

ORDINANCE NO. 175

AN ORDINANCE RELATING TO INSECT PEST CONTROL DISTRICTS,
DESIGNATION OF BY THE STATE DEPARTMENT OF AGRICULTURE AND
THE CREATION OF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON:

Section 1: That whenever satisfactory proff has been established of the presence of a menace to the fruit and shade trees or shrubbery in any part of the city, through infestation of said trees or shrubbery, with any of the following injurious insect pests, Codling Moth, (Carpocapsa Pomenella) Oyster Shell Scale, (Lepidosaphies Ulmi) Blister Mite, (Eriophyces Pyri) Wolly Aphis, the State Department of Agriculture, under its authorized representative, shall designate the district embracing all effected areas, such areas to be known as the Insect Pest Control Districts. After said district has been designated by the representative of the State Department of Agriculture, the city council shall create and establish such districts embracing all affected areas, such areas to be known as the Insect Pest Control District.

Section 2: It shall be the duty of the street commissioner, or any other person appointed by the city council, to carry out, under the supervision and direction of the State Department of Agriculture or its authorized representative, such control and eradication measures prescribed for the eradication or control of such insect pest or pests.

Section 3: It shall furthermore be the duty of the street commissioner or authorized representative of the city council to employ competent persons to carry out such control measures as may be prescribed and deemed necessary by the State Department of Agriculture and to keep an account of the expense of same. Such expense shall become a lien against the property upon which such control measures where used and shall be spread upon the tax roll of the city and collected according to law prescribed in such cases, unless paid within thirty days after presentation of notice of incurrence of such expense.

Section 4: Any occupant, agent or owner of any premises within the area of the above mentioned Pest Control District, who refuses to allow the City of Polson to spray the trees included in this Pest Control District, shall be deemed guilty of maintaining and supporting a common nuisance, and upon conviction thereof shall be punished by a fine not exceeding Fifty Dollars.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: It is hereby declared that an emergency exists and therefore this ordinance shall take effect immediately upon its passage and approval.

Passed by the city council and approved by the Mayor this 4th day of March, 1935.

J. Henry Johnson
Mayor

R. B. Davidson
City Clerk

AFFIDAVIT OF POSTING

STATE OF MONTANA)
COUNTY OF LAKE) ss.

R. B. Davidson, being first duly sworn deposes and says:
That he is the City Clerk of the City of Polson, Montana:
That on the 11th day of March 1935, in accordance with an ordinance of said City requiring copies of all ordinances and Resolutions to be posted, he posted copies of Ordinance No. 175 in three of the most public places in said city of Polson, Montana. That all of said copies were full true and correct copies of Ordinance No. 175 and of the whole thereof.

R. B. Davidson

Subscribed and sworn to before me this 18th day of March, 1935.

Lloyd I. Wallace
Notary Public for State of Montana
Residing at Polson, Montana.
My Commission Expires 8/1/37