

Shelby

ARTICLE B. PARKING ON PUBLIC PROPERTY AND PUBLIC RIGHTS OF WAY

7-3B-1: DEFINITIONS:

As used in this title, unless the context otherwise indicates, the following words and terms shall have the meanings ascribed to them in this section:

APPLICANT: Those individuals who request the city council to designate a certain area as a parking zone for the physically impaired.

GOVERNING BODY: The city council of the city of Shelby.

MOTOR HOME: Any self-propelled vehicle with living quarters.

MOTOR VEHICLE: Every device in or upon which any person or property is or may be transported or drawn upon a street or thoroughfare, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

PICKUP CAMPER: Any portable, nonself-propelled unit containing living quarters situated on a pickup or other self-propelled vehicle and exceeds the vehicle's cab height by more than twelve inches (12").

RATED VEHICLE WEIGHT EXCEEDING TEN THOUSAND POUNDS: Every device, in, upon, or by which any person or property may be transported or drawn upon a public highway, except devices moved by animal power or used exclusively upon stationary rails or tracks, whose rated vehicle weight exceeds ten thousand (10,000) pounds.

STREET OR AVENUE: The entire width between the boundary lines of every street, avenue and related structure as have been or shall be built and maintained with appropriated funds of the city, and which have been or shall be built and maintained with funds of the state or which have been or shall be dedicated to public use or have been acquired by eminent domain.

TRAILER: Any nonself-propelled vehicle towed by a self-propelled vehicle.

TRUCK: Any vehicle with a rated vehicle weight exceeding ten thousand (10,000) pounds. (Ord. 755, 6-4-2001)

7-3B-2: MAIN STREET:

It is unlawful for the owner or operator of any motor vehicle to park or leave the same at any point or place on Main Street in the city between First Avenue Southeast and Fifth Avenue for a period of more than two (2) hours between the hours of eight thirty o'clock (8:30) A.M. and five thirty o'clock (5:30) P.M. of any day except Sundays and holidays. (Ord. 755, 6-4-2001; amd. Ord. 797, 9-21-2009)

7-3B-3: NO PARKING:

Division Street: It is unlawful for the owner or operator of any motor vehicle to park or leave the same at any time on Division Street.

Prairie Street: It is unlawful for the owner or operator of any motor vehicle to park or leave the same in any place on either side of Prairie Street except for the south side of the street between Teton Avenue and Sunrise Terrace.

First Avenue South: It is unlawful for the owner or operator of any motor vehicle to park or leave the same in any place on the east side of First Avenue South. (Ord. 814, 4-21-2014)

7-3B-4: RESERVED:

(Ord. 814, 4-21-2014)

7-3B-5: PARKING PROHIBITED IN SPECIFIED PLACES:

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A. Specified Places: No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a law enforcement officer or traffic control device, in any of the following places:

1. On a sidewalk;
2. In front of public or private driveway;
3. Within an intersection;
4. Within fifteen feet (15') of a fire hydrant;
5. On a crosswalk;
6. Along or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
7. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
8. Upon any bridge or other elevated structure upon a street or thoroughfare;
9. At any place where official signs prohibit stopping;
10. In the designated street right of way behind any curb area.

B. Moving Vehicle Into Prohibited Area: No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (Ord. 781, 5-7-2007; amd. 2008 Code)

7-3B-6: PARKING IN ALLEYS:

It is unlawful for the owner or operator of any motor vehicle to park or leave the same in or upon any alley in the municipality. (Ord. 755, 6-4-2001)

7-3B-7: PARALLEL PARKING:

Except as otherwise provided in this title, every vehicle stopped or parked upon the streets of the city where there are adjacent sidewalks, curbs, and gutters, or any combination thereof, shall be stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches (18") of the right hand curb, unless the city council designates a specific area for angle parking. (Ord. 755, 6-4-2001; amd. 2008 Code)

7-3B-8: ANGLE PARKING:

It shall be lawful for the owner or operator of any motor vehicle to park the same at an angle to the sidewalk, curb and gutter, or combination thereof, in the following areas:

A. On the north side of Main Street between Fifth Avenue and Sixth Avenue on Saturdays and Sundays.

B. On the north side of West Central Avenue between Mineral Street and Galena Street.

C. On the west side of Galena Street between Central Avenue and Dawson Avenue. (Ord. 797, 9-21-2009)

7-3B-9: DOUBLE PARKING:

No person shall stop or park a vehicle on the roadway side of any vehicle stopped or parked at the edge of a curb on Main Street in the city between First Avenue and Fifth Avenue except for the purpose of expeditiously dropping off or picking up a passenger or passengers. (Ord. 824, 3-21-2016)

7-3B-10: PARKING AREAS FOR PHYSICALLY IMPAIRED:

A. Fee: There shall be no fee for any application for a parking zone for the physically impaired made pursuant to this article.

