

ORDINANCE No. 945

AN ORDINANCE OF THE CITY OF RED LODGE, MONTANA, TO REPEAL SECTION 3 OF TITLE 1-POLICE DEPARTMENT OF CHAPTER 3-ARRESTS, OF THE MUNICIPAL CODE PERTAINING TO INVESTIGATIVE STOPS

WHEREAS, the City wishes to create a simple City Code; and

WHEREAS, M.C.A. Section 46-5-401 adequately grants this power to law enforcement; and

WHEREAS, this section of code does not expand powers or enhance public health and safety.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL:

1. The Municipal Code of the City of Red Lodge, Montana is hereby amended in those parts set forth below:

A. Title 5 – Police Regulations, Chapter 3 – Arrests, Section 3 Investigative Stops shall be repealed; and

B. Title 5 – Police Regulations, Chapter 3 – Arrests shall read:

5-3-1 Making of Arrests.

The police of the City have the authority to make arrests of persons charged with crime as set forth in Section 5-3-2 of this chapter.

5-3-2 Geographical Limits.

The police of the City have the authority to make arrests of persons charged with crime within the limits of the City and within five (5) miles of the limits of the City. Nothing herein shall be construed as a limitation on the authority of the City police to make arrests as otherwise allowed by law.

2. Repealer.

Ordinance 844 and Title 5 – Police Regulations, Chapter 3 –Arrests, Section 3 Investigative stops shall be repealed in its entirety. All other Ordinances, Resolutions, and Documents of the City of Red Lodge, Montana, pertaining to above noted Sections of the City Municipal Code are repealed upon the effective date of this Ordinance.

3. This shall not be read to change any other section of Chapter 3 relating to Geographical Limits or the Making of Arrests.

4. Effective Date.

This Ordinance shall be effective 30-days after approval of second reading by the City Council of the City of Red Lodge, Montana.

First Reading by the Council on the 11th day of December, 2018.

Second Reading by the Council on the 22nd day of January, 2019.

PASSED and APPROVED this 22nd day of January, 2019.

City of Red Lodge

By: William E. Larson

Bill Larson,, Mayor

Attest: Loni Hanson

Loni Hanson, City Clerk