

RESOLUTION NO. 2017-28

RESOLUTION OF INTENT TO ADOPT ORDINANCE #9, AN ORDINANCE PROHIBITING
OVERNIGHT CAMPING AT HOLLECKER LAKE

WHEREAS, the facilities at Hollecker Lake in Dawson County are not designed for overnight stay; and

WHEREAS, the lack of available monitoring at Hollecker Lake by appropriate authorities may present safety issues for individuals camping there overnight;

WHEREAS, the liability to Dawson County greatly increases because of said lack of available monitoring at Hollecker Lake by authorities;

WHEREAS, acts of vandalism and/or littering at Hollecker Lake happen more frequently during the night, and would therefore likely increase with overnight camping;

WHEREAS, the close proximity of Hollecker Lake to residential neighborhoods creates a significant risk of noise related nuisance at night if overnight camping is present;

WHEREAS, a copy of the Ordinance is attached to this resolution;

THEREFORE BE IT RESOLVED, that the Board will make the *initial reading* of such Ordinance on Tuesday, November 21, 2017 at 5:30 p.m. during Commissioner session at the community room of the Dawson County Courthouse and the time and date for the *second reading and final adoption* of said Ordinance to be on Tuesday, December 5 at 10:00 a.m. at the conference/community room of the Dawson County Courthouse at Glendive Montana and further instruct that copies of such Notice and Ordinance be posted and made available to the public as follows:

- 1) A notice or copy shall printed in the Ranger Review, on November 12 &19, 2017.
- 2) A copy shall posted on the Dawson County webpage: www.dawsoncountymontana.com.
- 3) Copies shall be made available through the Clerk & Recorder's office at the Dawson County Courthouse in Glendive Montana.

ADOPTED THIS _____ day of _____, 2017.

Board of Commissioners, Dawson County Montana

DOUGLAS A. BUXBAUM, CHAIRPERSON

GARY KARTEVOLD, MEMBER

DENNIS ZANDER, MEMBER

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

Resolution #2017-28

DAWSON COUNTY MONTANA
ORDINANCE #9
AN ORDINANCE PROHIBITING OVERNIGHT CAMPING AT HOLLECKER LAKE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONER OF DAWSON COUNTY, MONTANA, THAT THE FOLLOWING BE ADDED TO THE ORDINANCES OF DAWSON COUNTY MONTANA:

- A. No person shall camp anywhere on the property of Hollecker Lake. To “camp” means to do any of the following:
1. To sleep at any time between the hours of 11:00 p.m. and 8:30 a.m. in any of the following places:
 - a. Outdoors with or without bedding, sleeping bag, tent, hammock, tarp, lean-to, shack, or other similar protection or equipment;
 - b. In, on, or under any structure not intended for human occupancy, whether with or without bedding, tent, hammock, tarp, lean-to, shack, or other similar protection or equipment;
 - c. In, on, or under any parked vehicle, including automobile, bus, truck, camper, trailer, or recreational vehicle.
 2. To establish or maintain outdoors or in, on or under any structure not intended for human occupancy, at any time between the hours of 11:00 p.m. and 8:30 a.m., a temporary or permanent place for sleeping, by setting up any bedding, sleeping bag, blanket, mattress, tent, hammock, tarp, lean-to, shack, or other sleeping equipment in such manner as to be immediately usable for sleeping purposes.
 3. To establish or maintain outdoors or in, on or under any structure not intended for human occupancy, at any time during the day or night, a temporary or permanent place for cooking or sleeping, by setting up any bedding, sleeping bag, blanket, mattress, tent, hammock, tarp, lean-to, shack or other sleeping equipment or by setting up any cooking equipment, with the intent to remain in that location overnight.
- B. Violation of this Section is punishable, upon conviction, by a fine of not more than \$500 or by imprisonment in the county jail, for a period not to exceed thirty (30) days, or both. Each violation shall be considered a new chargeable offense.

PASSED AND APPROVED BY THE DAWSON COUNTY BOARD OF COMMISSIONERS at first reading this 21st day of November, 2017.

Douglas A. Buxbaum, Chairman

Gary Kartevold, Member

Dennis Zander, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

**PASSED AND APPROVED BY THE DAWSON COUNTY BOARD OF
COMMISSIONERS at first reading this 5th day of December, 2017.**

Douglas A. Buxbaum, Chairman

Gary Kartevold, Member

Dennis Zander, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

Effective date of the Ordinance shall be 30 days from the passing of the second reading,
which shall be January 4, 2018.