B. Application: Any person, business or other entity owning real property or having a place of business or residence located within the city limits may apply to the governing body for a parking zone for physically impaired designation. The space requested must be located on a curb adjacent to or near applicant's real property, business or residence. Applicant must provide, at a minimum, the following requirements:

1. Applicant's space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs.
2. If parallel to curbside, applicant's requested parking space must be separated from an adjacent space, either in front or the rear, by at least five feet (5') of striped no parking area.
3. If at an angle to curbside, applicant's requested parking space must be at least eight feet (8') wide and free of obstruction if located at the end of a line of angle parking spaces, and each other angle parking space designated for a person with a disability must be at least thirteen feet (13') wide.
4. Applicant's parking space reserved for a person with a disability must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and stating the penalty for violation. The sign must be attached to a wall or post in such a way that it is not obscured by a vehicle parking in the space.
5. Applicant shall be responsible for purchasing and erecting the sign required by subsection B4 of this section at applicant's cost.
6. Applicant shall be responsible for outlining the designated parking zone with proper painting of the curb and striping of the area in accordance with subsections B2 and B3 of this section. Further, applicant shall be responsible for providing for the maintenance of the designated parking zone by keeping the sign in good and readable condition and by keeping the curb painting and striping in such a condition that the designated zone is clear.

Subsections B1 through B4 of this section meet the minimum requirements of Montana Code Annotated subsection 49-4-302(4) and are deemed to be amended in accordance with the language thereof should said Montana Code Annotated subsection 49-4-302(4) be amended by act of the legislature.

C. Designated Areas: The following areas are hereby designated to be parking zones for the physically disabled:

1. The twenty two feet (22') of the northwest corner of Pine Avenue which will run from the curb located at the northeast corner of the Turner and Iverson cedar square building and running twenty two feet (22') south along Pine Avenue.
2. The westerly three feet (3') of the driveway at the residence known as 501 Main Street, Shelby, Montana, and the adjacent nineteen feet (19') of curb running west along Main Street.

Any approval of an application for designation of a parking zone for physically impaired individuals, granted subsequent to the passage hereof, shall be set forth in a new ordinance which delineates the area designated, and that area shall be incorporated herein as if set forth in full.

D. Violations; Special Permits: Any person who parks in a zone designated a parking zone for the physically impaired shall be in violation of this section. Violations shall not apply to those who hold a department of justice special parking permit pursuant to Montana Code Annotated sections 49-4-301, 49-4-302 and 49-4-304 as from time to time amended.

E. Penalty: Any person found violating the provisions of this section by parking in any zone established by this section without a special permit as stated in subsection D of this section shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as set forth in Montana Code Annotated section 49-4-307 as from time to time amended.

F. Prior Ordinances: In the event that any other ordinances of the city are found to be inconsistent with this section, this section shall govern as to parking zones designated for the physically impaired. (Ord. 755, 6-4-2001)

7-3B-11: VEHICLES EXCEEDING TEN THOUSAND POUNDS:

- A. Residential District Abuts Nonresidential District: If a residential district street abuts a nonresidential zoning district, the provisions of this article shall apply to both sides of the street that abut the residential district. (Ord. 755, 6-4-2001; amd. 2008 Code)
- B. Excess Weight Parking Permit Required: It is unlawful for the owner or operator of any vehicle whose rated vehicle weight exceeds ten thousand (10,000) pounds to park or leave the same at any place or point on Main Street west of First Avenue Southeast without first receiving the proper city parking permit. (Ord. 755, 6-4-2001; amd. Ord. 797, 9-21-2009)
- C. Residential Districts: No person shall stand or park any vehicle whose rated vehicle weight exceeds ten thousand (10,000) pounds in any street or avenue in a residential district for any purpose or period of time other than for the following:
1. The expeditious loading or unloading of such vehicles;
 2. In cases where the standing or parking of such vehicle is used in connection with the construction or repair of buildings;
 3. Service calls;
 4. The moving of household goods;
 5. A bus, while the vehicle is parked at a designated bus stop;
 6. The operation of vehicles exceeding a rated vehicle weight of ten thousand (10,000) pounds owned or operated by the city, public utility, any contractor or material man, while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the city limits;
 7. The owner of a vehicle exceeding a ten thousand (10,000) pound rated vehicle weight shall be allowed to provide for a place on his property, off of the street, to park any such vehicle, so long as the same does not interfere with public use of any roadway, street, alley or sidewalk. In the event the owner of any vehicle exceeding a ten thousand (10,000) pound rated vehicle weight chooses to provide a place for parking the same in a residential area, the owner shall nonetheless be subject to the laws of the state of Montana and the ordinances of the city concerning such vehicle exceeding a ten thousand (10,000) pound rated vehicle weight including, but not limited to, those pertaining to public nuisance, specifically, no vehicle exceeding a ten thousand (10,000) pound rated vehicle weight subject to this article shall be allowed to run at night if parked on residential property, save and except that twenty (20) minutes as necessary to warm up such vehicle exceeding a ten thousand (10,000) pound rated vehicle weight. (Ord. 755, 6-4-2001)

