

“Civics 101: Livingston, Montana”

Class Outline: January 20, 2009

Legal Structure of Local Government in Montana

- 1) United States Constitution
 - a) Article I: Sec. 8, 9, 10
 - b) 10th Amendment
- 2) Montana Constitution
 - a) Article 11, Sec. 3: “The **Legislature** shall provide methods for governing local government units & procedures.....”
 - i) Sec. 4: General Powers (non-charter; Livingston)
 - ii) Sec. 5: Self-Government Charters
 - iii) Sec. 6: Self-Government Powers
 - iv) Sec. 7: Intergovernmental Cooperation (Agreements)
 - v) Sec. 8: Initiative & Referendum
 - vi) Sec. 9: Government Review Commission
- 3) Montana Code Annotated
 - i) Classification/Livingston, 2d – Less than 10,000 More than 5,000 Population
 - ii) Distribution of Powers (7-1-4122)
 - iii) Legislative Powers of Municipality (7-1-4123)
 - iv) General Powers (7-1-4124)
 - v) Public Hearing (7-1-4131)
 - vi) Public Records (7-1-4144)
 - vii) Mayor/Council Form of Government (7-3-201)
- 4) Commission-Manager Form of Government (7-3-301 MCA)
 - a) Role of City Manager (“Administrative Head”, 7-3-4362)
 - i) Duties of City Manager (7-3-4363 MCA)
 - b) Role of City Commission (7-3-305; 7-3-4365)
 - i) “Levels & Duties” Chart
 - c) Policy v. Operations
 - i) Policy Development Chart (Livingston)
 - ii) Organizational Chart (Livingston)
- 5) Relationships to State Government
 - a) Executive Agencies (Regulatory & Assistive)
 - b) Legislature (Policy & Law)
- 6) Setting Local Law
 - a) Ordinances: Local law and prescribed penalties for violation
 - b) Resolutions: Directs an Action (Sign a Contract), Collects Fee/Assessment, Policy Statement.
 - c) Procedure of Adoption of Ordinances/Resolutions (7-3-4324)
 - d) Effective Dates (7-3-4325)

REFERENCES

www.livingstonmontana.org

U.S. Constitution (http://www.constitution.org/constit_.htm)

Montana Constitution (<http://leg.mt.gov/css/default.asp>)

Montana Code Annotated (<http://leg.mt.gov/css/default.asp>)

ICMA Municipal Yearbook, 2008; International City/County Managers Association;
www.icma.org

City of Livingston Municipal Code

Governing Montana at the Grass Roots. Weaver, Ken. 2002.

