

ORDINANCE 3188

AN ORDINANCE REPEALING AND REPLACING TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO VEHICLES AND TRAFFIC.

* * * * *

WHEREAS, the City Commission established Title 10 of the OCCGF outlining provisions pertaining to Vehicles and Traffic; and

WHEREAS, the City Commission has recognized deficiencies throughout OCCGF Title 10, including but not limited to, typographical, grammatical, formatting, and referencing deficiencies; and

WHEREAS, the City Commission wishes to cure the deficiencies contained in OCCGF Title 10; and

WHEREAS, the City Commission wishes to make substantive amendments to OCCGF Title 10; and

WHEREAS, the amendments include substantive changes to regulations including, but not limited to, parking violations, parking district administration, abandoned or junked vehicles on public property, and vehicles parked in construction zones; and

WHEREAS, the City Commission wishes to establish clear penalty provisions for vehicle and traffic violations; and

WHEREAS, the City Commission wishes to establish consistency within the OCCGF, and where applicable the Montana Code Annotated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. OCCGF Title 10 is hereby repealed and replaced as depicted by Exhibit “A” attached hereto and by reference incorporated herein; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 4, 2018.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading September 18, 2018.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Joseph P. Cik, Assistant City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3188 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Title 10 VEHICLES AND TRAFFIC

Title 10 VEHICLES AND TRAFFIC

Chapter

Chapter 1 - DEFINITIONS

Chapter 2 - APPLICABILITY

Chapter 3 - TRAFFIC CONTROL DEVICES AND PARKING METERS

Chapter 4 - STOP INTERSECTIONS

Chapter 5 - ONE-WAY STREETS AND ALLEYS

Chapter 6 - FOUR-LANE STREETS AND ROADWAYS

Chapter 7 - SPEED RESTRICTIONS

Chapter 8 - MISCELLANEOUS DRIVING RULES

Chapter 9 - STOPPING, STANDING, AND PARKING

Chapter 10 - VEHICLE IMMOBILIZATION

Chapter 11 - COMMERCIAL VEHICLES

Chapter 12 - ABANDONED AND JUNKED VEHICLES, MACHINERY, TRAILERS, AND PARTS

Chapter 13 - ABANDONED, WRECKED, JUNKED, OR DISMANTLED VEHICLES ON PRIVATE PROPERTY

Chapter 14 - SNOWMOBILES

Chapter 15 - MOTORCYCLES

Chapter 16 - HANDICAPPED ZONE

Chapter 17 - TRAILERS

Chapter 18 - TOLL LOCATIONS

Chapter 19 - LIABILITY FOR STREET DAMAGE

Chapter 20 - EXCESS SIZE AND WEIGHT PERMITS

Chapter 21 – PARKING VIOLATIONS

Title 10 VEHICLES AND TRAFFIC

Chapter 1 DEFINITIONS

Section:

10.1.010 Definitions.

10.1.010 Definitions.

Unless otherwise specified in this Title, the following definitions apply:

- A. "Abandoned vehicle" means any of the following:
 - 1. A vehicle that has been left unattended on public property for more than forty-eight (48) hours and is rendered inoperable;
 - 2. A vehicle that has remained illegally parked on public property for more than forty-eight (48) hours;
 - 3. A vehicle that has been unlawfully parked on private real property or has been placed on private property without the consent of the real property owner or person in control of the property for more than forty-eight (48) hours;
 - 4. A vehicle that has been legally impounded by order of a law enforcement authority and has not been reclaimed for a period of five (5) days; or
 - 5. Any vehicle parked on a street determined by a law enforcement authority to create a hazard to other vehicle traffic.
- B. "Bicycle" means a non-motorized vehicle consisting of a metal frame on two (2) or more wheels and having handlebars and a seat.
- C. "Central Business District" means the C-4 Central Business Core Zoning District.
- D. "Commercial motor vehicle" any vehicle meeting the definition provided by Mont. Code Ann. § 61-1-101.
- E. "Freight Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading goods. Freight loading zones are established following the procedures adopted in this Title. This term also includes delivery zones in the metered parking district.
- F. "Handicapped Parking Zone" means a portion of a public right-of-way that is designated for use only by vehicles that have a handicapped parking permit or plate. Handicapped parking zones are established following the procedures adopted in this Title.
- G. "Junk vehicle" means any vehicle, machinery, trailer, or parts thereof, located on public property or illegally parked on private property within the incorporated City limits, which, as to a vehicle or trailer, does not properly display license plates or stickers indicating current registration and/or which has any one (1) or more of the following characteristics:
 - 1. Lacks an engine, wheel, tire, properly installed battery or other structural part which renders the vehicle inoperable for use as designed by the manufacturer;

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

2. Has a broken or missing fender, door, bumper, hood, steering wheel, trunk top, trunk handle, tail pipe, muffler, driver's seat, fuel tank, driveshaft, differential, generator, or alternator;
 3. Has become or has the potential to become the breeding ground or habitat of rats, mice, snakes, mosquitoes or other vermin, rodents or insects, or is otherwise used for the storage, harbor, caging or dwelling for an animal of any kind;
 4. Has heavy growth of weeds or other noxious vegetation over eight (8) inches in height under or immediately next to it;
 5. Has become a point of collection for stagnant water;
 6. Contains junk, garbage, refuse, gasoline or fuel other than in its fuel tank, paper, cardboard, wood or other combustible materials, solid waste, or other hazardous material in it or is primarily used for storage of any materials;
 7. Has become a source of danger for children through possible entrapment in areas of confinement that cannot be opened from inside, through a danger of the vehicle falling or turning over, or through possible injury from exposed surfaces of metal, glass, or other rigid materials;
 8. Has become a potential source of contamination of the soil from petroleum products or other toxic liquids being discharged or leaking from the vehicle;
 9. Has become illegal to operate on the public streets because it is missing one (1) or more parts required by law; or
 10. Because of its defective, deteriorated, or obsolete condition, in any other way constitutes a nuisance or a threat to the public's health or safety.
- H. "Law enforcement authority" means a peace officer or any City, State, or Federal department or agency member operating in his or her professional capacity within the incorporated City limits.
- I. "Local service" means limiting the authorized use of City streets or avenues to those trucks which have either point of origin or destination for immediate business purposes within the incorporated City limits.
- J. "Machinery" is synonymous with and means the same as "machine" as defined by the current edition of the Merriam-Webster Dictionary.
- K. "OCCGF" means the Official Code of the City of Great Falls.
- L. "Operator" means any person who operates or is in actual physical control of the operation of vehicle.
- M. "Parking Administrator" means the City employee or contractor tasked by the City Manager with the management of the City's parking facilities. Within this Title this person may also be referred to as "The Administrator".
- N. "Parking Official" means peace officers and other persons designated by the City Manager to enforce the provisions of this Title.
- O. "Parking Meter" means any device installed for the regulation of the time allowed for parking as provided by this Title.
- P. "Part" means any mechanical, structural, body, or decorative component of any vehicle, machinery, or trailer.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- Q. "Passenger Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading people. This specifically includes school bus loading zones. Passenger loading zones are established following the procedures adopted in this Title.
- R. "Person" means any individual, partnership, association or corporation, or other legal entity.
- S. "Snowmobile" means any self-propelled vehicle designed primarily for travel on the snow or ice, which may be steered by wheels, skis or runners, and which is not otherwise registered or licensed under Montana State law.
- T. "Trailer" means any vehicle without motor power designed for carrying persons or property and for being drawn by a motor vehicle. The term includes devices intended for recreational camping purposes carried in the bed of a pick-up truck.
- U. "Vehicle" means any device by which any person or property may be propelled, moved, or drawn upon a street. The term includes, but is not limited to:
1. An automobile;
 2. Truck;
 3. Van;
 4. Sport utility vehicle;
 5. Recreational vehicle;
 6. Watercraft;
 7. Boat;
 8. Jet ski;
 9. Snowmobile;
 10. ATV;
 11. Aircraft, or
 12. Parts thereof.

Chapter 2 APPLICABILITY

Sections:

10.2.010 Pushcarts and animals.

10.2.020 Toy vehicles and devices—restrictions—exception.

Title 10 VEHICLES AND TRAFFIC

10.2.010 Pushcarts and animals.

Any person propelling any pushcart, riding an animal, or driving any animal-drawn vehicle shall be subject to the provisions of this Title.

10.2.020 Toy vehicles and devices—restrictions—exception.

- A. It is unlawful for any person upon roller skates, toy vehicle, or similar device to be upon any roadway except while crossing a street on a crosswalk. Such person shall be granted all rights and shall be subject to all the duties applicable to pedestrians.
- B. A violation of this section is punishable by a fine of fifty dollars (\$50.00).

Chapter 3 TRAFFIC CONTROL DEVICES AND PARKING METERS

Sections:

10.3.010 Installation of traffic control devices and parking meters.

10.3.020 Obedience required.

10.3.030 Interference with signals.

10.3.040 Crosswalks, traffic lanes, and parking spaces.

10.3.050 Standards and specifications.

10.3.060 No-passing zones—establishment authority.

10.3.070 Lane designation signs—erection.

10.3.010 Installation of traffic control devices and parking meters.

- A. The Public Works Department, with the approval of the City Commission and The Montana Department of Transportation when applicable, shall place and maintain traffic and parking control signs, signals, and devices when and as required under the OCCGF, pursuant to the recommendations of the Manual on Traffic Control Devices, and may place and maintain such additional traffic-control devices as necessary to regulate traffic under the OCCGF or under State law, or to guide or warn traffic.
- B. In parking meter zones established pursuant to this Title, the Planning and Community Development Director, or designee, shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces. The Planning and Community Development Director shall be responsible for the regulation, control, operation, maintenance, and use of such parking meters.
- C. Upon the expiration of the lawful time limit, the right of the occupying vehicle to occupy such space ceases and the operator, owner, possessor, or manager thereof, shall be subject to the penalties provided in this Title.

Title 10 VEHICLES AND TRAFFIC

10.3.020 Obedience required.

The driver of any vehicle shall obey the instruction of any official traffic-control device applicable thereto placed in accordance with the traffic laws of the City, unless otherwise directed by a law enforcement officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

10.3.030 Interference with signals.

- A. It is unlawful for any person without legal authorization to attempt to or alter, deface, injure, knock down, or remove any official traffic-control device, railroad sign, or any other part thereof.
- B. It is unlawful for any person to damage, disable, or destroy any parking meter.
- C. A violation of this section is punishable by a term not to exceed six (6) months in jail, a fine of not more than five hundred dollars (\$500.00), or both.

10.3.040 Crosswalks, traffic lanes, and parking spaces.

The Public Works Department is authorized to:

- A. Install and maintain by appropriate devices, marks, or lines upon the surface of the roadway crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as deemed necessary; and
- B. Mark lanes for traffic on street pavements at such places as he or she may deem advisable, consistent with the OCCGF.

10.3.050 Standards and specifications.

All traffic control signs, signals, and devices shall conform to the standards and guidelines set forth by the Manual on Uniform Traffic Control Devices.

10.3.060 No-passing zones—establishment authority.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to determine those portions of any roadway where overtaking and passing or driving to the left of the roadway would be especially hazardous and provide appropriate signage.

10.3.070 Lane designation signs—erection.

Official signs may be erected directing traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway.

Chapter 4 STOP INTERSECTIONS

Sections:

10.4.010 Designated.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

10.4.020 Stop sign erection—authority.

10.4.010 Designated.

The following streets and parts of streets are through streets at stop intersections for the purpose of this Chapter:

- A. Second Avenue North from Park Drive to east City limits;
- B. Park Drive from Second Avenue South to Eighth Avenue North;
- C. First Avenue North from Thirty-Seventh Street to west end of First Avenue North Bridge;
- D. Central Avenue West from west end of First Avenue North Bridge to west City limits;
- E. Sixth Street Southwest from Central Avenue West to south City limits;
- F. Third Street Northwest and Smelter Avenue from Central Avenue West to northeast City limits;
- G. Tenth Avenue South from west City limits to east City limits;
- H. Ninth Street from Tenth Avenue South to River Drive North;
- I. Fourteenth and Fifteenth Streets couplet from Tenth Avenue South to River Drive North;
- J. Central Avenue from Ninth Street to Forth-sixth Street;
- K. Second Street from Tenth Avenue South to First Avenue South;
- L. River Drive inside City limits;
- M. Twenty-fifth and Twenty-sixth Streets couplet from Tenth Avenue South to River Drive North;
- N. Twenty-sixth Street South from Tenth Avenue South to the south City limits;
- O. Fifth and Sixth Street couplets from Central Avenue to Tenth Avenue South;
- P. Second Avenue South from Second Street to Fifteenth Street;
- Q. First Avenue South from Park Drive to Fifteenth Street;
- R. Thirteenth Avenue South from Fourth Street to Twentieth Street;
- S. Thirty-second Street South from Central Avenue to Tenth Avenue South;
- T. Thirteenth Street South from Tenth Avenue South to south City limits;
- U. Fox Farm Road from Tenth Avenue South to south City limits;
- V. Upper River Road from River Road loop to south City limits; and
- W. Eighth Avenue North from Park Drive North to Thirty-Eighth Street North.

10.4.020 Stop sign erection—authority.

Whenever the OCCGF designates and describes a through street, it shall be the duty of the Public Works Department to place and maintain a stop sign on each and every street intersecting such through street or intersection that portion thereof described and designated as such by the OCCGF.

Title 10 VEHICLES AND TRAFFIC

Chapter 5 ONE-WAY STREETS AND ALLEYS

Sections:

10.5.010 Sign placement and maintenance.

10.5.020 Direction designated.

10.5.010 Sign placement and maintenance.

Whenever the OCCGF designates a one-way street or alley, the Public Works Department shall place and maintain signs giving notice thereof. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

10.5.020 Direction designated.

- A. Upon those streets, parts of streets, and alleys described in subsection B of this section, vehicular traffic shall move only in the indicated direction. Movement in the opposite direction is prohibited.
- B. In accordance with Section 10.5.010 and when proper signs are posted, traffic shall move only in the direction indicated upon the following streets or avenues.

<u>Street, Avenue or Alley</u>	<u>Permitted direction</u>
First Avenue North Park Drive to Thirty-seventh Street	Eastbound
First Avenue South Park Drive to Fifteenth Street	Westbound
Second Avenue South Second Street to Fifteenth Street	Eastbound
Second Avenue North Park Drive to Thirty-seventh Street	Westbound
Fifth Street Eighth Avenue North to Tenth Avenue South	Southbound

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

Sixth Street Eighth Avenue North to Tenth Avenue South	Northbound
Fourteenth Street Twelfth Avenue North to Tenth Avenue South	Southbound
Fifteenth Street Twelfth Avenue North to Tenth Avenue South	Northbound
Twenty-fifth Street Tenth Avenue South to Eighth Avenue North	Southbound
Twenty-fifth Alley Northeast Sixth Street Northeast to Ninth Street Northeast	Westbound
Twenty-sixth Street Tenth Avenue South to Eighth Avenue North	Northbound
Park Drive First Avenue South to Second Street	Southbound

Chapter 6 FOUR-LANE STREETS AND ROADWAYS

Sections:

10.6.010 Designated marking regulations.

10.6.010 Designated marking regulations.

- A. The following streets and avenues or portions thereof, located within the incorporated City limits, are designated as four-lane streets and roadways:
 - 1. Central Avenue:
From the east line of Ninth Street to the west line of Fifteenth Street;
 - 2. Tenth Avenue South:
From the west City limits to the east City limits;

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

3. Central Avenue West:
From the west abutment of the First Avenue North Bridge to west line of Interstate 15;
 4. Fourteenth and Fifteenth Streets North:
From the south line of Twelfth Avenue North to the south abutment of the Fifteenth Street North Bridge;
 5. First Avenue North:
From west abutment of First Avenue North Bridge to west line of Park Drive;
 6. Park Drive:
From south line of First Avenue North to north line of First Avenue South;
 7. Sixth Street SW:
From Central Avenue West, south to City limit;
 8. Northwest Bypass:
From Third Street Northwest, west to City limits;
 9. Third Street Northwest and Smelter Avenue:
From Central Avenue West, northeast to City limits;
 10. Ninth Street North:
From 8th Avenue North to south abutment of Tenth Street North Bridge;
 11. Tenth Street North:
From north abutment of Tenth Street North Bridge, north to City limits;
 12. Fox Farm Road:
From Tenth Avenue South to Alder Drive; and
 13. River Drive:
From Tenth Street North to Fifteenth Street North.
- B. The Public Works Department is directed to mark appropriately all such four-lane streets or roadways and to keep the same properly marked and designated for four-lane traffic.
- C. All vehicles proceeding on any four-lane street or roadway must be driven wholly within a single lane and the driving of any vehicle so as to straddle two (2) lanes of traffic, except in passing from one (1) lane to the other, is prohibited.

Chapter 7 SPEED RESTRICTIONS

Sections:

10.7.010 Established—specific streets.

10.7.020 Established - alleys.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

10.7.010 Established—specific streets.

In accordance with Mont. Code Ann. § 61-8-306, no person shall drive a motor vehicle at a speed greater than the speed as set forth in the following schedule:

<u>Street and Avenue</u>	<u>Maximum M.P.H.</u>
Central Avenue Ninth Street to Fifteenth Street	25
Central Avenue Fifteenth Street to Thirty-eighth Street	30
First Avenue South Ninth Street to Fifteenth Street	30
Second Avenue South Ninth Street to Fifteenth Street	30
Second Street South Tenth Avenue South to south line of First Avenue South	30
Park Drive First Avenue North to Eighth Avenue North	30
Parkdale Housing All streets within the following boundaries: Bounded on the north by the north line of Fifth Avenue South; on the east by the west line of Eighteenth Street and Chowen Park; on the south by the north line of Eighth Avenue South and Chowen Park; and on the west by the east line of Fifteenth Street	15
Eighth Avenue North Park Drive to Twenty-fifth Street All trucks only	20

Title 10 VEHICLES AND TRAFFIC

10.7.020 Established - alleys.

The limit for all alleys within the incorporated City limits is fifteen (15) miles per hour.

Chapter 8 MISCELLANEOUS DRIVING RULES

Sections:

10.8.010 Driving on sidewalk prohibited—exception.

10.8.020 Boarding or exiting from moving vehicles prohibited.

10.8.030 Passenger regulations.

10.8.040 Violation—misdemeanor—penalty.

10.8.050 Use of electronic communication devices while operating a motorized vehicle or a bicycle.

10.8.010 Driving on sidewalk prohibited—exception.

- A. The driver of a vehicle shall not drive upon any sidewalk area except at a permanent driveway.
- B. This section does not apply to City authorized vehicles performing sidewalk maintenance or snow removal.

10.8.020 Boarding or exiting from moving vehicles prohibited.

It is unlawful for any person to board or exit any vehicle while the vehicle is in motion.

10.8.030 Passenger regulations.

It is unlawful for any person to ride on any vehicle or portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty.

10.8.040 Violation—misdemeanor—penalty.

A violation of this Chapter is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00), a term not to exceed six (6) months in jail, or both.

10.8.050 Use of electronic communication devices while operating a motorized vehicle or a bicycle.

- A. No person operating a motorized vehicle or a bicycle on a public highway within the incorporated City limits shall use a mobile telephone to engage a call and/or use any other hand-held electronic communication device to compose, send, view or retrieve email, a text message, or other electronic data.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- B. "Hand-held electronic communication device" includes wireless or cellular phones, laptop and notebook computers, GPS and navigational systems, pagers, electronic games, and any other device that would permit wireless communications to and from the user of the device.
- C. This section does not apply to the following:
1. Any person reporting a health, fire, safety, or police emergency;
 2. Governmental fire agencies, ambulance services, law enforcement agencies, emergency responders, or any other person operating an "authorized emergency vehicle" as defined in Mont. Code Ann. § 61-8-102(2)(a);
 3. Operators or passengers of a motorized vehicle using a hand-held electronic communication device while in a parking lane or space out of moving traffic lanes;
 4. Persons using a "hands-free device", defined as, an external device that connects to a wireless telephone, wireless or electronic communication device that allows use of the hands-free device; and
 5. Drivers using two-way radios while in the performance and scope of their work-related duties, or drivers holding a valid amateur radio operator license issued by the Federal Communications Commission while using a two-way radio.
- D. The penalties for a violation of this section are as follows:
1. A first conviction for a violation of this section, shall be punishable by a fine not less than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00);
 2. A second conviction, within 24 months after the first conviction, for a violation of this section, shall be punishable by a fine not less than three hundred dollars (\$300.00) and not more than five hundred dollars (\$500.00). The Defendant shall further participate in twenty (20) hours of Court-approved community service to be completed within ninety (90) days of the date of the second conviction. The Defendant shall provide completion of community service to the Great Falls Municipal Court; and
 3. A third or subsequent conviction, within 24 months after the first conviction, for a violation of this section, shall be punishable by a fine not less than four hundred dollars (\$400.00) or more than five hundred dollars (\$500.00). The Defendant shall further participate in forty (40) hours of community service to be completed within ninety (90) days of the date of conviction. Additional penalties may include forfeiture of license plates of the vehicle, driven at the time of the offense, or forfeiture of the Defendant's driver's license for a period not to exceed 180 days, or both.

Chapter 9 STOPPING, STANDING, AND PARKING

Sections:

10.9.010 Stopping, standing or parking close to curb.

10.9.020 Lights on parked vehicles.

10.9.030 Parking at meters.

10.9.040 Paying for parking.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- 10.9.050 Stopping or parking on public streets and alleys.
- 10.9.060 Parking in alleys.
- 10.9.070 Parking for certain purposes prohibited.
- 10.9.080 Parking of commercial vehicles.
- 10.9.090 Compliance with signs required.
- 10.9.100 Curb or pavement markings.
- 10.9.110 Parking controlled adjacent to schools.
- 10.9.120 Parking controlled on narrow traffic ways.
- 10.9.130 Parking controlled during certain hours of the day and/or days of the week.
- 10.9.140 Stopping, standing or parking controlled in hazardous or congested places.
- 10.9.150 Stopping, standing or parking controlled along arterial and collector traffic ways.
- 10.9.160 On-street loading and parking zones.
- 10.9.170 Parking management districts.
- 10.9.180 Review of applications for loading and parking zones on public streets.
- 10.9.190 Application fees for the establishment of loading and parking zones.
- 10.9.200 Use of loading and parking zones on public streets.
- 10.9.210 Passenger loading zones serving schools.
- 10.9.220 Delivery permits.
- 10.9.230 Meter bags.
- 10.9.240 Residential parking in parking management districts.
- 10.9.250 Administration of parking management districts.
- 10.9.260 Parking meter enforcement periods and time limits.
- 10.9.270 Courtesy parking.
- 10.9.280 Unauthorized parking in off-street parking facilities prohibited.
- 10.9.290 Rates charged on City owned or operated off-street parking lots, garages, and parking meters.
- 10.9.300 Parking in construction zones.

10.9.010 Stopping, standing or parking close to curb.

Unless otherwise provided in this Chapter, it is unlawful for any person to stop, stand, or park a vehicle, other than a motorcycle, in a traffic way other than parallel with the edge of the traffic way headed in the direction of the lawful traffic movement for the lane in which it is stopped, standing, or parked and with the wheels of the vehicle within eighteen (18) inches of the curb or edge of the traffic way.

Title 10 VEHICLES AND TRAFFIC

10.9.020 Lights on parked vehicles.

Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

10.9.030 Parking at meters.

- A. Except as directed by an officer or representative of Great Falls Fire Rescue (GFFR) Department, Great Falls Police Department (GFPD) officer or representative, or a City parking official, vehicles using metered parking spaces shall park within the area and at the angle delineated by the pavement markings.
- B. When pavement markings are obscured by snow, wear, or other conditions and there is angle parking, vehicles shall be parked to the left side or right side of the appropriate meter.
- C. Where there is parallel parking, vehicles shall be parked front end to or rear end to, within eighteen (18) inches of the appropriate meter, and within eighteen (18) inches of the curb. Failure to comply with this section is a violation of this Title, subject to the penalties and fees authorized by Chapter 21 of this Title.

10.9.040 Paying for parking.

- A. Upon parking in a metered parking space, the occupants of the vehicle shall immediately pay for parking using coins of the United States or any other means provided for payment by the City, including a mobile electronic device application.
- B. The available means of payment shall be indicated on the meter and/or signs posted on the adjoining sidewalk. The occupants may display a free parking pass issued by the City. Failure to pay for parking or to display a pass is a violation of this Title subject to the penalties and fees authorized by Chapter 21 of this Title.
- C. A valid free parking pass bears the signature of the Parking Administrator, the City Manager, or the City's authorized agent, and an expiration date. Attempted use of a pass that does not bear an authorized signature and an expiration date is a violation of this Title, subject to the penalties and fees authorized by Chapter 21 of this Title.
- D. Vehicle occupants may use unexpired time on a parking meter, but the unexpired time counts toward the applicable time limit.

10.9.050 Stopping or parking on public streets and alleys.

Except when temporarily necessary to avoid conflict with other traffic, when so directed by a GFFR or GFPD officer or representative, City parking official, or where a parking space is clearly delineated by pavement markings, it is a violation of this Title, punishable by Chapter 21 of this Title, to park a vehicle in any of the following places:

- A. In front of, across from, or within five (5) feet of a public or private driveway, an alley, or as otherwise indicated by pavement markings and/or official signs, which may prohibit parking in a larger area adjacent to the driveway or alley;
- B. Within a signed and/or marked fire hydrant zone, or if the fire hydrant zone is not signed and/or marked, within ten (10) feet of a fire hydrant;
- C. Within thirty (30) feet in front of any crosswalk (marked or unmarked) at an intersection;
- D. Within twenty (20) feet beyond any crosswalk (marked or unmarked) at an intersection;

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- E. Within thirty (30) feet in front of or twenty (20) feet beyond any mid-block crosswalk;
- F. Upon the paved or main traveled part of a street or alley when it is practical to stop or park in a delineated parking space, on the shoulder, or otherwise safely out of the flow of traffic;
- G. In a traffic lane for the purpose of discharging or receiving passengers, in which case both the driver of the vehicle and the passenger may be cited for a violation;
- H. In a marked or signed fire lane;
- I. In violation of parking City parking facility rules or lease agreement; or
- J. Any other place where official signs, pavement, or curb markings prohibit parking.

10.9.060 Parking in alleys.

- A. It is unlawful to stop, stand, or park any vehicle or trailer in any alley unless parallel to and within eighteen (18) inches of the alley line and leaving at least ten (10) feet of roadway for movement of through traffic.
- B. It is unlawful to stop, stand, or park any vehicle or trailer in any alley so as to block entry to any private driveway, entrance to a building, or at any location which will prevent or hinder garbage collection.
- C. It is unlawful to stop, stand, or park any vehicle or trailer in any alley at any time in the area which may be designated Central Business District; except commercial vehicles which are attended or in the process of loading or unloading. Such alleys shall be properly signed and marked by the Public Works Department.
- D. It is unlawful to stop, stand, or park any vehicle or trailer in any one-way alley, except upon the right-hand side of the alley and heading in the proper direction of designated traffic flow.

10.9.070 Parking for certain purposes prohibited.

It is unlawful for any person to do any of the following while a vehicle is parked upon any traffic way of the City:

- A. Display more than one (1) vehicle for sale or advertising of such vehicle on the vehicle itself; or
- B. Grease, paint, or repair any vehicle for non-emergency purposes.

10.9.080 Parking of commercial vehicles.

It is unlawful for any motor vehicle used for commercial purposes to park on any traffic way for any continuous period in excess of twenty-four (24) hours, unless otherwise provided in this Title.

10.9.090 Compliance with signs required.

When official signs controlling parking are erected upon such traffic ways as authorized by this Title, no person shall stop, stand, or park a vehicle upon any traffic way in violation of any sign.

Title 10 VEHICLES AND TRAFFIC

10.9.100 Curb or pavement markings.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to approve curb or pavement markings. No markings shall be applied without prior approval from the Public Works Department.

10.9.110 Parking controlled adjacent to schools.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain signs that control parking upon either side of any traffic way adjacent to any school property when stopping, standing, or parking would, in the Department's opinion, interfere with traffic or create a hazard to health or safety.

10.9.120 Parking controlled on narrow traffic ways.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain signs that control parking upon any traffic way when the width of the traffic way does not permit safe passage of traffic flow under existing conditions.

10.9.130 Parking controlled during certain hours of the day and/or days of the week.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain signs that control parking during certain hours of the day and/or days of the week upon any traffic way whenever it is deemed necessary.

10.9.140 Stopping, standing, or parking controlled in hazardous or congested places.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain signs that control the stopping, standing, or parking of vehicles that would create a hazard to health or safety or that would cause unusual delay to traffic along certain traffic ways.

10.9.150 Stopping, standing, or parking controlled along arterial and collector traffic ways.

The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain signs that control parking upon either side of any arterial or collector traffic way that may be hereafter designated as such by proper authority.

10.9.160 On-street loading and parking zones.

- A. On-street loading and parking zones may be established following the procedure adopted in the Chapter.
- B. The Public Works Department, with appropriate Montana Department of Transportation approval, is authorized to install and maintain parking control signs and/or curb or pavement markings on public streets for on-street loading and parking zones serving properties within the incorporated City limits, including freight or passenger loading zones, handicapped parking zones, and bus parking zones serving schools.

Title 10 VEHICLES AND TRAFFIC

10.9.170 Parking management districts.

- A. The City may establish parking management districts in which time limits, parking meters, or both, are used to encourage turnover in the use of parking spaces and/or to ensure that adequate parking is available to businesses and residents. Delivery permits, meter bags, and monthly meter passes may be used to facilitate the administration of these districts.
- B. The Public Works Department is authorized to install and maintain parking control signs and/or curb or pavement markings designating parking management districts.

10.9.180 Review of applications for loading and parking zones on public streets.

- A. The Administrator shall provide forms upon which applications for the establishment of loading or parking zones, including handicapped parking zones, may be filed. Upon receipt of an application accompanied by the application fee established pursuant to Commission resolution, the Administrator shall refer the application to the Public Works and Planning and Community Development Departments for review and comment and then, based on those comments:
 - 1. Approve;
 - 2. Conditionally approve; or
 - 3. Deny the application, with any conditions imposed or reasons for denial stated in writing.
- B. In addition to the application fee, applicants will be responsible for the actual costs the City incurs in making and erecting signs or installing curb or pavement markings to delineate the loading or parking zone.
- C. The extent and location of loading and parking zones may be limited by the Administrator to ensure traffic and pedestrian circulation and safety. The Administrator is not required to approve an application for a loading or parking zone that interferes with safe circulation.
- D. Loading and parking zones will not be permitted on a public street where the Administrator determines that there is adequate space for loading and parking on the applicant's property.
- E. The Administrator's decision may be appealed to the Board of Adjustment following the procedures established in OCCGF Title 17.

10.9.190 Application fees for the establishment of loading and parking zones.

Application fees for the establishment of loading and parking zones shall be set by Commission resolution with the objective of recovering administrative costs.

10.9.200 Use of loading and parking zones on public streets.

- A. It is unlawful for any vehicle to stop or park in any loading or parking zone established pursuant to this Chapter for any purpose except that for which the zone was established.
- B. It is unlawful for vehicles or materials to be parked or stored in a loading zone except where the Administrator permits the temporary use of a loading zone for the parking of equipment or storage of materials during construction.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- C. The Administrator may, after seeking the advice of the Parking Advisory Commission, remove any loading or parking zone that:
 - 1. Is subject to repeated violations by the applicant requesting its establishment;
 - 2. Is creating a traffic hazard or congestion;
 - 3. Is no longer in use; or
 - 4. Is otherwise failing to function for its intended purpose.

10.9.210 Passenger loading zones serving schools.

Section 10.9.200 shall be enforced in passenger loading zones serving schools only between 7:00 a.m. and 5:00 p.m. on school days or when weekend, summer, or evening sessions served by busses are held.

10.9.220 Delivery permits.

- A. Delivery permits allow parking in freight loading zones or in any lawful parking space in a parking management district without additional payment only while a vehicle is making deliveries.
- B. All vehicles that regularly make deliveries within a parking management district shall display a delivery permit issued by the City in a way that is clearly visible to parking enforcement personnel. The Administrator may issue more specific instructions for the display of these permits.
- C. Delivery permits must be renewed on or before January 1 each year. The cost of a delivery permit will be set by Commission resolution.
- D. Use of a delivery permit to attempt to avoid paying for parking when not making a delivery is a violation of this Title.

10.9.230 Meter bags.

- A. Meter bags may be issued temporarily to reserve metered parking spaces for maintenance or construction activities, while moving, or for other activities being conducted by or for the adjoining property owner that require reserved parking at a particular location within a parking management district.
- B. The daily cost of meter bags will be set by Commission resolution.
- C. Using a meter bag to attempt to avoid paying for parking when not engaged in the activities for which the meter bag was issued is a violation of this Title.

10.9.240 Residential parking in parking management districts.

- A. Residential parking areas are shown on the Official Parking Management District Map of the City of Great Falls that is filed with the Planning and Community Development Department. After seeking the advice of the Parking Advisory Commission, the City Commission may, by resolution, dissolve, amend, or add residential parking areas in any parking management district.
- B. It is unlawful to stop or park a vehicle for longer than the time limit established by the signs posted in a residential parking area.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- C. Residents of the district may, upon submitting proof of their residence in a residential parking area, obtain a residential parking permit that exempts them from the posted time limit. Fees for such permits shall be set by Commission resolution.
- D. Residential parking permits are specific to the vehicle plate number shown on the application for the permit and must be used within one block of the place of residence given on that application. Residential parking permits may not be used at metered parking spaces. Penalties for violations of this section are as set by Commission resolution.

10.9.250 Administration of parking management districts.

- A. Parking management districts are shown on the Official Parking Management District Map of the City of Great Falls that is filed with the Planning and Community Development Department. After seeking the advice of the Parking Advisory Commission, the City Commission may, by resolution, dissolve, amend, or add parking management districts.
- B. Parking meters may be installed within parking management districts. Meters need not, however, be used throughout these districts. The Administrator, in consultation with the Parking Advisory Commission, may remove parking meters that are not needed to maintain parking turnover or where the cost of servicing a meter exceeds the revenue it generates. The Administrator, in consultation with the Parking Advisory Commission, may add meters in an established management district. Where meters are not used within the metered parking districts, time limits may be posted and enforced using signs.
- C. The Administrator may also issue monthly parking passes that can be used at meters in areas where meters are underutilized. The fee for monthly parking passes shall be set by Commission resolution.

10.9.260 Parking meter enforcement periods and time limits.

- A. The rates and time limits for parking in parking management districts shall be set by Commission resolution.
- B. Any type of meter may be used within a parking management district at the discretion of the Administrator, with recommendations from the Parking Advisory Commission.
- C. Enforcement of the parking rates and time limits established by the Commission shall be in effect from 9:00 a.m. to 5:00 p.m. on all days except Saturdays, Sundays, and City holidays or as otherwise provided by Commission resolution. The Administrator may temporarily suspend parking meter enforcement for downtown events, holidays, or construction projects.
- D. It is unlawful to park a vehicle in a parking management district for a period of time longer than the limit that is adopted by the Commission and posted on the meter and/or signs placed by the City. Spaces may be used without regard to the posted time limit on Saturdays, Sundays, and City holidays, except where otherwise posted.
- E. The time limits authorized herein are enforced, among other ways, by chalking tires. Consistent with the purpose of time limits, as stated in A., above, a vehicle that has not been moved far enough to erase the chalk mark is still in violation of the time limits.
- F. An exception to the posted time limits is hereby granted to individuals with disabilities as provided in Mont. Code Ann. Title 49, Chapter 4, to use any metered space without regard to the sign-posted time limit.

Title 10 VEHICLES AND TRAFFIC

10.9.270 Courtesy parking.

Upon request by the adjoining property owner or tenant and approval of the Administrator, metered spaces may be designated as courtesy parking, allowing the removal of the meters and their replacement with a sign stating that parking is being provided by the adjoining business. The number and location of spaces that may be thus designated will be determined by the Administrator. The fee for designating spaces as courtesy parking shall be set by Commission resolution and payable each year prior to January 1.

10.9.280 Unauthorized parking in off-street parking facilities prohibited.

- A. It is unlawful for any person to stop or park a vehicle in any parking space in an off-street parking facility that is owned or leased by the City unless the occupants of that vehicle have paid the required fee.
- B. Parking spaces controlled by parking meters in off-street parking facilities owned or leased by the City shall be subject to the same rates, time limits, and periods of enforcement as other parking meters, unless otherwise provided by Commission resolution.

10.9.290 Rates charged on City owned or operated off-street parking lots, garages, and parking meters.

Rates for City-owned or City-operated off-street parking lots, garages, and parking meters shall be set by Commission resolution.

10.9.300 Parking in construction zones.

The Public Works Department is authorized to relocate vehicles parked in active construction zones. Prior to relocation the Department shall:

- A. Place a no parking notice in the construction zone twenty-four (24) hours prior to construction beginning;
- B. Provide notice to the GFPD that a vehicle is located in the construction zone and must be removed; and
- C. GFPD shall attempt to locate the registered owner of the vehicle.
- D. If the registered owner is not located, or the vehicle is not removed from the construction zone within twenty-four (24) hours, the Public Works Department shall remove the vehicle from the construction zone, and the costs of said removal shall be charged to the registered owner.

Chapter 10 VEHICLE IMMOBILIZATION

Sections:

10.10.010 Authorization to use vehicle immobilizer.

10.10.020 Procedure for vehicle immobilization.

10.10.030 Removal of violation vehicle.

10.10.040 Release to the owner.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

10.10.050 Hearing on immobilization.

10.10.010 Authorization to use vehicle immobilizer.

- A. Members of the GFPD, or other Parking Administrator authorized persons, are authorized to use a vehicle immobilizer ("boot") to immobilize any vehicle that is parked in a City parking space located in the downtown residential district, the parking meter district, or any City owned off-street pay-to-park facility that has five (5) or more parking tickets unpaid or delinquent thirty (30) days or more.
- B. Prior to any vehicle immobilization, the Planning and Community Development Department's Parking Division is required to either:
 - 1. Mail the registered owner of the vehicle a final notice for five (5) or more of the unpaid or delinquent parking tickets; or
 - 2. File a complaint in Great Falls Municipal Court charging the registered owner with unpaid parking tickets on the vehicle, and no individual has appeared for arraignment on the complaint.

10.10.020 Procedure for vehicle immobilization.

- A. If parking officials, as defined this Chapter, choose to immobilize a vehicle with a boot as allowed by Chapter, then the on-site officers immobilizing the vehicle shall ensure that a written notice is conspicuously affixed to the vehicle.
- B. The written notice will inform the owner, driver, or person in charge of such vehicle that:
 - 1. The vehicle has been immobilized by the City pursuant to this Chapter;
 - 2. Release from such immobilization may be obtained at a designated place;
 - 3. Unless arrangements are made for the release of such vehicle within forty-eight (48) hours, the vehicle will be towed and impounded pursuant to this Chapter; and
 - 4. Removing or attempting to remove the immobilization device before a release is obtained is unlawful.
- C. An immobilized vehicle shall not be released by the City until the immobilization fee is paid, together with payment of all outstanding parking fines, or posting of a bond as allowed by this Chapter.
- D. If the vehicle has remained immobilized for a period of forty-eight (48) hours and a release has not been obtained, then the GFPD shall have the vehicle towed and impounded.

10.10.030 Removal of violation vehicle.

- A. The City is authorized to remove a vehicle or tow a vehicle from parking spaces located in the areas listed in section 10.10.010 to the designated tow site when a vehicle with an

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

immobilization device attached remains immobilized for a period of forty-eight (48) hours and a release has not been obtained.

- B. Whenever an officer removes a vehicle from a street or City parking space as authorized in this section, and the officer knows or is able to ascertain from the registration records on the vehicle the name and address of the vehicle owner, the officer shall give notice in writing to the owner of the removal, the violations, and the place where the vehicle has been relocated.
- C. If a vehicle is stored at a designated tow site, a copy of the notice shall be given to the proprietor of the tow site. The party towing the vehicle shall immediately notify the GFPD dispatcher that a vehicle has been towed from a specific location and give the dispatcher a detailed description of the vehicle and the location to which it is being towed.
- D. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner, and if the vehicle is not returned to the owner within a period of three (3) days, then the officer shall send a report of the removal to the Montana Department of Transportation Motor Vehicle Division and shall file a copy of the notice with the proprietor of the designated tow site. The notice shall include a complete description of the vehicle, the date, time, and place from which removed, the violations, and name of the tow site.
- E. The cost of towing or removing the vehicle and costs of storing the vehicle shall be chargeable against the vehicle and shall be paid by the owner of the vehicle before it is released.
- F. The taking of possession of a vehicle for violation of any parking ordinance or regulation shall not prohibit the filing of a complaint in Municipal Court for the violation(s).

10.10.040 Release to the owner.

- A. A vehicle immobilized for unpaid parking tickets shall be released to the registered owner or any other person legally entitled to claim possession of the vehicle, and the vehicle immobilization equipment shall be removed upon payment of all overdue and unpaid parking tickets and the immobilization fee. The fee may be paid in the form of a refundable bond, pending the outcome of any hearing requested pursuant to section 10.10.050(D).
- B. A vehicle towed and impounded for unpaid parking citations, and in accordance with section 10.10.030, can only be released pursuant to a written order from the Municipal Court that all penalties, fines, or forfeitures owed by the registered owner have been satisfied by full payment or the posting of a bond pending a hearing.

10.10.050 Hearing on immobilization.

- A. After a vehicle has been immobilized pursuant to this Chapter, the registered owner, and any other person(s) who reasonably appear to have an interest in the vehicle, is entitled to have speedy hearing with the Parking Administrator or a designee to determine if the vehicle was immobilized in accordance with this Chapter.
- B. If the Parking Administrator or designee finds that the immobilization was invalid or unjustified, he or she will order the vehicle to be immediately released, and the owner or any other person(s) who have an interest in the vehicle shall not be held liable for the immobilization fee.

Title 10 VEHICLES AND TRAFFIC

- C. If the Parking Administrator finds that the immobilization was valid and justified, he or she may order that the immobilization device remains on the vehicle until payment is received for the immobilization fee and all overdue and unpaid parking tickets.
- D. The decision of the Parking Administrator may be appealed to the City Manager's Office within fifteen (15) calendar days. The City Manager or designee shall affirm, modify, or reverse the decision of the Parking Administrator by written finding. An adverse finding by the City Manager may be appealed, in writing, within (15) calendar days to the City Commission. The City Commission, after hearing testimony on the matter, shall issue a written finding affirming, modifying, or reversing the decision of the City Manager.