7-3B-12: SPECIAL PARKING ZONES:

The city council is empowered to designate special "no parking zones" within the city limits. No owner or operator of a motor vehicle shall park such vehicle in such an area restricted to such parking by authority of the city council. (Ord. 755, 6-4-2001)

7-3B-13: MAXIMUM PARKING FOURTEEN DAYS:

No person shall stand or park any vehicle upon any street or avenue, regardless of designation, for any purpose, for a continuous period of time that exceeds fourteen (14) calendar days. For greater clarity, the purpose of this section is to keep vehicles from remaining stationary on city streets or avenues for a fourteen (14) day period without being moved. In the event that there are certain streets or avenues or portions thereof within the city limits upon which standing or parking continuously is limited to a time of less than fourteen (14) days, then those time periods shall govern those particular streets or avenues or portions thereof. (Ord. 755, 6-4-2001)

7-3B-14: PARKING OF TRUCKS, TRAILERS, MOTOR HOMES, OR PICKUP CAMPERS:

- A. It shall be unlawful to park any truck, trailer, motor home, or pickup camper upon the streets or avenues of the city, with the following exceptions:
1. Trucks may be parked on the streets or avenues of the city for a period not exceeding four (4) hours while loading or unloading is in progress;
 2. Recreational vehicles whose rated vehicle weight may exceed ten thousand (10,000) pounds may be parked on the streets or avenues of the city for a period not to exceed forty eight (48) hours while loading or unloading is in progress;
 3. By a permit approved by the city council;
- B. Trucks, trailers, motor homes, or pickup campers shall not be parked on the city streets and avenues unattended with the engine running. The above exceptions are not to conflict with sections 7-3B-2 through 7-3B-7 and 7-3B-9 and 7-3B-10 of this article. (Ord. 804, 4-18-2011)

7-3B-15: PARKING SIGNS, MARKERS, SIGNALS AND DEVICES:

No owner or operator of a motor vehicle shall park such vehicle upon the streets and avenues of the city except in accordance with all of the ordinances, rules and regulations of the city and in accordance with all signs, markers, painted curbs, signals and devices erected or maintained by authority of the city council. (Ord. 755, 6-4-2001)

7-3B-16: SUPERVISION AND ENFORCEMENT:

This article will be enforced by the Toole County/city of Shelby office of public safety. Upon a determination that a violation of this article exists the vehicle may be ticketed. (Ord. 755, 6-4-2001)

7-3B-17: REMOVAL OF VEHICLES:

All vehicles which are parked within the city limits in violation of specific sections of this article may be removed by the city, and the cost of removing and storage of the same shall be charged to the owner, operator or possessor of such vehicle. Vehicles will be held for thirty (30) days and then disposed of at a sheriff's sale. (Ord. 755, 6-4-2001)

7-3B-18: PENALTY:

Any person in violation of any section of this article is guilty of a misdemeanor. (Ord. 755, 6-4-2001)

ARTICLE C. OFF STREET PARKING

7-3C-1: PURPOSE:

The purpose of the off street parking requirements is to provide convenient and safe access to property, alleviate hazards associated with access to traffic generating business and industrial uses, provide adequate and safe parking areas for residents and business customers, protect residential uses from the undesirable effects of exceeding the abutting traffic carrying capacity of the road system serving Shelby and the region. (Ord. 755, 6-4-2001)

7-3C-2: DEFINITION:

For the purposes of this title, an "off street parking space" consists of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. (Ord. 755, 6-4-2001)

7-3C-3: WHEN REQUIRED:

- A. Off Street Parking And Loading Spaces: No building or structure may be erected, substantially remodeled, razed, moved or altered, or its use changed unless permanently maintained off street parking and loading spaces have been provided in accordance with the provisions of this title.
- B. Additional Spaces Required: Whenever a building or structure constructed after the effective date hereof is changed or enlarged in floor area, number of employees, number of housing units, seating capacity, or otherwise, to create a need for an increase in the number of existing parking spaces, additional parking spaces must be provided on the basis of the enlargement or change provided. Whenever a building or structure existing prior to the effective date hereof is enlarged to the extent of twenty five percent (25%) or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure will then and thereafter comply with the full parking requirements set forth herein. (Ord. 755, 6-4-2001)

7-3C-4: LOCATION IN RESIDENTIAL, BUSINESS, AND INDUSTRIAL DISTRICTS:

- A. Residential Districts: Parking spaces accessory to dwellings located in any residential zoning district must be located on the same lot as the dwelling. Such parking spaces may not be located in any front yard except in the driveway, but may be located in the side or rear yards. Each parking space accessory to a multi-family dwelling must be unobstructed so that no vehicle need be moved in order to allow another vehicle to enter or exit from the parking area.
- B. Business And Industrial Districts:
1. Distance From Use: Parking and loading spaces accessory to any business, industrial, or institutional use must be located within five hundred feet (500') of the use served, and not on required front yards.
 2. Location In Residential District Prohibited: No parking space accessory to any use located in business or industrial districts may be located in any residential district.
 3. Different Buildings Or Uses At Single Location:
 - a. When Allowed: In any business or industrial district, off street parking facilities for different buildings or uses may be provided at a single location if the total number of spaces is not less than the sum of the separate requirements for each use and if any regulations governing location of parking spaces in relation to the use served are observed.
 - b. Parking Demand At Different Times: Further, if parking provided for more than one use at a single location is for uses that have parking demand at different times of the day or different days of the week, the number of spaces may be limited to the number required for the use requiring the greatest number of parking spaces. (Ord. 755, 6-4-2001)

7-3C-5: DIMENSIONAL REQUIREMENTS:

Each required parking space must be at least ten feet (10') wide and twenty feet (20') long, exclusive of driveways, aisles, and other circulation areas. Aisles within parking lots must be sufficiently wide to permit safe and efficient vehicular movement in the aisles, and into and out of parking spaces. Aisles designed for two-way traffic must be at least twenty two feet (22') wide. One-way aisles must be eighteen feet (18') wide. (Ord. 755, 6-4-2001)

7-3C-6: ACCESS STANDARDS:

- A. Business And Industrial Districts: Parking and loading areas in the business and industrial districts must be designed so that ingress to or egress from a parking or loading space is from an aisle or driveway, not directly from the public right of way.
- B. Distance From Corner Formed By Intersection: No accessway to any parking or loading area may be located within fifty feet (50') of any corner formed by the intersection of the rights of way of two (2) or more streets. At intersections where traffic control devices are installed, the administrator may increase this requirement as necessary to prevent traffic hazards.
- C. Minimum Width: The accessway to every parking lot must be at least twenty four feet (24') wide unless two (2) one-way drives, each fourteen feet (14') wide, are provided. (Ord. 755, 6-4-2001)
- D. Loading Space Dimensions: A loading space must have minimum dimensions of not less than twelve feet (12') in width, fifty feet (50') in length, exclusive of driveways, aisles, and other circulation areas, and fifteen feet (15') of overhead.
- E. Distance From Residential District Or Places Of Public Assembly: No access drive for a business or industrial use may be located within two hundred feet (200') of a residential district or use, an institutional use for human care, or fire stations, schools, libraries, churches, parks, playgrounds, or other places of public assembly.
- F. Permanent Markers Required: The entrance and exits to all parking areas must be marked as such with permanent markers.
- G. Wheel Stops; Curbing Material: For all business, industrial, and institutional uses, the frontage between access points must be barricaded with wheel stops or other acceptable curbing material.
- H. Distance Between Accessways: The distance between accessways in the highway business and the industrial districts must be not less than fifty feet (50'). The outside point of any accessway may be not less than twenty five feet (25') from the abutting property line. When road alignment and associated sight distance, road width, abutting topography, existing or potential traffic volume in relation to the road capacity of the public right of way warrant an increase in the required distance between access points, the zoning administrator may require an increase in such distances. (Ord. 755, 6-4-2001)

7-3C-7: NUMBER OF SPACES REQUIRED:

For the purpose of this title the following parking space requirements shall apply:

Type Of Use	Parking Spaces Required
RESIDENTIAL:	
Community residential care facility	1 for each 2 residents
Multi-family dwelling	2 for each unit
Mobile homes	2 for each mobile home
Single-family or two-family dwelling	2 for each unit
COMMERCIAL AND OFFICE:	
Auto repair and body shops	2 for each service bay
Banks, financial institutions	1 for each 400 square feet of floor area. Drive-up windows must be provided with 4 stacking spaces per window
Car wash	3 stacking spaces for each wash bay plus 1 parking space for each employee
Drive-in restaurants	1 space for each 50 square feet of gross floor area or a minimum of 10 spaces, whichever is greater. Drive-up windows must be provided with 5 stacking spaces per window
Funeral parlors, mortuaries	1 for each 100 square feet of floor area in slumber rooms or parlors
Hotels, motels, tourist homes, and boarding houses	1 for each sleeping room plus 1 space for each 2 employees
Medical, dental, and veterinary offices	4 spaces for each doctor plus 1 for each employee

Motor vehicles, sales, repair and rental	1 space for each 400 square feet of sales, rental, and repair area
Offices, business, professional and governmental	1 space for each 400 square feet of gross floor area
Restaurants, taverns	1 for each 4 seats plus 1 for each employee
Service station	1 for each 2 gasoline pumps plus 2 for each service bay
All other retail, service or business uses permitted in the business districts	1 space for each 200 square feet of gross floor area
RECREATIONAL:	
Auditoriums	1 space for each 4 seats
Bowling alleys	4 for each alley plus 1 for each employee
Clubs and lodges	1 space for each 400 square feet of gross floor area
Miniature golf	1 space for each tee
Theaters, drive-in	8 stacking spaces for each ticket booth
Theaters, indoor	1 space for each 4 seats plus 1 for each employee
INSTITUTIONS:	
Churches and other for religious assembly	1 for each 4 seats
Hospitals	1 for each bed
Libraries, museums, and art galleries	1 for every 400 square feet of floor area
Nursing homes	1 for each 2 beds
Schools, elementary, childcare centers, nursery schools	2 for each classroom and 1 for each 8 seats in auditoriums or assembly halls
Schools, postsecondary	1 for each 2 students and 1 for each teacher and employee
Schools, secondary	1 for each 4 students and 1 for each teacher and employee
INDUSTRIAL:	
Freight terminals, parcel delivery, and similar uses	1 for each employee and 1 for each vehicle maintained on the premises
All types of manufacturing, storage, and wholesale uses permitted in any industrial district	1 for every employee (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business

(Ord. 755, 6-4-2001)

7-3C-8: LIGHTING OF PARKING LOTS:

Any parking area which is intended to be used during nondaylight hours must be properly illuminated to avoid accidents. Any light used to illuminate a parking lot must be so arranged as to reflect the light away from the adjoining property. (Ord. 755, 6-4-2001)

7-3C-9: MAINTENANCE:

The owner of property used for parking and/or loading must maintain such area in good condition without holes and free of trash and other debris. (Ord. 755, 6-4-2001)

7-3C-10: LOADING SPACE REQUIREMENTS:

One off street loading space shall be provided for every separate use requiring delivery of goods and having a gross floor area of up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof. (Ord. 755, 6-4-2001)

7-3C-11: MAJOR RECREATIONAL VEHICLES:

- A. Definition: For purposes of these regulations, "major recreational vehicle" includes snowmobiles and snowmobile trailers, boats and boat trailers, travel trailers, pickup camper tops (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.
- B. Parking Or Storage Restricted: No major recreational equipment may be parked or stored in any required front or side yard, other than the driveway; provided, however, that such equipment may be parked anywhere on residential premises not to exceed twenty four (24) hours during loading or unloading.
- C. Use For Living, Sleeping Or Housekeeping Purposes: No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.
- D. Exceptions: If used for temporary living quarters, major recreational vehicles may be parked in rear yards, side yards or driveways as a temporary accessory structure for a period of time not to exceed two (2) weeks. Such units must be equipped with self-contained sanitary facilities. (Ord. 755, 6-4-2001)

7-3C-12: PARKING AND STORAGE OF CERTAIN VEHICLES:

A. Residential Districts:

1. Number Limited: No more than one automotive vehicle of any kind or type without current vehicle registration may be parked or stored on any residentially zoned property other than in a completely enclosed building.
2. Premises Must Be Occupied: This vehicle storage exception will only be granted when the property has an occupied residential unit in place on the property in question.

