

ORDINANCE 25-5919

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 22- 406, OF SAID CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. That Article 22-406, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Sec. 22-406. Removal of impediments from sidewalks by abutting property owners.

- (a) For the purposes of this section, the term *impediment* shall be broadly interpreted to mean any condition, substance, or object, whether natural or manmade, that obstructs, impedes, restricts, hinders, or otherwise interferes with the normal and safe use of a sidewalk by pedestrians and wheeled travelers. Examples of impediments include, but are not limited to, the following:
- I. Snow, ice, or slush that has accumulated and not been removed in a timely manner.
 - II. Mud, dirt, or gravel washed or tracked onto the sidewalk.
 - III. Leaves, branches, or other plant debris.
 - IV. Litter, trash, or refuse.
 - V. Standing water, oil, or other slippery substances.
 - VI. Overgrown vegetation that encroaches onto or overhangs the sidewalk.
 - VII. Personal property, including but not limited to bicycles, scooters, furniture, or signs placed on or across the sidewalk.
 - VIII. Construction materials, tools, or equipment not authorized by a permit.
 - IX. Any other obstruction that prevents or limits the free and safe passage of pedestrians and wheeled travelers, including those using mobility aids.
- (b) It shall be the duty of the occupant of any premises within the city limits, or in case such premises are unoccupied, then the owner or his or her agent, to keep the sidewalks in front of and adjoining his or her premises clean and safe for pedestrians and wheeled travelers; and such occupant, owner or agent shall remove such impediment to safe and convenient travel, within twenty-four (24) hours after such impediment accumulates thereon, and prevent the continuance and accumulation of the same. Removal of impediment shall be no less than 36 inches wide and shall be to the surface of the sidewalk. Tree canopy over sidewalks shall conform with section 25-205. It shall be the duty of the owner of any premises within the city limits to repair the sidewalks in front of and adjoining his or her premises.
- (c) Accumulations of impediments not removed as required by paragraph (b), may be removed under the direction of the city which shall keep a record of the cost of such

removal with a description of the property adjacent to which such impediments are removed. The city clerk shall each year prepare and present to the council a resolution containing a list of all lots and parcels of land in the city from the sidewalks adjacent to and fronting on which impediments have been removed, with the names of the owners thereof, and the cost of removal of such impediments. When such resolution is passed by the council and approved by the mayor the assessments therein provided for shall constitute a lien upon and against such lots and parcels of land. A copy of such resolution shall be certified by the city clerk to the county treasurer for collection in the same manner as other taxes.

- (d) It is unlawful to dispose of or move impediments from private property onto a public street, alley or sidewalk.

(Code 1967, § 10.84.080)

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the Billings City Council on first reading on the 13th day of October, 2025.

PASSED by the Billings City Council on second reading on this 27th day of October, 2025.



CITY OF BILLINGS

BY: William A. Cole
William A. Cole, Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk