

ORDINANCE No. 923 – 1st Amendment

AN ORDINANCE OF THE CITY OF RED LODGE, MONTANA, TO AMEND THE MUNICIPAL CODE PERTAINING TO THE USE OF PUBLIC RIGHTS OF WAY AS GOVERNED IN TITLE 6 – MOTOR VEHICLES AND TRAFFIC, CHAPTER 1 – TRAFFIC CODE, SECTION 3 - STOPPING, STANDING, AND PARKING

WHEREAS, The Red Lodge City Charter provides for the exercise of self-government powers; and

WHEREAS: It is necessary to provide for reasonable and safe pedestrian and vehicular access to all businesses and commercial zones; and

WHEREAS, The City Council has determined the need to clarify certain aspects and sections of the Municipal Code as it applies to the use of the Public Rights of Way (ROW) throughout the City; and

WHEREAS, It is necessary to provide clear and consistent expectations for the safe and reasonable use of the Public R.O.W. for vehicle parking, along with the timely removal of improperly parked vehicles.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL:

1. Title 6 – Motor Vehicles and Traffic, Chapter 1 – Traffic Code, Section 3 - Stopping, Standing, and Parking of the Municipal Code of the City of Red Lodge, Montana shall be as set forth herein below:

A. **PROHIBITED IN SPECIFIED PLACES:** In addition to those locations enumerated in Montana Code Annotated Sections 61-8-353 through 61-8-357, it shall be unlawful for an operator of a vehicle to stand or park such vehicle in any of the following places except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic control sign or signal:

1. Along the east side of South Villard Avenue commencing at the northeast corner of the intersection of South Villard Avenue and Sixteenth Street West, thence northerly a distance of two hundred feet (200'), from 8:00 a.m. to 4:00 p.m. on each school day (except for any portion of the existing parking lot in this area which may extend into the Public R.O.W.)
2. Along the east side of South Villard Avenue commencing at the southeast corner of the intersection of South Villard Avenue and Fourteenth Street West, thence southerly a distance of two hundred feet (200'), from 8:00 a.m. to 4:00 p.m. on each school day.

B. **OBSTRUCTION TO TRAFFIC:**

1. It shall be unlawful to park any vehicle on any Avenue or Street for any purpose whatsoever so that the parked vehicle obstructs traffic.
2. No vehicle shall be parked in such a manner as to obstruct two-way traffic on any two-way Street or Avenue; nor shall any vehicle be parked in such a manner as to obstruct one-way traffic on any one-way Street or Avenue.

C. **PARALLEL PARKING REQUIRED:** It shall be unlawful to park any vehicle on any of the Streets or Avenues of the City for any purpose other than parallel with the curb; and then said vehicle shall be parked along the curb with both right wheels within eighteen inches (18") therefrom.

Exceptions:

1. Motorcycles, Quadricycles (motorized or non-motorized), ATVs/UTVs, and other vehicles shorter than nine (9') feet in overall length, shall park perpendicular to the curb, with the rear-end of the vehicle within six inches (6") of the curb; if parking perpendicular would present a traffic hazard, then such vehicles shall be parked as closely to perpendicular as will allow them to remain entirely outside of the traveled lane.

2. Except along Oakes Avenue, North between 7th and 8th Streets; proximal to the Library, Arts Guild, and Public Restrooms.

3. The following Angled (non-parallel) Parking sites (only) which are hereby acknowledged to exist within the City limits prior to the effective date of this Ordinance, shall be permitted to remain only temporarily pending a review by Staff, in coordination with the City Engineer, prior to the 31st of December, 2017. In the event it is determined by the Council that it is in the best interest of public safety to discontinue any or all of these sites as exceptions, each such site shall be given written notice, within 30 days of such Council decision, to cease the Angled Parking within 90 days of such cessation notice. In the event Angled Parking sites other than as noted below exist, they shall be prohibited as of the effective date of this Ordinance.

Existing Exception Sites:

- A) Red Lodge Drug at 211 Broadway N.
- B) Farmers' Insurance at 404 Broadway N.
- C) Café Regis at 501 Word Ave. S.
- D) St. Agnes Church at 1 Word Ave. N.
- E) Mountain Springs Living, Inc. at 215 Cooper Ave. N.
- F) Red Lodge Elementary and Middle Schools
(parking along Oakes between 14th and 16th Streets)

D. **PAINTED SPACES:** On Broadway Avenue and intersecting streets where parking spaces are indicated by markers or by painted spaces made on the sidewalk, such parking shall be within the painted spaces as indicated.