- B. Public Right Of Way: No motor vehicle or trailer of any kind or type without current vehicle registration may be parked on any public right of way within the corporate city limits. The vehicle registration requirement will be enforced by the Toole County/city of Shelby office of public safety. (Ord. 755, 6-4-2001)

7-3C-13: HOME OCCUPATION, EXCESS DEMANDS ON PARKING AND TRAFFIC:

No traffic shall be generated by a home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard¹. (Ord. 755, 6-4-2001)

7-3C-14: SUPERVISION; ENFORCEMENT:

This article will be enforced by the Toole County/city of Shelby office of public safety. Upon a determination that a violation of this article exists the vehicle may be ticketed. (Ord. 755, 6-4-2001)

7-3C-15: REMOVAL OF VEHICLES:

All vehicles which are parked within the city limits in violation of specific sections of this article may be removed by the city, and the cost of removing and storage of the same shall be charged to the owner, operator or possessor of such vehicle. Vehicles will be held for thirty (30) days and then disposed of at a sheriff's sale. (Ord. 755, 6-4-2001)

7-3C-16: PENALTY:

Any person in violation of any section of this article is guilty of a misdemeanor. (Ord. 755, 6-4-2001)

Chapter 2 PARKING REGULATIONS

9-2-1: COMPLIANCE:

It shall be unlawful for any driver, operator or person in charge of a motor vehicle or other vehicle to allow the same to stand, stop or park upon any of the streets, avenues or public ways of the city, except in accordance with the parking regulations in this chapter set forth, or from time to time hereinafter established and promulgated by the lawful authority as in this chapter provided. (1975 Code § 9-2-1)

9-2-2: PARKING OUTSIDE OF BUSINESS OR RESIDENCE DISTRICTS:

- A. Upon any highway outside of a business or residence district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but, in every event, an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles. No person shall stop, stand, or park any vehicle upon such highway unless such vehicle can be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500') and unless drivers approaching from opposite directions are visible to each other when both are at least five hundred feet (500') from the vehicle to be stopped, turned, or parked, except in cases of justifiable emergency.
- B. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (1975 Code § 9-2-2; amd. 2015 Code)

9-2-3: NO PARKING AREAS:

A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer, or official traffic control device, in any of the following places:

- A. On a sidewalk.
- B. In front of a public or private driveway.
- C. Within an intersection.
- D. Within fifteen feet (15') of a fire hydrant.
- E. On a crosswalk.
- F. Within twenty feet (20') of a crosswalk at an intersection.
- G. Within thirty feet (30') upon the approach to any flashing beacon, stop sign, or official traffic control device located at the side of a roadway.

- H. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the local authorities indicate a different length by signs or markings.
- I. Within fifty feet (50') of the nearest rail of a railroad crossing.
- J. Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy five feet (75') of the entrance when properly signposted.
- K. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- L. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- M. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- N. At any place where official traffic control devices prohibit stopping. (1975 Code § 9-2-3; amd. 2015 Code)

9-2-4: PARALLEL PARKING:

- A. Except as otherwise provided in this section, a vehicle that is stopped or parked upon a two-way roadway must be stopped or parked with the right hand wheels of the vehicle parallel to and within eighteen inches (18") of the right hand curb or as close as practicable to the right edge of the right hand shoulder.
- B. Except when otherwise provided by the authority having jurisdiction, a vehicle that is stopped or parked upon a one-way roadway must be stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement, with its right hand wheels within eighteen inches (18") of the right hand curb or as close as practicable to the right edge of the right hand shoulder or with its left hand wheels within eighteen inches (18") of the left hand curb or as close as practicable to the left edge of the left hand shoulder. (1975 Code § 9-2-4; amd. 2015 Code)

9-2-5: PARKING SPACE:

It shall be unlawful for the operator or person in charge of a motor vehicle to accomplish final stopping or parking at any place upon the streets, avenues or public ways of the city by leaving the vehicle with a space less than two feet (2') in front of an already parked vehicle, or by leaving a space less than two feet (2') of the rear of an already parked vehicle. No special official sign or marking shall be required to give notice of this parking regulation. (1975 Code § 9-2-5)

9-2-6: UNATTENDED VEHICLE:

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway in such a manner as to prevent the vehicle from rolling onto the roadway. (1975 Code § 9-2-6; amd. 2015 Code)

9-2-7: DISPLAYING FOR SALE; REPAIRS:

It shall be unlawful for any person to park any vehicle upon any street, avenue or public way of the city for the principal purpose of

displaying the vehicle for sale while so parked, or for washing, greasing or performing repairs upon the vehicle, except when an emergency repair is necessitated. No special official sign or marking shall be required to give notice of this parking regulation. (1975 Code § 9-2-7)

9-2-8: AUTHORITY OF CHIEF OF POLICE:

The chief of police, by and with consent of a majority of the city council recorded in its minutes, is hereby authorized to determine and to designate that parking is prohibited or restricted as to the length of time and as to the size or type of vehicle when, in his opinion, parking of vehicles creates hazardous conditions, or interfere with traffic, or causes unusual delay in traffic. Such parking regulations or restrictions shall from time to time be in effect in accordance with the official signs posted or markings made, and it shall be unlawful for any operator or person in charge of any vehicle to disregard the parking regulations so established and promulgated, and specific authority is given to the chief of police to erect official signs or place other markings adjacent to schools, hospitals and places of public assembly or upon narrow streets or thoroughfares, or where congested traffic or commercial operations or public uses require restrictions or prohibitions to be imposed for the convenience and safety of the public. (1975 Code § 9-2-8)

9-2-9: RESTRICTIONS, TYPE OF VEHICLE:

Such regulations and restrictions may be made as to the length of time a vehicle may be parked at one place, or as to the size, weight, or type of vehicle, and such restrictions may prohibit parking on both sides of a street, or on one side only. (1975 Code § 9-2-9)

9-2-10: OFFICIAL SIGNS:

When official signs are erected indicating no parking or indicating restricted parking, and appropriate signs have been erected, such regulations shall be effective, and it shall be the duty of the chief of police to enforce the same, but no offense shall be deemed to have been committed unless the sign has been erected, or the prohibited area marked, and the restrictions of time limits or prohibitions upon size, weight or type of vehicle made public at least once by publication of a notice setting forth the prohibition or restriction upon parking at least one week prior to the alleged offense. (1975 Code § 9-2-10)

9-2-11: TIME LIMIT AREAS:

The following areas are by this chapter established as parking time limit areas:

Main Street: On Main Street between Third Avenue and Fifth Avenue, a parking time limit of two (2) hours is established, and it shall be unlawful for the driver or person in charge of any vehicle to allow the vehicle to remain standing or parked in such area longer than such time limit.

Third Avenue South: On Third Avenue South, both sides of the avenue, in the half block between Main Street and the alley nearest Front Street, between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M., a parking time limit of two (2) hours is established, and it shall be unlawful for the driver or person in charge of any vehicle to allow the vehicle to remain standing or parked in such area longer than such time limit during such hours.

Fourth Avenue South: On Fourth Avenue South between Virginia Street and Front Street, a parking time limit of two (2) hours is established, and it shall be unlawful for the driver or person in charge of any vehicle to allow the vehicle to remain standing or parked in such area longer than such time limit. (1975 Code § 9-2-11)

9-2-12: ONE SIDE OF STREET AREAS:

The following areas are by this chapter established as one side of street parking areas only:

Maryland Street: On Maryland Street between Second and Third Avenues, parking shall be allowed on the west side of the said street only. (1975 Code § 9-2-12; amd. 2015 Code)

9-2-13: PARKING OF TRUCKS, TRAILERS, MOTOR HOMES OR CAMPERS:

A. Definitions: For the purpose of this section, the following definitions shall apply:

MOTOR HOME: Any self-propelled vehicle containing living quarters.

PICKUP CAMPER: Any portable, nonself-propelled unit containing living quarters situated on a pickup or other self-propelled vehicle.

STREETS AND ALLEYS: All areas within the boundary lines of dedicated streets and alleys.

TRAILER: Any nonself-propelled unit that requires towing.

TRUCK: Any vehicle larger than a one ton pickup.

B. Parking Restricted: It shall be unlawful to park any truck, trailer, motor home or pickup camper upon the streets or avenues of the city, with the following exceptions:

1. Trucks, trailers, motor homes or pickup campers may be parked on the streets or avenues of the city for a period not exceeding four (4) hours while loading or unloading is in progress.

2. Unless special permission has been first obtained from a city police officer.

3. Trucks, trailers, motor homes or pickup campers shall not be parked on city streets and avenues unattended, with the engine running. However, the above mentioned vehicles may be parked on city streets and avenues for a period not to exceed sixty (60) minutes, with the engine turned off.

4. In all of the above listed exceptions, all trucks, trailers, motor homes or pickup campers must comply with the weight limitations for the streets and avenues of the city (sections 9-1-10 and 9-1-11 of this title).

