

Petition to demonstrate the necessity for enforcement of:

Montana Code § 45-8-111: PUBLIC NUISANCE

Occurring at 1061 Tefft Street Corvallis, Montana 59828 which violates the rights of persons living near, employed by and/or patronizing the Bitterroot Early Learning Center located at 1065 Tefft Street Corvallis Montana.

The events necessitating this petition to enforce the PUBLIC NUISANCE LAW can be defined by Montana Code § 45-8-111:

WHEREAS:

SECTION 1 subsection (a) "a condition that endangers safety or health, is offensive to the senses, or obstructs the free use of property so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood or by any considerable number of persons."

AND

WHEREAS :

SECTION (2) "A person commits the offense of maintaining a public nuisance if the person knowingly creates, conducts, or maintains a public nuisance "

AND

WHEREAS :

SECTION (3) "Any act that affects an entire community or neighborhood or any considerable number of persons" AND "as specified in subsection (1)(a), is no less a nuisance because the extent of the annoyance or damage inflicted upon individuals is unequal."

Rationale for Petitioning:

The acts of leering through windows, Posting offensive signage and unwanted video cameras in a conspicuous manner which purposefully interferes with the comfortable enjoyment of life or property by a considerable number of persons including but not limited to the employees, parents and/or legal guardians and their children enrolled at the Bitterroot Early Learning Center located at 1065 Tefft Street Corvallis Montana are in direct violation of Montana Code § 45-8-111.

The residents of the property located at 1061 Tefft Street were notified that their acts and behavior were offensive to a considerable number of people (a violation of **SECTION 1**) on numerous occasions via police reports, in person and with signage clearly posted at the business located at 1065 Tefft Street Corvallis Montana renouncing the act of bullying.

Regardless of being informed that their acts were offensive to a considerable number of people, the individuals residing at 1061 Tefft Street knowingly continued to commit the offense of maintaining a public nuisance in direct violation of **SECTION 2**.

These acts affect and are affecting a considerable number of persons as demonstrated by the signatures of Ravalli County Residents personally offended by the intentional condition created and maintained by the residents living at 1061 Tefft Street Corvallis Montana. This is in direct violation of **SECTION 3**.

This petition will be sent at a minimum and in no particular order to the following Public Officials notifying them of the ongoing violation of this code:

Ravalli County Commissioners Office
Attn. County Commissioners; J.R. Iman, Ron Stoltz, Greg Chilcott, Jeff Burrows, Suzy Foss
215 S 4TH Street Suite A
Hamilton, MT 59840
PH: 375-6501

Ravalli County Attorney's Office
Attn: County Attorney Bill Fulbright
205 Bedford Street Suite C
Hamilton, MT 59840
PH: 375-6501

Ravalli County Sheriff's Office
Attn: Ravalli County Sheriff Chris Hoffman
205 Bedford Street Suite G
Hamilton, Montana 59840
PH: 363-3033

Ravalli County Clerk/Recorder
Attn: County Clerk Regina Plettenberg
215 S 4th Street
Hamilton, Montana 59828
PH: 375-6555

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**MONTANA CODE ANNOTATED
COMPLETE TEXT
Montana Code § 45-8-111 : PUBLIC NUISANCE**

(1) "Public nuisance" means:

(a) a condition that endangers safety or health, is offensive to the senses, or obstructs the free use of property so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood or by any considerable number of persons;

(b) any premises where persons gather for the purpose of engaging in unlawful conduct; or

(c) a condition that renders dangerous for passage any public highway or right-of-way or waters used by the public.

(2) A person commits the offense of maintaining a public nuisance if the person knowingly creates, conducts, or maintains a public nuisance.

(3) Any act that affects an entire community or neighborhood or any considerable number of persons, as specified in subsection (1)(a), is no less a nuisance because the extent of the annoyance or damage inflicted upon individuals is unequal.

(4) An agricultural or farming operation, a place, an establishment, or a facility or any of its appurtenances or the operation of those things is not or does not become a public nuisance because of its normal operation as a result of changed residential or commercial conditions in or around its locality if the agricultural or farming operation, place, establishment, or facility has been in operation longer than the complaining resident has been in possession or commercial establishment has been in operation.

(5) Noises resulting from the shooting activities at a shooting range during established hours of operation are not considered a public nuisance.

(6) A person convicted of maintaining a public nuisance shall be fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both. Each day of the conduct constitutes a separate offense.

Let it be acknowledged that a considerable number of persons have been and continue to be affected by a purposeful and maintained PUBLIC NUISANCE as defined by

Montana Code § 45-8-111 : PUBLIC NUISANCE

Hereby demonstrated by the signatures of the following Montana Residents living near or employed by and/or Patrons of The Bitterroot Early Learning Center and as documented in Offence Report #13OFF2573 as written on 09Sep2013 in Ravalli County Montana:

NAME /Signature	County of Residence	Phone Number
TORY L WALRATH <i>Tory Walrath</i>	RAVALLI CO.	369-5119
<i>Katherine King</i>	Ravalli	369-5120
Sarah Craun <i>Sarah Craun</i>	Ravalli	961-8322
Cristie Goodnight <i>Cristie Goodnight</i>	Ravalli	254-290-4226
Jane Fernandez <i>Jane Fernandez</i>	Ravalli	642-3390
Mickayla Weidow <i>Mickayla Weidow</i>	Ravalli	381-5151
Heather Villanov <i>Heather Villanov</i>	Ravalli county	531-7881
Jessica Jessop <i>Jessica Jessop</i>	Ravalli County	961-3647
Denise Teller <i>Denise Teller</i>	Ravalli	552-3967
<i>Miss [unclear]</i>	Ravalli	360-4984
Donald Goodnight <i>Donald Goodnight</i>	Ravalli	254-394-1113
Alicia Bourassa <i>Alicia Bourassa</i>	Ravalli	406-239-3642
Brittney Jensen <i>Brittney Jensen</i>	Ravalli	702-375-4760
Katelyn Andersen <i>Katelyn Andersen</i>	Ravalli	375-6661
Kathryn Wainwright <i>Kathryn Wainwright</i>	Ravalli	381-2327
Charles & McRae <i>Charles & McRae</i>	Ravalli	381-3354
FRANCES McRAE <i>Frances McRae</i>	RAVALLI	381-3354
Helsey Lemon <i>Helsey Lemon</i>	Ravalli	207-1311
Rebecca Burns <i>Rebecca Burns</i>	Ravalli	406-381-4947
Shelbi Richards <i>Shelbi Richards</i>	Ravalli	406-381-6409
Lacey Jessop <i>Lacey Jessop</i>	Ravalli	406-961-0123
Renee Waller <i>Renee Waller</i>	Ravalli County	541-992-5100
Cynthia C. MacIsaac <i>Cynthia C. MacIsaac</i>	Ravalli	406-961-0196
Tamar Joseph <i>Tamar Joseph</i>	Ravalli	381-6845

NAME /Signature

County of Residence

Phone Number

Morgan Uzzell / Morgan Uzzell	Ravalli	375-0400
Destiny Davis / Destiny M. Davis	Ravalli	(252) 531-3249
Angela Thorne / Angela M. Thorne	Ravalli	(406) 821-0272
Mark R. Kirk / Mark R. Kirk	Ravalli	370-9365
Linda Jordan / Linda Jordan	Ravalli	406-363-7033
Kristen Hattestad / Kristen Hattestad	Ravalli	406-369-2531
William	Ravalli	406-369-5001
Jeff Shew	Ravalli	760-720-6823
Shanna Weidow	Ravalli	406-360-2156
Justin Simmons	Ravalli	406-396-0372
Gabby Simmons	Ravalli	406-396-0374
Talisha Kay Neacht	Ravalli	406-360-4311
Michael R. Needles	Ravalli	406-360-3604
Aaron M. Jessop	Ravalli	406-369-5932
Matthew Cook	Ravalli	406-361-5912
Michael V. Egan	Ravalli	406-381-3250
Brian Lawson / Brian	Ravalli	406-214-1034
Hop Lawson	Ravalli	406-530-0799
Salene Spence	Ravalli	801-824-0393
Willie Fowler	Ravalli	406-239-3826
John	Ravalli	406-961-0042
John	Ravalli	406-369-1911
Deborah F. Brown / Deborah F. Brown	Ravalli	406-369-5932
Derek Lewis / Derek Lewis	Ravalli	406-552-0100
Taylor Ray / Taylor Ray	Ravalli	252-227-2898
Normanda L. Talbot	Ravalli	406-381-3200
Donna R. Burns	Ravalli	406-642-3577
Dennis M. Burns	Ravalli	406-642-3577
Shela Deger	Ravalli	406-375-9280
A. White	Ravalli	406-531-7880
John	Ravalli	406-369-1944

NAME /Signature

County of Residence

Phone Number

~~Rick Clark~~ Ravalli (406) 989-1413

~~Todd Dwyer~~ Ravalli (360) 773-5485

~~[Signature]~~ Ravalli (406) 381-3970

~~[Signature]~~ Ravalli 406-363-8615

~~[Signature]~~ Ravalli 406-531-7030

Brandon Hawkinsen Ravalli 406-381-4251

~~[Signature]~~ Ravalli 406-364-2167

Catherine Gages Ravalli 406-207-1457

Daniel T. Hagen Ravalli 406-546-6077

Kouaenap Balm Ravalli 406-370-4137

Ronald S. Alderton Ravalli 406-369-2515

Christi Skelton Ravalli 406-369-2614

~~[Signature]~~ Ravalli 406-531-9591

Cruz R. Agui Ravalli 406-546-3357

~~[Signature]~~ Ravalli (406) 369-2798

Chris Andersen Ravalli (406) 360-5576

Kathleen Kowal Ravalli (406) 270-1280

Denise Aurigema Ravalli (406) 363-7033

Clarie Jessop Ravalli (406) 360-8073

John W. Kirby Ravalli 406-360-3304

Bob S. Howell Ravalli 406-516-2220

~~[Signature]~~ Ravalli (406) 961-8302

Madsen Ravalli 406-370-7126

Opie Ruskauff Ravalli 406-360-9130

~~[Signature]~~ Ravalli 406-961-0131

~~[Signature]~~ Ravalli 406-961-6131

~~[Signature]~~ Ravalli 406-961-4647

~~[Signature]~~ Ravalli 406-363-8888

Cindy Kuff Ravalli 406-381-6484

10405 Telft St
Cornwallis, MT

59828

MISSOULA, MT
19 SEP 13 PM

Recall: County Commissioners

Attn: County Commissioners:
Blair, Susan Foss, J.R. Innes, Ron Stoltz, Gary
215 S 4th St. Suite A
Hann, Hon, MT

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