

**ORDINANCE NO. 122**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SHERIDAN, MONTANA. ADOPTING THE "MUNICIPAL CODE OF THE TOWN OF SHERIDAN, MADISON COUNTY, MONTANA" AND PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN.**

**BE IT ORDAINED** by the Town Council of the Town of Sheridan, that:

**Section 1.** There is hereby adopted the "Municipal Code of the Town of Sheridan, Madison County, Montana," which consists of all of the regulatory, administrative and penal ordinances adopted by the Sheridan Town Council.

**Section 2.** The provisions of this code shall be in full force and effect on and after October 1, 2007.

**Section 3.** This code may be cited as the "Sheridan Municipal Code" or "Sheridan Town Code" in any prosecution or proceeding for a violation of any provision of this code or any proceeding at law or equity.

**Section 4.** The first ordinance included in this code is Ordinance Number 100, finally adopted on August 27, 2007. The last ordinance included in this code at the time of its adoption is Ordinance Number 122, adopted on August 27, 2007.

(1) A copy of any ordinance that is adopted or amended following the adoption of this code shall be included in a supplementary section of this code entitled "Ordinances Awaiting Codification" until such time as re-codification results in the inclusion in the code of said ordinance or amendment.

(2) An amendment to any Town ordinance shall include reference to the section(s) of this code under which the amended ordinance is codified. An amendment to any ordinances included in this code shall, upon final adoption, also be included in the Town of Sheridan Ordinance Book.

(3) A copy of an ordinance included in this code that is subsequently repealed shall be filed in a supplementary section of this code entitled "Repealed Ordinances."

**Section 5.** Unless the context otherwise requires, the following words and phrases shall have the meanings and construction given in this section:

(1) "Council" means the Town Council of the Town of Sheridan.

(2) "Gender." The masculine gender includes the feminine and neuter

(3) "Municipality" or "municipal" means and refers to the Town of Sheridan.

(4) "Person" means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, fraternal organization, company, corporation, business, trust, or other manager, lessee, agent, servant, officer, or employee of them.

(5) "Tenses." The present tense includes the past and future tenses, and the future tense includes present tense.

(6) "Town" shall also mean and refer to the Town of Sheridan.

**Section 6.** Title, chapter and section headings contained in this code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any title, chapter or section hereof.

### **Repealer**

**Section 7.** All ordinances of the Town of Sheridan adopted before July 1, 2007 are hereby repealed and shall not be included in this code.

(1) Neither the adoption of this code nor the consequent repeal of any ordinance of the Town shall, in any manner, affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, or be construed as a waiver of any license, fee or penalty due and unpaid under such ordinance, or affect the validity of any bond, or cash deposit required to be posted, filed or deposited pursuant to any such ordinance.

### **Severability**

**Section 8.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

### **Effective Date**

**Section 9.** This ordinance shall be in full force and effect thirty (30) days after passage on second reading.

**References:** 7-5-107, M.C.A.

**PASSED AND ADOPTED** by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 13<sup>th</sup> day of August, 2007.

**ATTEST:**

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Dean Derryberry, Mayor

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Gail Leary, Town Clerk

**PASSED, ADOPTED AND FINALLY APPROVED** by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 27<sup>th</sup> day of August, 2007.

**ATTEST:**

\_\_\_\_\_  
Dean Derryberry, Mayor

\_\_\_\_\_  
Gail Leary, Town Clerk

**APPROVED AS TO FORM:**

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Douglas Smith, City Attorney