

EMERGENCY ROOSEVELT COUNTY ORDINANCE # 01

The Board of County Commissioners of Roosevelt County , Montana meeting in regular session on June 24, 1996, has declared that an emergency exists and that the following ordinance shall be effective on JULY 1, 1996.

AN ORDINANCE REGULATING THE STOPPING STANDING AND PARKING ON RODEO ROAD AND PROVIDING A PENALTY FOR VIOLATIONS.

WHEREAS it has been brought to the Commissioners attention that a danger exists on the road known as Rodeo Road, more specifically described below, caused by the standing, stopping and parking of motor vehicles on that road. This practice has caused emergency vehicles to make untimely responses and lends itself to a general hazard to the public during times of maximum usage of that road, thereby creating an emergency.

DESCRIPTION OF ROAD

Beginning at the Center one-quarter corner of Section 15, Township 27 North, Range 47 East, Principal Meridian, Montana; thence Easterly along the quarter line to the center one-eighth corner; Thence South along the East one-eighth line to the East one-eighth line common to Section 15 and Section 22 of Township 27 North, Range 47 East.

DEFINITIONS

Section I

For the purposes of this ordinance, the following words shall have the meaning given herein.

A. **Stopping and Standing** means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer, Highway Patrol Officer or other person acting in that capacity.

B. **Parking**, when prohibited, means the standing of a vehicle whether occupied or not; otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Section II

A. **No person shall stop, stand or park a vehicle**, whether attended or

unattended, upon the road known as Rodeo Road as described above at any time.

Section III

A. The penalty for the violation of this ordinance shall not exceed \$50.00.

DATED this 24 th day of June 1996.

BOARD OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, MONTANA

Lee Matejovsky

Chairman

Walter Herman

Member

Aruthya A. Cody

Member

ATTEST:

Cheryl A. Hansen

County Clerk and Clerk of the
Board of County Commissioners



ROOSEVELT COUNTY ORDINANCE # 6

An Ordinance restricting the speed of traffic in certain areas within Roosevelt County, Montana; providing for penalties for violation; and establishing an effective date.

WHEREAS it has come to the attention of Roosevelt County that a need for a limit on the speed of traffic on certain roadways in the County, particularly on County Road 2058, County Road 1004 and County Road 327;

NOW THEREFORE, IT IS HEREBY ORDERED:

1. That the maximum speed on the following roadways shall be 35 miles per hour:
 - a. County Road 1004 in Township 28N, Range 59E, Section 17, starting at the northern section line and then to a point south for one-half mile; and
 - b. County Road 2058 in Township 28N, Range 51E, at the junction of Sections 21, 22, 27 and 28 and then 1/8 of a mile east and 1/8 of a mile west of that point, for a total of 1/4 mile.
2. That the maximum speed shall be 45 miles per hour on County Road 327 commencing at the city limits on the southeast edge of the City of Bainville, in Township 28N, Range 58E, Section 34 and continuing to the North Dakota – Montana state line, intersecting **Township 28N, Range 58E, Sections 34 and 35; Township 27N, Range 58E, Sections 1, 2, 12, 13, and 24; Township 27N, Range 59E, Sections 7, 18, 19, 20, 28, 29, 32, and 33; Township 26N, Range 59E, Sections 3, 10, 1 and 14.**
3. Subject to the maximum speed limits set forth herein, a person shall operate a vehicle in a careful and prudent manner and at a reduced rate of speed no greater than is reasonable and prudent under the conditions existing at the point of operation, taking into account the amount and character of traffic, visibility, weather, and roadway conditions.
4. The penalty for violating this ordinance shall be as follows:
 - a. Traveling 1-10 miles per hour over = \$20 fine;
 - b. Traveling 11-20 miles per hour over = \$40 fine;
 - c. Traveling 21-30 miles per hour over = \$70 fine; and
 - d. Traveling 31+ miles per hour over = \$100 fine.
5. This Ordinance shall be effective 30 days after the second reading of the Ordinance by the Roosevelt County Commissioners.

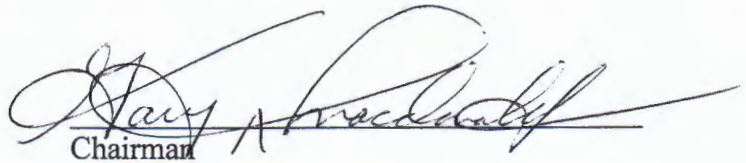
Dated this 12th day of July, 2005.

First Reading July 6, 2005

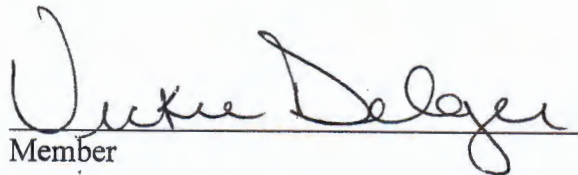
368266 ORDINANCES Pages: 2
STATE OF MONTANA ROOSEVELT COUNTY
RECORDED: 09/06/2005 10:30 KOI: ORDINANCE
Cheryl A Hansen CLERK AND RECORDER
FEE: \$0.00
BY: [Signature]
TO: ROOSEVELT COUNTY COMMISSIONERS

#6

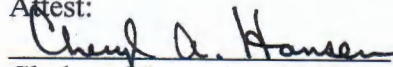
Second Reading July 12, 2005


Chairman


Member


Member

Attest:


Cheryl A. Hanson
Clerk and Recorder, Roosevelt
County, Montana, and Ex-Officio
Clerk of the Board of County
Commissioners of said County

ROOSEVELT COUNTY ORDINANCE # 6

COPY

29-57

ROOSEVELT COUNTY ORDINANCE #5

An Ordinance establishing a county-wide curfew in Roosevelt County, Montana; providing for penalties for violations; and establishing an effective date.

WHEREAS, the Roosevelt County Commissioners have determined that a County ordinance is needed to supplement the various municipalities and tribal curfew laws.

NOW THEREFORE, IT IS HEREBY ORDERED:

Section 1. CURFEW

- A. It shall be unlawful for any child under the age of eighteen (18) years of age, to be upon any public place or thoroughfare within the exterior boundaries of the County of Roosevelt, State of Montana between the hours of **11:00 p.m. and 5:00 a.m.**
- B. The provisions contained herein shall not apply to any minor who is accompanied by his or her parent or guardian, nor shall they apply until one-half hour after the close of any school or community function, which has been attended by such minor.
- C. It shall be the duty of the peace officers to apprehend and take into custody any minor child found in violation of this Ordinance and to hold said minor until his or her parents or guardian have been summoned and appear. Said child may be charged and penalties may be imposed as per the juvenile laws of the State of Montana, which are by reference incorporated herein and made a part of this Ordinance, which shall be considered a misdemeanor offense.

Section 2. PARENT/GUARDIAN LIABILITY

- A. Any parent or guardian of a minor child charged herein who shall fail or refuse to have their child observe and obey the provisions herein may also be charged with a violation of this Ordinance.
- B. Upon a first conviction, the parent or guardian shall be punished by the Court as follows:
 - 1. A fine of not less than \$25 or more than \$50;
 - 2. Not more than 20 hours of community service; and
 - 3. Incarceration in the County Jail for not more than twenty-five days.
- C. Upon a second conviction a parent or guardian shall be punished by the Court as follows:
 - 1. A fine of not less than \$50 or more than \$100;
 - 2. Not less than 20 hours of community service or more than 40 hours of community service; and
 - 3. Incarceration in the County Jail for not more than twenty-five days.
- D. Upon a third or subsequent conviction a parent or guardian shall be punished by the Court as follows:

1. A fine of not less than \$100 or more than \$250;
2. Not less than 40 hours of community service or more than 80 hours of community service; and
3. Incarceration in the County Jail for not more than twenty-five days.

- E. It shall be presumed that the parent or guardian has failed or refused to have their child observe and obey the provisions of this Ordinance if their child's offense is his or her third offense in a 12-month period. This presumption may not be used against a parent or guardian who makes the initial report to authorities of the pending curfew violation.
- F. Upon any conviction of the parent or guardian under Section 2, the Court shall sentence the parent or guardian, in addition to any other punishment provided herein, to serve a minimum of forty eight hours (48) in the county jail, which may not be suspended, if the minor child's curfew violation is his or her third or subsequent offense in 12 month period.

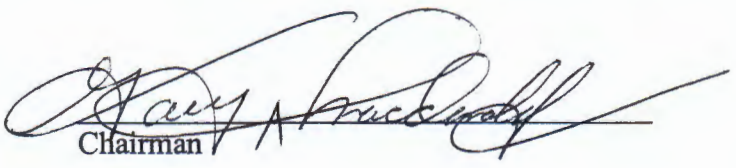
Section 3. OTHER


- A. For purposes of this Ordinance, the 12-month time period referred to herein, shall begin to run from the date of the first offense during the previous 12 months and end on the date of the present offense and not the date of actual conviction.
- B. This Ordinance shall be effective 30 days after the second reading of the Ordinance by the Roosevelt County Commissioners.

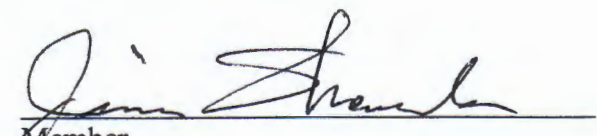
Dated this 9th day of June, 2003.

First Reading Date: 5-14-03 Vote for: 3 Vote against: _____

Second Reading Date: 6-9-03 Vote for: 3 Vote against: _____

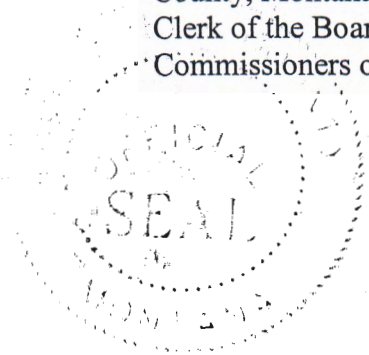

 Chairman


 Member


 Member

Attest:

Sonja Friesen, deputy
Clerk and Recorder, Roosevelt
County, Montana, and Ex-Officio
Clerk of the Board of County
Commissioners of said County



ROOSEVELT COUNTY ORDINANCE #4

An Ordinance prohibiting the use of engine decompression brake mechanisms, a/k/a "Jake Brakes", within 1,000 feet of the City of Culbertson in Roosevelt County, Montana; providing for penalties for violation; and establishing an effective date.

WHEREAS, the Roosevelt County Commissioners have determined that an ordinance is needed to preserve and protect the peace and quiet, and comfort of the citizens of Culbertson, Roosevelt County, Montana, by prohibiting the use of engine decompression brake mechanisms, a/k/a "Jake Brakes" within 1,000 feet of the city limits of Culbertson, in Roosevelt County, particularly when approaching Culbertson on Highway #2 and Highway #16.

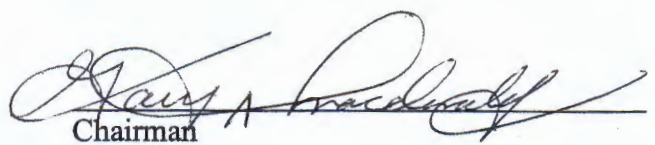
NOW THEREFORE, IT IS HEREBY ORDERED:


1. That the use of engine decompression brake mechanisms, a/k/a "Jake Brakes" within 1,000 feet of the city limits of the City of Culbertson in Roosevelt County is prohibited by any vehicle.
2. A person violating this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50 or more than \$300.
3. This Ordinance shall be effective 30 days after the second reading of the Ordinance by the Roosevelt County Commissioners.

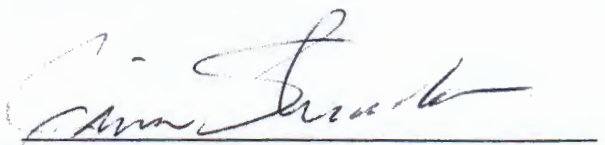
Dated this 8 day of ~~March~~^{April}, 2003.

First Reading 3-24-2003 E.T. JLS.

Second Reading 4-8-2003


Chairman


Member


Member

COPY

ROOSEVELT COUNTY ORDINANCE #3

An Ordinance setting maximum vehicular speeds on certain county roads in Roosevelt County, Montana; providing penalties for violation and establishing an effective date.

BE IT ORDAINED by the Board of Commissioners of Roosevelt County, Montana, that no vehicle may be operated at a speed greater than 45 miles per hour on road #1022 (Old 16 Highway) county road from the city limits of the town of Culbertson to a point North to road #2054, approximately 6 miles. Starting at W 1/2 of Section 20, Township 28 North, Range 56 East and proceeding north to W 1/2 section 17; NE 1/4 Section 18; E 1/2 E 1/2 of Section 7 and on the section line between 5 & 6.

A person violating the speed limits imposed hereby shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine not less than \$25.00 or more than \$300.00.

First reading was June 27, 2002 with three aye votes of the Commissioners. (copy in minutes of that date)

Second reading was this date with two aye votes.

This Ordinance shall become effective 30 days after the second reading.

DATED this 31st day of July, 2002.

**BOARD OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, MONTANA**

Jerry A. Toops
Chairman

Wayne A. Braden
Member

ATTEST: *Janice Strickland* Member
deputy

County Clerk and Clerk of the
Board of County Commissioners

Attest:

Cheryl A. Hansen

Clerk and Recorder, Roosevelt
County, Montana, and Ex-Officio
Clerk of the Board of County
Commissioners of said County

CHL

ROOSEVELT COUNTY, MONTANA ORDINANCE NO. 2

An ordinance designating parking spaces for persons with disabilities.

Whereas, the Board of County Commissioners for Roosevelt County find it necessary to designate special parking spaces for persons with disabilities; and

Whereas, the area in front of what is commonly known as the "Adult Building" located North of 8th Street , Township 28 North, Range 56 East, P.M.M., Section 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Culbertson, Montana, is available for such parking spaces; and

Whereas, §49-4-302, M.C.A. allows a local government to require and set forth such requirements for parking places for persons with disabilities on County property; and

Whereas, there is an immediate need for parking spaces because of the annual county fair conducted in this area.

NOW THEREFORE, IT IS HEREBY ORDERED:

That two (2) angle parking spaces shall be constructed in accordance with §45-9-302, M.C.A., in front of the "Adult Building" at the Roosevelt County Fairgrounds in accordance with the requirements.

Any violation of this Ordinance shall be punishable by a fine of not more than \$100.00.

Dated this 10 day of July, 2002.

First Reading F.T. July 9, 2002

Second Reading F.T. July 10, 2002

Ferris A. Joos
Chairman

Walter Herman
Member

Gary A. Macdonald
Member

Attest:

Cheryl A. Hansen

7. **CONTROL OF PETS:** In any collection of five (5) or more residences, including all recognized cities, towns and communities in Roosevelt County, Montana, all owners of dogs shall be limited to three (3) dogs and shall prevent them from freely roaming from the owner's immediate property. Prevention of roaming shall be achieved by the owner's fencing of their property or directly securing their dog(s) by means of leash or harness, or by any other means which adequately prevents their pets from roaming away from the owner's property.

Any dog(s) whether licensed or unlicensed, which roam away from the owner's property shall be considered a stray animal, and shall be considered a stray dog as provided hereinabove.

8. **QUARANTINE:** Any animal capable of carrying rabies which is reported to have bitten any person shall be quarantined for a period of not less than ten (10) days with a qualified veterinarian or other approved authority, such as the above-mentioned shelters. Such animal shall not be released without permission from Roosevelt County's Animal Control Officer. The owner, if known, will be responsible for all costs of quarantine.

9. **ENFORCEMENT AND PENALTY:** This ordinance shall be enforced by the Roosevelt County Sheriff and the Sheriff's designated agents.

Any owner found guilty of violating any provision hereof shall, upon conviction thereof, be subject to the general penalty provisions of §7-5-109 (1), M.C.A. 2005, as may be amended from time to time.

APPROVED this 20th day of February, 2007.

ROOSEVELT COUNTY COMMISSIONERS

By: James Krass
Harry A. Rockwood
Wickie Delger

ATTEST:

Cheryl A. Hansen
County Clerk and Clerk of the Board
of County Commissioners

First Reading:

For: 3
Against: 0

Second Reading:

For: 3
Against: 0

EFFECTIVE DATE:

March 22, 2007

ORIGINAL

ROOSEVELT COUNTY ORDINANCE #10

An Ordinance establishing a speed limit of 45 miles per hour on Road 1011, Road 1013, and Road 2060, in Roosevelt County, State of Montana; providing for penalties for violation; and establishing an effective date.

WHEREAS, the Roosevelt County Commissioners have determined that an ordinance is needed to establish a reasonable and safe speed limit on Road 1011, Road 1013, and Road 2060, in Roosevelt County, State of Montana.

WHEREAS, concerns have been raised by the community regarding the condition of Road 1011, Road 1013, and Road 2060 and the lack of a posted speed limit.

WHEREAS, the Montana State Legislature has enacted MCA §61-8-310 which allows local authorities in the State of Montana to alter and establish reasonable and safe speed limits on arterial streets and county roads.

NOW THEREFORE, IT IS HEREBY ORDERED:

1. That the speed limit on Road 1011, Road 1013, and Road 2060 shall be 45 miles per hour.
2. A person violating this Ordinance shall be guilty of a misdemeanor and upon conviction fined for violating the speed limit in accordance with the following schedule:

<u>Amount of Fine</u>	<u>MPH in Excess of Speed Limit</u>
\$40	1-10
\$70	11-20
\$120	21-30
\$200	31+

Subject to the maximum speed limits set forth above, a person shall operate in a careful and prudent manner and at a reduced rate of speed no greater than is reasonable and prudent under the conditions, existing at the point of operation, taking into account the amount and character of traffic, visibility, weather, and roadway conditions.

3. This Ordinance shall be effective thirty (30) days after the second reading of the Ordinance by the Roosevelt County Commissioners.

Dated this 4th day of June, 2019.

First Reading May 21 2019 Vote: FOR Gary Macdonald, Duane Nygaard
Gordon Oelkers. Against: None

Second Reading June 4 2019 Vote: For Gary Macdonald, Duane Nygaard
Gordon Oelkers Against: None

[Handwritten Signature]
Chairman

[Handwritten Signature]
Member

[Handwritten Signature]
Member



Attest:

Cheryl A. Hansen
Clerk and Recorder, Roosevelt
County, Montana, and Ex-Officio
Clerk of the Board of County
Commissioners of said County

ROOSEVELT COUNTY ORDINANCE #9

An Ordinance regulating vicious dogs within Roosevelt County, Montana; providing for penalties for violation; and establishing an effective date.

WHEREAS it has come to the attention of Roosevelt County that a need for a restriction on ownership of vicious dogs in the interest public health;

WHEREAS Roosevelt County has seen a recent increase in reported dog bites and vicious dogs;

WHEREAS Roosevelt County is authorized by Mont. Code Ann. §7-23-2109 (2013) to regulate, restrain, control, kill, or quarantine any vicious dog, whether licensed or unlicensed by the adoption of an ordinance.

NOW THEREFORE, IT IS HEREBY ORDERED:

1. Any person who keeps, harbors, or maintains a vicious dog shall be guilty of a misdemeanor, punishable, for first offense, of a fine up to \$250, destruction of the dog, or both. A person convicted of a second or subsequent offense shall be fined up to \$500, destruction of the dog, or both. If the same dog is involved in the second offense, destruction of the dog is mandatory. The owner shall be liable for any impoundment fees, regardless if the dog is released or destroyed.
2. Roosevelt County Sheriff's Office, or any other law enforcement agency may impound and quarantine any dog involved in a dog bite pursuant to this ordinance, in accordance with ARM 32.3.1204.
3. Definitions
A "vicious dog" is defined as one which bites or attempt to bite any human being without provocation or which harasses, chases, bites, or attempts to bite any other animal including livestock and other domestic pets.
A "bite" is defined as any abrasion, scratch, puncture, laceration, bruise, tear, or piercing of the skin inflicted by the teeth of an animal.
4. If a dog is not destroyed after a first offense, the court shall order that an identifying microchip be implanted by a licensed veterinarian at the owner's expense, identifying the dog as a vicious dog. After implantation of the identifying microchip, the dog must be kept in a fully enclosed area unless on a leash with a muzzle. If the dog is impounded for any other reason such as a running at large, the dog shall be destroyed.
5. This is an absolute liability offense, a mental state is not necessary for conviction.
6. This matter must be presented to a court with a sworn affidavit and a 10 day quarantine period must follow a bite before destruction. An owner is entitled to notification of quarantine. Destruction may be ordered even if an owner is unable to be notified if due diligence is used.
7. Upon petition of victim(s), prosecuting attorney or law enforcement, a judge shall consider destruction of any vicious dog for a first offense.
8. Law enforcement must notify local health officials of any biting incident, in order that procedures of ARM 37.114.571 may be followed.

9. This Ordinance shall be effective 30 days after the second reading of the Ordinance by the Roosevelt County Commissioners.

Dated this 28th day of July, 2015.

First Reading July 21, 2015 For 3 Against 0

Second Reading July 28 15 For 2 Against 0

[Signature]
Chairman

[Signature]
Member

Member



Attest:
[Signature]
Clerk and Recorder, Roosevelt
County, Montana, and Ex-Officio
Clerk of the Board of County
Commissioners of said County

ROOSEVELT COUNTY ORDINANCE #9

ORDINANCE NO. 08

**AN ORDINANCE PROHIBITING THE DISPOSAL
OR DISCHARGE OF SEWAGE/WASTEWATER ON COUNTY ROADS,
RIGHTS-OF-WAY AND OTHER COUNTY PROPERTY**

SECTION:

- 1: Definitions
- 2: Applicability
- 3: Discharge/Disposal Prohibited
- 4: Enforcement and Penalty

1. DEFINITIONS: As used in this ordinance, the following definitions apply:

“Disposal” means the discharge, injection, deposit, dumping, spilling, leaking, or placing of sewage/wastewater and saltwater as defined herein, into or onto the land or water.

“Person” means an individual, firm, partnership, association, corporation, city, town, local government entity, or other government or private entity, whether organized for profit or not.

“Sewage/Wastewater” includes domestic sewage, wastewater and wastewater generated in a commercial or industrial process, including saltwater from oil production process.

2. APPLICABILITY: This ordinance applies to all Roosevelt County roads, Rights-of Way, and County property.

3. DISCHARGE/DISPOSAL PROHIBITION: No person shall discharge or dispose of sewage, wastewater or industrial wastewater on or along County roadways, rights-of-way or County property.

4. ENFORCEMENT AND PENALTY: This ordinance shall be enforced by the Roosevelt County Sheriff and the Sheriff’s designated agents.

395404 ORDINANCE Pages: 2
STATE OF MONTANA ROOSEVELT COUNTY
RECORDED: 08/20/2012 2:30 KOI: ORDINANCE
Charyl A Hansen CLERK AND RECORDER
BY: *Jan Tarkenton*
FEE: \$0.00
FO: ROOSEVELT COUNTY COMMISSIONERS 400 2ND AVE SOUTH, WOLF POINT

08

Any person found guilty of violating any provision hereof shall, upon conviction thereof, be subject to the general penalty provisions of §7-5-109 (1), M.C.A. 2011, as may be amended from time to time.