E. **TIME RESTRICTIONS:**

1. No on-highway vehicle, non-over-the-road vehicle, or non-motorized vehicle shall be left in or near a single location on Broadway Avenue between Fifth Street and Fifteenth Street; and within one hundred fifty feet (150') of intersecting streets between Fifth Street and the north side of Fourteenth Street in or near any one place for a longer period than four (4) hours within the hours of 8:00 a.m. and 5:00 p.m.

2. **Passenger Vehicles (Non-Commercial)–Prohibited in Specified Places:** No on-highway vehicle (non-commercial) or licensed ATV/UTV shall be left in or near a single location on the public right-of-way within the same city block, for more than five (5) consecutive days. For the purpose of this code, a city block shall be defined as any portion of a public right-of-way between two (2) successive intersections, or between an intersection and a dead-end.

3. **Non-Passenger Vehicles (Commercial/Other Heavy Duty Types):** No on-highway or non-over-the-road vehicle (rated in excess of eighteen thousand (18,000) pounds), and H.D. trailers (rated in excess of six thousand (6,000) pounds) shall be left in or near a single location on the public rights-of-way within the same block, for more than twenty-four (24) consecutive hours.

For the purpose of this code, a block shall be defined as any portion of a public right-of-way lying between two (2) successive intersections; or an intersection and the adjacent dead-end.

F. **SEASONAL RESTRICTIONS:** No vehicle shall be parked on Broadway Avenue or within one hundred fifty feet (150') of intersecting streets from Eighth Street to the north side of Fourteenth Street between the hours of 3:00 a.m. and 5:00 a.m. from October 1st to May 1st. "No Parking" signs shall be posted at the intersections of Broadway Avenue between Eighth Street and Fifteenth Street and within one hundred fifty feet (150') of intersecting streets to alert motorists to this restriction.

G. **BACKED TO CURB:** No vehicle shall remain backed up to the curb except for the minimum period necessary to load or unload. As specifically noted in Section 1. C. 1. above herein, the specific vehicle types noted shall be permitted to park backed to the curb.

H. **REMOVAL OF IMPROPERLY PARKED VEHICLES—IMPOUNDMENT:** Whenever any police officer finds an on-highway vehicle (regardless of passenger or commercial/weight classification), non-over-the-road vehicle, or non-motorized vehicle standing or parked, in or near a single location upon any public right-of-way in violation of the provisions of the City Code, such officer is hereby authorized to remove such vehicle or to require the driver or other person in charge of the vehicle to move the same and refusal or disobedience shall be punishable as is hereinafter provided. In addition, in the event of neglect, refusal or disobedience, the officer may, if he/she so elects, cause the vehicle to be removed, held and impounded at the expense of the owner, driver or occupant thereof.

I. **PROHIBITED ACTS ON BROADWAY AVENUE:** It shall be unlawful for any person to use or occupy any portion of Broadway Avenue for the purpose of setting up, assembling, experimenting with or overhauling any engine or machinery of any sort or any implement, vehicle or motor vehicle or for the purpose of washing or polishing any vehicle or motor vehicle.

J. **COMPLIANCE WITH SIGNS:** No motor vehicle or other vehicle shall be parked on Broadway Avenue in violation of restrictions stated on official signs.

2. **Repealer.** All other Ordinances, Resolutions, Documents, and Sections of the Municipal Code of the City of Red Lodge, Montana, pertaining to above noted Sections of the City Municipal Code are repealed upon the effective date of this Ordinance.


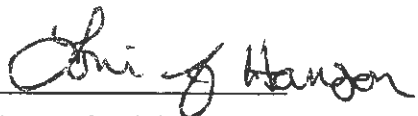
3. **Effective Date.**

This Ordinance shall be effective 30-days after approval of second reading by the City Council of the City of Red Lodge, Montana.

First Reading by the Council on the 12th day of September 2017.

Second Reading by the Council on the 25th day of September 2017.

PASSED and APPROVED this 25th day of September 2017.

City of Red Lodge
By:  Attest: 
Michael Schoenike, Mayor Loni Hanson, City Clerk