C. Official Sign Not Required: No special official sign or marking shall be required to give notice of this parking regulation. (1975 Code § 9-2-13)

Chapter 3 PARKING REGULATIONS

7-3-1: DEFINITIONS:

Whenever in this chapter the following terms are used, they shall have the meanings ascribed to them in this section, unless otherwise herein provided:

MOTOR VEHICLE: Every vehicle propelled by its own power and designed primarily to transport persons or property upon the highways of the state, including trailers, semitrailers, and house trailers.

PROHIBITED VEHICLE: Any motor vehicle, other than a passenger vehicle or a truck, commonly referred to as a "half-ton", "three-quarter-ton" or "one-ton" pickup truck.

TRAILER: Every vehicle, with or without motor power, designed to carry property or passengers and to be drawn by a motor vehicle, including a house trailer and semitrailer.

TRUCK: Every motor vehicle designed, used, or maintained primarily for transportation of property.

VEHICLE: Every device in, upon, or by which any person or property may be transported or drawn upon a public highway, except devices moved by animal power and bicycles. (Ord. 12.57, 1-3-2000)

7-3-2: PARKING PROHIBITED IN SPECIFIED PLACES:

It shall be unlawful for any owner, driver, operator or person in charge of any vehicle to stop or allow to stop, stand or allow to stand, or park or allow to park such vehicle at any of the following places, except where necessary to avoid conflict with other traffic, or except in compliance with directions of a peace officer:

A. Sidewalk: On a sidewalk.

B. Driveway: In front of a public or private driveway.

C. Intersection: Within an intersection.

D. Fire Hydrant: Within fifteen feet (15') of a fire hydrant.

E. Crosswalk:

1. On a crosswalk.
2. Within twenty feet (20') of a crosswalk at an intersection.

F. Approach To Traffic Signal: Within thirty feet (30') upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.

G. Safety Zone: Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of the safety zone, unless the local authorities indicate a different length by signs or markings.

H. Railway Crossing: Within fifty feet (50') of the nearest rail of a railway crossing.

I. Fire Station: Within twenty feet (20') of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy five feet (75') of said entrance when properly posted. (Ord. 12.57, 1-3-2000)

J. Street Excavation: Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic. (Ord. 12.57, 1-3-2000; amd. 2006 Code)

K. Double Parking: On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

L. Bridge: Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

M. Official Signs: At any place where official signs prohibit stopping.

N. Loading Zone: In front of an area designated as a loading zone.

O. Theater: In front of any theater entrance or exit, during the time the theater is open for business, and when said area is posted by appropriate signs.

P. Temporarily Posted Areas: Within any temporarily posted area, so posted for emergency purposes, or so posted for snow removal or street sweeping purposes. (Ord. 12.57, 1-3-2000)

Q. Handicapped Parking: Upon the ways of this state within the exterior boundaries of the city when any such parking space has been appropriately marked or signed as a designated handicap parking spot pursuant to resolution of the city council and approval of the mayor of the city, except when such vehicle conveying a handicapped person properly displays a handicap license plate or decal properly issued by the state of Montana or other license plate or vehicle registration authority. (Ord. 396, 5-20-2002)

R. Specific Streets Or Parts Of Streets:

1. On the south side of East Railway Street from the intersection thereof with North Central Avenue, in an easterly direction to the intersection thereof with First Avenue Northeast.
2. At any time: a) on the southwesterly side of First Street Southwest between the intersection of First Street Southwest with Fifth Avenue Southwest and a point on the southwesterly side of First Street Southwest forty feet (40') westerly from said intersection; and b) on the northeasterly side of First Street Southwest between the intersection of First Street Southwest with Fifth Avenue Southwest and U.S. Highway 2, except for unloading as indicated by appropriate signs.
3. No prohibited vehicle shall be stopped or parked at any time on the southwesterly side of First Street Southwest between the intersection of First Street Southwest with Fifth Avenue Southwest and the alley in the O'Haire Addition to the city. (Ord. 12.57, 1-3-2000)

7-3-3: CERTAIN TIME AND PURPOSE RESTRICTIONS:

It shall be unlawful for any owner, driver, operator or person in charge of any vehicle to stop or allow to stop, stand or allow to stand, or park or allow to park such vehicle on any street, avenue or alley within the following areas, except for the time and purpose so designated:

A. Loading Or Unloading:

1. In front of any hotel or other building or location, when so posted, except for the purpose of loading or unloading, for a period of time not to exceed the time indicated on the sign governing that location.