APPROVED this 20th day of August, 2012.

ROOSEVELT COUNTY COMMISSIONERS

By: *Kary McDonald*
James Shuler
Walter Byard

First Reading:

For: 3
Against: 0

Second Reading:

For: 3
Against: 0

EFFECTIVE DATE: September 19, 2012

ORDINANCE NO. 7
DOG CONTROL ORDINANCE
FOR ROOSEVELT COUNTY, MONTANA

SECTION:

- 1: Definitions
- 2: Applicability
- 3: Licensing
- 4: Vaccination
- 5: Stray Dogs
- 6: Notice to Owner; Reclaim
- 7: Control of Pets
- 8: Quarantine
- 9: Enforcement and Penalty

1. DEFINITIONS: As used in this ordinance, unless the context otherwise dictates, the following terms and phrases shall have the following meanings:

“DOG” “DOG” means male and female canines, whether neutered or spayed.

“OWNER” “OWNER” means any person owning or having custody or responsibility for the care of a dog.

“AT LARGE” “AT LARGE” means off the premises of the owner, and not under control of the owner or a responsible party either by leash, cord, chain or other physical restraint. Any dog enclosed within an automobile or other vehicle of its owner or custodian shall be deemed to be upon the owner’s or custodian’s premises.

2. APPLICABILITY: This ordinance applies to all dogs kept or maintained in Roosevelt County.

3. LICENSING: Each owner of a dog in Roosevelt County shall obtain a license for it from one of the following entities: Roosevelt County’s Animal Control Officer, Fort Peck Tribe’s Animal Control Officer, City of Culbertson, City of Poplar, or City of Wolf Point. A license must be purchased for all dogs which are six (6) months of age or

older, and the license must be current for each year the dog is kept or maintained in Roosevelt County. No license or renewal license shall be issued unless a current certificate of vaccination is presented at the time the license is sought. A reasonable fee for licenses and renewal licenses, established from time to time by each licensing agent, shall be collected when the license is issued.

4. VACCINATION: A) All dogs shall be vaccinated against rabies with a modified live virus inactivated embryo serum. The owner is responsible for keeping the rabies vaccination current. Certificates of vaccination shall be retained by the owner and are subject to review upon request by the Roosevelt County Animal Control Officer.

B) All dogs shall wear collars upon which is displayed a rabies vaccination tag showing the number of the certificate of vaccination and the year of expiration of the vaccination.

5. STRAY DOGS: A) Roosevelt County will utilize the City of Wolf Point's shelter, or any other approved shelter, for the collection of all unclaimed or unwanted dogs. The shelter shall provide facilities for the humane destruction of dogs not licensed or vaccinated in accordance with this ordinance.

B) Dogs shall be kept at the shelter for a period of not less than five (5) days before being destroyed. A dog may be claimed by its owner at any time before it is destroyed, and by any other person after the five (5) day waiting period and before it is destroyed. Any person other than the owner may request that a particular dog be reserved for him/her and that he/she be given a chance to claim it before it is destroyed if it is not claimed by the owner during the five (5) day period.

C) Before a dog may be removed from the shelter, the claimant shall:

1. Obtain a license if it is not already currently licensed to the claimant.
2. Follow the policy and procedures of the holding shelter.
3. Pay a reasonable board fee, established by the shelter, for each day the dog has been retained at the shelter; and

D) Notwithstanding subsections B) and C) of this Section, any unlicensed stray dog which is a health hazard to the populace of Roosevelt County may be destroyed immediately.

6. NOTICE TO OWNER; RECLAIM: Within twenty-four (24) hours after the impounding of any dog, the owner, if known by means of the animal's license, shall be notified. The owner of the dog must reclaim said dog within the five (5) period stated hereinabove.