots within said district, owned by the Federal Government or the City of Polson, shall be omitted from the assessment thereafter to be made to cover the cost and expense of said proposed improvements, and the cost of said work or improvement in front of or as to said lots or parts of lots, shall be paid by the City of Polson from its general fund.


SECTION 5. That the general nature and character of said proposed improvements are as follows:

The excavation of the street, avenues and intersections as hereinbefore particularly mentioned and described, filling and re-filling the same, basing and rebasing to grade level, and graveling, all from curb to curb, with suitable material, sand, rock and gravel, compressed therein, said excavation to be to a depth of two feet, and with provision for carrying subdrainage into storm sewers, and so preparing said street and avenues aforesaid for oil-gravel surface as a paving thereon.

SECTION 6. That the estimated cost, including engineer fees, is approximately \$26,400.00, including intersections, or about \$3300.00 per block including intersection, which will be about \$137.50 per 25 foot frontage on each side of said street and avenues, the same including the pro-rata share of the cost of the construction of said portion of an intersection.

SECTION 7. Upon the passage and approval of this resolution the Council of the City of Polson, Montana, gives notice thereof through the Clerk of said City, who is hereby directed to give such notice in accordance with the provisions of Section 11-2204 of the R.C.M., 1947, by publication and mailing as therein stated and provided.

The foregoing resolution, having been read, discussed and duly considered, is hereby adopted and approved in regular session this 3rd day of December 1951.


Mark H. Derr

Mayor of the City of Polson

ATTEST: Kenneth A. Neumann
City Clerk

CORPORATE SEAL
CITY OF POLSON
MONTANA

Resolution No. 125

A RESOLUTION CREATING SPECIAL IMPROVEMENT DISTRICT NO 17, OF AND IN THE CITY OF POLSON, LAKE COUNTY, MONTANA, DEFINING THE BOUNDARY THEREOF, AS STATED AND DEFINED IN THE RESOLUTION OF INTENTIONS, RESOLUTION NO 124, PROVIDING FOR THE MANNER OF ASSESSMENT, PROVIDING FOR NOTICE AND CALL FOR BIDS, AND PROVIDING FOR NOTICE AND THE FORM AND SALE OF SPECIAL IMPROVEMENT BONDS.

WHEREAS: The City Council of the City of Polson, Montana, did on the 3rd day of December, 1951, in Regular Session, pass Resolution of Intentions to create Special Improvement District within the said City of Polson, Montana, said Resolution being Number 124, and the District proposed to be created thereby being designated as Special Improvement District Number 17, and

WHEREAS: Said Resolution of Intentions aforesaid among other matters and things set forth the character and nature of the proposed improvements, in manner and form as by law provided, reciting that the same was for the excavations of two feet of the portion of a street and certain avenues, filling and refilling the same, basing and rebasing the same to grade level and from curb to curb, all done with suitable sand, rock and gravel, compressed therein, and graveling, with provision for sub-drainage into storm sewers, preparatory for an oil surface paving thereon, reference being now made to said Resolution of Intentions aforesaid for further particulars, and