Chapter 11 COMMERCIAL VEHICLES

Sections:

10.11.010 Commercial vehicles—prohibited where.

10.11.020 Commercial vehicles—parking prohibited where—exception.

10.11.030 Restriction of vehicles—determined by City Commission—signs to be erected.

10.11.010 Commercial vehicles—prohibited where.

- A. It is unlawful for any person to drive or operate, or for the owner to cause or knowingly permit to be driven or operated any commercial vehicle not involved in local service as defined in subsection B., of this section, upon any City public way except upon the truck routes designated as follows:
 - 1. Tenth Avenue South from the west City limits to the east City limits;
 - 2. The Northeast Bypass from the intersection at Fifty-seventh Street and Tenth Avenue South, north and then westerly to the Ninth Street Bridge;
 - 3. River Drive from its connection with Tenth Avenue South at or near the Warden Bridge to the First Avenue North Bridge;
 - i. First Avenue North from Park Drive westerly through the First Avenue North Bridge; and
 - ii. Central Avenue West from the west end of the First Avenue North Bridge to the west City limits on the Vaughn Highway;
 - 4. Third Street Northwest and Smelter Avenue from Central Avenue West to the northeasterly City limits;
 - 5. Second Street from the Tenth Avenue South approaches north to First Avenue South;
 - 6. First Avenue South from Second Street, west to Park Drive; and
 - i. Park Drive from First Avenue South to First Avenue North;
 - 7. Sixth Street Southwest from Central Avenue West to Tenth Avenue South; and
 - 8. River Drive from First Avenue North to the Ninth Street Bridge.

Title 10 VEHICLES AND TRAFFIC

10.11.020 Commercial vehicles—parking prohibited where—exception.

It is unlawful for any person to park a commercial vehicle on any City public way, or outside of that area which may be designated as the Central Business District, except for an emergency or for loading and unloading purposes.

10.11.030 Restriction of vehicles—determined by City Commission—signs to be erected.

- A. The City Commission may by ordinance, prohibit the operation of vehicles upon any such streets, avenues, or highways, or impose restrictions as to the weight of vehicles to be operated upon any street, whenever any street by reason of deterioration, rain, snow, or other climate conditions will be seriously damaged or destroyed.
- B. The Public Works Department shall erect signs pursuant to the ordinance at each end of that portion of any street affected thereby, and the ordinance shall not be effective unless and until signs are erected and maintained.

Chapter 12 ABANDONED AND JUNKED VEHICLES, MACHINERY, TRAILERS, AND PARTS

Sections:

10.12.010 Purpose.

10.12.020 Exemptions.

10.12.030 Junk vehicle deemed nuisance.

10.12.040 Administration and enforcement.

10.12.050 Notices of intention to abate and remove; mailing; form of notices.

10.12.060 Appeal.

10.12.070 Abatement and removal.

10.12.080 Illegal off-street parking.

10.12.090 Continuing notice.

10.12.100 Penalty.

10.12.010 Purpose.

The City Commission hereby finds and declares that the accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles, machinery, trailers, or parts thereof, on public property is hereby found to:

- A. Create a condition tending to reduce the value of private property;

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- B. Promote blight and deterioration;
- C. Invite criminal activity;
- D. Create fire hazards;
- E. Constitute an attractive nuisance creating a hazard to the health and safety of minors; and
- F. Create a harbor for rodents and insects potentially injurious to the health, safety, and general welfare.
- G. Therefore, the presence of an abandoned, wrecked, or dismantled or inoperative vehicle, or part thereof on public property, except as expressly hereinafter permitted, is hereby declared to constitute a Nuisance, which may be abated in accordance with the provisions of OCCGF Title 8, Chapter 49.

10.12.020 Exemptions.

This Chapter shall not apply to the following:

- A. When such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise on land which such business or enterprise is authorized by the City's zoning regulations; or
- B. A vehicle which was recently involved in a collision, duly documented by a timely report filed with the appropriate law enforcement agency or the Montana Department of Transportation, or its equivalent in a sister state, shall not be deemed a junk vehicle unless the owner or operator of said vehicle fails to repair or properly cover the same.

10.12.030 Junk vehicle deemed nuisance.

The keeping, maintaining, or allowing a junk vehicle to be on public property, except as provided by Section 10.12.020, shall constitute a Nuisance as defined by OCCGF Title 8, Chapter 49.

10.12.040 Administration and enforcement.

- A. Except as otherwise provided, the provisions of this Chapter shall be administered and enforced by the Planning and Community Development Director and/or the Police Chief, or their respective designees, hereinafter collectively referred to as "enforcement officer."
- B. The enforcement officer and any person designated by the enforcement officer to abate the nuisance, pursuant to the OCCGF or court order, are hereby authorized access to any property upon which a junk vehicle is located for the purpose of carrying out any and all actions necessary to enforce this Chapter.

10.12.050 Notices of intention to abate and remove; mailing; form of notices.

- A. A ten-day notice (exclusive of weekends or federally mandated holidays) of intention to abate and remove the vehicle or parts thereof as a Nuisance shall be given to the owner of the vehicle, if known. The notice shall be in a form promulgated by the issuing enforcement officer, and shall provide the following information at a minimum:

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

1. A description of the vehicle or parts which constitute(s) a Nuisance under the provisions of the OCCGF;
 2. That the Nuisance must be abated within ten (10) days, (exclusive of weekends and federally mandated holidays) the junk vehicle must be either:
 - i. Brought into a condition that it no longer is defined as a junk vehicle;
 - ii. Placed in a proper enclosure; or
 - iii. Removed from the property and properly disposed of or removed from the City; and
 3. Failure to properly abate said Nuisance as prescribed shall be sufficient cause for the removal of the junk vehicle by the enforcement officer or his/her designee as set forth by the OCCGF.
- B. The notice required by this section shall be served in any one (1) of the following manners:
1. By regular mail to the last registered-owner of said vehicle, if ascertainable, at the address listed in the State's records concerning ownership of the vehicle, and service shall be deemed to have been perfected the day after the notice is mailed; or
 2. If the last registered owner's name is not ascertainable, by posting notice on or near the junk vehicle, and service shall be deemed to have been perfected the day the notice is posted on or near the junk vehicle.

10.12.060 Appeal.

Any interested party may appeal the decision of the enforcement officer by filing a written notice of appeal with the City Manager ten (10) calendar days after service of notice as required by this Chapter. The City Manager or designee shall within fifteen (15) calendar days make a written finding affirming, reversing or modifying the enforcement officer's decision.

10.12.070 Abatement and removal.

- A. The responsible party, after service of notice is perfected, shall abate the Nuisance within ten (10) calendar days. Abatement shall consist of:
1. Providing for the current registration of the vehicle including the affixing the registration plate or current sticker to the vehicle;
 2. Repairing any and all conditions which cause the vehicle to be a Nuisance under the provisions of the OCCGF; and
 3. Having all of the required equipment and parts for the vehicle which was described in the notice; or
 4. Removing the vehicle or causing the vehicle to a legally authorized location.
- B. If the responsible parties fail to abate the Nuisance as prescribed, or after such abatement has been affirmed by the City Manager, the City, through the enforcement officer may abate such Nuisance by causing the junk vehicle(s) to be removed, impounded and sold, or disposed of as provided for abandoned vehicles under the laws of the State of Montana. All costs of abatement and the administrative fee provided by this Chapter shall be charged to the responsible parties, jointly and severally.

