

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, November 18, 2009 8:30 AM – 9:00 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Ed Childers, Dick Haines, Renee Mitchell, Dave Strohmaier, Pam Walzer, Bob Jaffe

Members Not Present: Lynn Hellegaard, John Hendrickson, Jason Wiener, Jon Wilkins.

I. ADMINISTRATIVE BUSINESS

1. Approve minutes from [November 4, 2009](#). Minutes approved unanimously.

II. PUBLIC COMMENT

III. CONSENT AGENDA ITEMS

1. An [ordinance](#) amending Title 8, Chapter 8.28, Missoula Municipal Code title 8, entitled "Garbage and Rubbish" amending Section 8.28.020 entitled jurisdiction to remove extraterritorial powers. ([memo](#)) ([PS&H](#)) ([11/9/09 draft-proposed amendments](#)) (Returned from Council floor: 11/09/09) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council amend ordinance Title 8, Chapter 8.28, Missoula Municipal Code title 8, entitled "Garbage and Rubbish" amending Section 8.28.020 entitled jurisdiction to remove extraterritorial powers.

Bob Jaffe asked Pam Walzer to outline the impact of these changes.

Pam Walzer indicated that even with the changes to the language of the ordinance, the City will still be compelled to follow County regulations

Ed Childers suggested that comments be added to ordinances

Dave Strohmaier responded that perhaps non-codified comments could be added towards the end of the ordinance in the severability section.

Ed Childers suggested that comments could be added and see if anyone complains.

Pam Walzer stated that City and County ordinances are structured differently.

Ed Childers suggested adding a short phrase stating that every rental is required to have a contract between the property owner and a commercial garbage facility for the purpose of picking up garbage.

Pam Walzer recommended that Ed's concerns be addressed when considering the issue of managing garbage in areas where there are bears.

Dave Strohmaier agrees that the language that Ed Childers suggested should be included at some point to align the City code language with the County code language

Dave Strohmaier made the motion to move the ordinance as amended with the additional amendments regarding language related to the 4 1/2 mile radius. Motion passed unanimously.

IV. REGULAR AGENDA ITEM

V. HELD AND ON-GOING AGENDA ITEMS

1. Police Department Update – Ongoing in Committee (Mark Muir)
2. Fire Department Update – Ongoing in Committee (Mike Painter)
3. Health Department Update – Ongoing in Committee (Ellen Leahy)
4. An [ordinance](#) amending Chapter 10.42 of the Missoula Municipal Code entitled "Bicycles" that would require minors to wear headgear while bicycling on streets, roadways, sidewalks, alleys and trails; and holding responsible the parent or guardian of a minor found to be in violation of this ordinance. ([Alternative Ordinance](#)) ([PS&H](#)) (Returned from Council floor: 2/26/07)
5. Update on the Police facility project. ([memo](#)) – Regular Agenda (Mark Muir)(Referred to committee: 05/12/08)
6. An [ordinance](#) amending Missoula Municipal Code Chapter 6.09 entitled "Missoula Cat Ordinance" section 6.09.010 through 6.09.090 to amend definitions, to limit the number of cats over the age of four months that a person, family, or household can harbor, keep, or maintain to five and to enact other general amendments. ([PS&H](#)) (Returned from Council floor: 01/12/09)
7. An [ordinance](#) amending Missoula Municipal Code Title 6 entitled "Animals" generally amending Chapter 6.04 entitled "Animals Running at Large" and Chapter 6.08 entitled "Dogs and Pet Shops," increasing the fee when an animal is impounded and establishing a fee for a boarding kennel license. ([PS&H](#)) (Returned from Council floor: 01/12/09)
8. Discussion on the MRL herbicide program within the city limits ([memo](#)).—Regular Agenda (Bob Jaffe)
9. Consider an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10 entitled Vehicles and Traffic, Chapter 42 entitled Bicycles for the purpose of changing the requirements for complying with traffic control devices and removing conflicting registration requirements by amending Sections 10.42.030 and 10.42.040. ([memo](#)).—Regular Agenda (Pam Walzer)
10. Conduct interviews and appoint one member to the Health Board for the term commencing January 1, 2010 and ending December 31, 2012 ([memo](#)).—Regular Agenda (Kelly Elam) (Referred to committee: 11/09/09)

V. ADJOURNMENT

The meeting adjourned at 8:55 AM. Submitted by Gregg Schonbachler.