



LINCOLN COUNTY MONTANA

Ordinance 2018-01

AN ORDINANCE RECODIFYING LINCOLN COUNTY ORDINANCES AND PRESCRIBING THE FORMAT FOR ALL ORDINANCES ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. The Board of County Commissioners authorized the preparation of a recodification of the existing Lincoln County ordinances pursuant to section 7-5-107, MCA.
2. The Board desires that all ordinances hereafter adopted will be codified in a uniform register and made available to the public.
3. All ordinances formerly adopted by the Board and kept on file with the Clerk and Recorder's Office have been compiled and reviewed.
4. The Board desires that all presently operable ordinances be re-drafted in a uniform format, in accordance with the policies adopted by the Board through Resolution 2018-01.

THE BOARD ORDAINS:

1. CODIFICATION OF ORDINANCES

- (1) The Lincoln County Clerk and Recorder will publish all ordinances adopted by this Board in a Register of Ordinances.
- (2) A copy of the Register of Ordinances will be permanently kept on file in the Clerk and Recorder's Office and published on the official County website.
- (3) The previous code of ordinances originally adopted by Ordinance No. 93-1 on February 10th, 1993, is superseded by the Register of Ordinances created by this ordinance.
- (4) At intervals of five (5) years hereafter, the Clerk and Recorder will compile and present all then current ordinances in an updated Register to the Board of County Commissioners for approval and recodification, pursuant to section 7-5-107, MCA.

2. FORMAT OF ORDINANCES

The body of all ordinances should be divided into numbered sections and subsections as needed. The numbering of sections and subsections must be drafted in a uniform format, for consistency in enforcement and prosecution. The following format must be used:



LINCOLN COUNTY MONTANA

1. SECTION HEADING

Text of section

(1) Text of subsection

(a) Text

(i) Text

THE BOARD FURTHER ORDAINS:

1. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance or resolution, this ordinance will prevail.
2. The various sections and clauses of this ordinance are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance will not be affected.
3. Upon first reading and adoption, this ordinance will be posted and made available to the public in accordance with section 7-5-103, MCA.
4. This ordinance will be effective 30 days after its second and final adoption, in accordance with section 7-5-105, MCA.
5. Upon its second and final adoption, this ordinance will be signed by the Board and published by the Clerk in the Register of Ordinances to be kept on file in the Clerk and Recorder's Office, as well as published on the official County website, in accordance with sections 7-5-103 and 7-5-107, MCA.

END OF ORDINANCE

Approved as to Form:

MARCIA BORIS, County Attorney

First reading date 4-25-18 Approved Disapproved () Amended ()

Second reading date _____ Approved () Disapproved () Amended ()





**LINCOLN COUNTY
MONTANA**

Adopted this _____ day of _____, 2018.

LINCOLN COUNTY BOARD OF COMMISSIONERS

MIKE COLE, Chair

JERRY BENNETT, Member

MARK PECK, Member

ATTEST:

ROBIN BENSON, Clerk of the Board