

HOUSE BILL NO. 409

INTRODUCED BY N. WILSON

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A LIMIT ON THE NUMBER OF JUNK VEHICLES ALLOWED TO ACCUMULATE UNDER COMMUNITY DECAY LAWS; AND AMENDING SECTION 7-5-2110, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-5-2110, MCA, is amended to read:

"7-5-2110. ~~Community decay defined~~ Definitions. As used in 7-5-2111 and this section, the following definitions apply:

(1) ~~(a) In 7-5-2111, "community "~~Community decay" means a public nuisance created by allowing rubble, debris, junk, four or more junk vehicles, or refuse to accumulate resulting in conditions that are injurious to health, indecent, offensive to the senses, or obstruct the free use of property so as to interfere with the comfortable enjoyment of life or property.

~~(2)(b)~~ "Community decay" ~~as used in 7-5-2111~~ may not be construed or defined to apply to:

~~(a)(i)~~ normal farming, ranching, or other agricultural operations or to a farm, ranch, or other agricultural facility, and any appurtenances thereof, during the course of its normal operations; or

~~(b)(ii)~~ normal activities at a shooting range.

(2) (a) "Junk vehicle" has the meaning provided in 75-10-501.

(b) A "junk vehicle" refers to a vehicle that is on the property of an individual, regardless of whether the vehicle is owned by the individual, who is not licensed as an operator of a motor vehicle wrecking facility or motor vehicle graveyard as required under 75-10-511."

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