

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING
THAT THE BILLINGS, MONTANA CITY
CODE (BMCC) BE AMENDED BY REVISING ARTICLE 18-
1302, OF SAID CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. That Article 18-1302, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1302. Civil citations – Service and requirements.

- (a) Any officer may issue a civil citation to a person who commits a municipal infraction.
- (b) The citation may be served on the alleged violator by any one of the following methods:
 - (1) Personal service;
 - (2) By certified mail addressed to the defendant at the defendant's last known mailing address, return receipt requested; or
 - (3) By publication, in the manner described in Rule 4(o) of the Montana Rules of Civil Procedure, except that all proceedings for issuance of service by publication shall be had with the Billings Municipal Court and the Billings Municipal Court Clerk in place of the District Court and the Clerk of the District Court.
- (c) A copy of the citation must be retained by the issuing officer and one copy be sent to or filed with the clerk of the Billings Municipal Court.
- (d) The citation shall serve as notification that a municipal infraction has been committed and shall contain the following information:
 - (1) The name and address of the defendant;
 - (2) The name or description of the infraction attested to by the officer issuing the citation;
 - (3) The location and time of the infraction;
 - (4) The amount of the civil penalty to be assessed or the alternative relief sought, or both;
 - (5) The manner, location and time in which the penalty may be paid;
 - (6) The time and place of court appearance; and
 - (7) The penalty for failure to appear in court.

(Ord. No. 10-5501, § 1, 1-11-10)

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading the 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY: _____
William A. Cole, Mayor

Attest
:

Denise R. Bohlman, City Clerk