

ORDINANCE NO. 256

AN ORDINANCE MAKING IT AN OFFENSE TO DRIVE ANY MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS, AND PROVIDING PENALTIES THEREFOR, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. (a) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is under the influence of intoxicating liquor to drive or be in actual physical control of any vehicle within this municipality.

(b) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle, to drive a vehicle within this municipality. The fact that any person charged with such a violation of this paragraph is or has been entitled to use such drug under the laws of this municipality shall not constitute a defense against any charge of violating this paragraph.

(c) Every person who is convicted of a violation of this section will be punished by imprisonment for not more than six (6) months, or by fine of not less than fifty-dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by both fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year, or in the discretion of the court, a fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL and approved by the Mayor this first day of July, 1957.

s/ Sam P. Smith  
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Mayor

ATTEST:

s/ S. H. Harding  
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City Clerk