

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, April 13, 2011 8:00 AM – 9:00 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Dave Strohmaier, Pam Walzer, Jon Wilkins, Renee Mitchell, Ed Childers, Cynthia Wolken, Dick Haines

Members Not Present: Bob Jaffe, Lyn Hellegaard

Others Present: Mike Brady, Jim Nugent, Brandee Tyree

I. ADMINISTRATIVE BUSINESS

1. Approve Minutes from [March 16, 2011](#). Minutes approved unanimously.

II. PUBLIC COMMENT

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA ITEMS

1. [Ordinance](#) to amend Missoula Municipal Code Title 9 entitled "Public Peace, Morals and Welfare" by creating Chapter 9.58 entitled "Social Host and Rental Space Gatherings involving consumption of Alcohol by underage persons" and enacting Sections 9.58.010 through 9.58.040. ([Memo](#)) ([PS&H](#)) (Returned from Council floor: 03/14/11)

Motion: The committee recommends the City Council adopt an ordinance to amend Missoula Municipal Code Title 9 entitled "Public Peace, Morals and Welfare" by creating Chapter 9.58 entitled "Social Host and Rental Space Gatherings involving consumption of Alcohol by underage persons" and enacting Sections 9.58.010 through 9.58.040.

Dave Strohmaier noted that Ed Childer's motion from the last committee meeting was still on the floor. He outlined the most recent changes and amendments made to the proposed ordinance. He noted the change to the definition of 'purposely', the rewording of 'negatives' to 'negate', and the definition of social host to any person of any age. Dave offered an amendment to the definition of social host that would allow persons under the age of 18 to be held to a penalty standard as determined by the district youth court.

Ed Childers stated that he would accept the amendment if the term 'youth' was replace with 'person'.

Dave Strohmaier agreed.

Jon Wilkins inquired about concerns of property managers.

Dave Strohmaier feels that the changes to the proposed ordinance adderss the concerns of the property managers.

Jim Nugent stated that he had not heard of any concerns or issues.

Ed Childers cited the ability of the proposed ordinance to allow for property managers better control rental situations.

Brandee Tyree stated that the feedback that she has received regarding the proposed ordinance from property management organizations indicated support.

Jim Nugent clarified the number of changes to the wording of the proposed ordinance.

Dave Strohmaier summarized the proposed ordinance with the accepted amendments.

Motion passed with Pam Walzer voting against.

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 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)
5. 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)
6. Review implementation of the Missoula Outdoor Lighting Ordinance ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 08/09/10)

V. ADJOURNMENT

The meeting adjourned at 8:15 AM. Submitted by Gregg Schonbachler.