Title 10 VEHICLES AND TRAFFIC

10.12.080 Illegal off-street parking.

- A. No person shall park a vehicle upon privately owned real property or area developed as an off-street parking facility without the consent of the owner, lessee, or person in charge of said property or facility.
- B. No person shall park a vehicle upon publicly owned real property in violation of any legally authorized signage.
- C. Any vehicle parked in violation of this section shall be deemed an abandoned vehicle.

10.12.090 Continuing notice.

A notice issued pursuant to this Chapter shall be deemed a continuing notice regarding the vehicle(s) described in the notice for a period of one (1) year from the date of service and is valid for all locations within the incorporated City limits. No further notice by an enforcement officer or ten-day period to abate is necessary to abate a Nuisance created by said vehicle(s) within the one-year period.

10.12.100 Penalty.

Parking any vehicle in violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 13 ABANDONED, WRECKED, JUNKED OR DISMANTLED VEHICLES ON PRIVATE PROPERTY

Sections:

10.13.010 A condition prohibited.

10.13.020 Repair.

10.13.010 A condition prohibited.

An abandoned or junked vehicle on a private, non-permitted, premises is hereby declared a condition prohibited pursuant to OCCGF Title 8, Chapter 51.

10.13.020 Repair.

Vehicles may be repaired by non-commercial property owners or occupants in public view. Said repairs must be pursued to completion. Dismantled vehicles must be covered when not being repaired. Vehicles not fully repaired within twenty (20) calendar days are presumed to be abandoned.

Title 10 VEHICLES AND TRAFFIC

Chapter 14 SNOWMOBILES

Sections:

10.14.010 Prohibited where.

10.14.020 Penalty.

10.14.010 Prohibited where.

It is unlawful for any person or operator to drive any snowmobile upon any public rights-of-way within the incorporated City limits, or upon any public parks or public grounds within the City.

10.14.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 15 MOTORCYCLES

Sections:

10.15.010 Driving on sidewalks and in public parks or grounds prohibited.

10.15.020 Penalty.

10.15.010 Driving on sidewalks and in public parks or grounds prohibited.

It is unlawful for any person or operator to drive any motorcycle or other power driven two-wheel vehicle upon sidewalks within the City or upon that portion of any public park or public grounds where no roadway is provided.

10.15.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 16 HANDICAPPED ZONE

Sections:

10.16.010 Handicapped zone.

Title 10 VEHICLES AND TRAFFIC

10.16.010 Handicapped zone.

- A. No person shall park a motor vehicle in a parking space designated and reserved for the physically handicapped, unless:
 - 1. Such person is physically handicapped in a manner rendering it difficult and burdensome for such person to walk, or such person was operating the vehicle under the direction of a physically handicapped person; and
 - 2. The vehicle visibly bears or contains the certificate or insignia issued to physically handicapped persons by the City or visibly bears or contains a special handicapped license plate or permit issued to physically handicapped persons by any State or City.
- B. Notice of such designation of handicapped parking spaces shall be given by posting appropriate signs.
- C. In any prosecution charging a violation of the above provisions, the owner or person or corporation in whose name said vehicle is registered shall be held absolutely responsible for said violation and subject to the penalty therefore.
- D. A violation of this section is punishable by a fine set by Commission resolution.

Chapter 17 TRAILERS

Sections:

10.17.010 Occupancy regulations.

10.17.020 Penalty.

10.17.010 Occupancy regulations.

No trailer, as defined by this Title, shall be occupied either permanently or temporarily as a dwelling place or living abode while parked on any street, avenue, alley or highway, or other public place unless otherwise authorized by OCCGF Title 17 or other applicable Federal or State law.

10.17.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 18 TOLL LOCATIONS

Sections:

10.18.010 Tolls prohibited.

10.18.020 Penalty.

Title 10 VEHICLES AND TRAFFIC

10.18.010 Tolls prohibited.

It is unlawful for any person, firm, corporation or organization, charitable or otherwise, to occupy, stand in, and/or use any portion of any public right-of-way for the purpose of establishing a toll location through which vehicular traffic must pass in order to collect funds or make any other contact or solicitation from the driver or occupant of any vehicle using the public street, highway or bridge within the City without prior written authorization from the City Manager.

10.18.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 19 LIABILITY FOR STREET DAMAGE

Sections:

10.19.010 Applicability.

10.19.020 Owner and driver of vehicle jointly liable.

10.19.030 Civil action.

10.19.010 Applicability.

Any person driving any vehicle, object, or device upon any street or street structure shall be liable for all damage which the street or structure may sustain as a result of any illegal operation, driving, or moving of the vehicle, object, or device, or as a result of operating, driving or moving any vehicle, object, or device weighing in excess of the maximum weight in this Title except as otherwise provided or permitted.

10.19.020 Owner and driver of vehicle jointly liable.

- A. Whenever such driver is not the owner of such vehicle, object, or device, but is operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any damage.
- B. The Public Works Director may, in his or her discretion, authorize an individual liable for damage pursuant to this Chapter to repair any damage caused to the same or better condition before the damage was caused or to any other legally mandated condition.

10.19.030 Civil action.

Such damage may be recovered in a civil action brought by the City in a Court of competent jurisdiction.

Title 10 VEHICLES AND TRAFFIC

Chapter 20 EXCESS SIZE AND WEIGHT PERMITS

Sections:

10.20.010 Issuance conditions.

10.20.020 Penalty.

10.20.010 Issuance—conditions.

The City Engineer is authorized to issue, revoke, or deny permits for the operation of vehicles of excess size and weight pursuant to adopted written policy on file at the Great Falls Public Works Department. A permit issued pursuant to this Chapter shall describe any applicable conditions for the operation of the vehicle subject to the permit.

10.20.020 Penalty.

- A. Any person who knowingly or willfully misrepresents the size or weight of any load in obtaining a permit pursuant to this Chapter, does not follow the conditions of the permit, or operates any vehicle requiring a permit pursuant to this Chapter without a permit, is guilty of a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), six months in jail, or both.
- B. Every permit issued pursuant to this Chapter shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by law enforcement.

Chapter 21 PARKING VIOLATIONS

Sections:

10.21.010 Illegally parked vehicle notice.

10.21.020 Illegally parked vehicle notice of failure to comply.

10.21.030 Illegally parked vehicle presumption.

10.21.040 Illegally parked vehicle warrant issued when.

10.21.050 Disposition of fines and parking meter revenue.

10.21.060 Fines and forfeitures official misuse.

10.21.070 Penalties and administrative fees.

Title 10 VEHICLES AND TRAFFIC

10.21.010 Illegally parked vehicle notice.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any State or local restrictions, the Parking Official finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its owner and post written notice of the violation on the vehicle indicating any applicable penalties and the place where any applicable fines may be paid or contested.

10.21.020 Illegally parked vehicle notice of failure to comply.

If an alleged violator of the restrictions on stopping, standing, or parking under legally authorized restriction does not appear in response to a notice affixed to such motor vehicle within the time set forth in the notice, the City shall implement the following process:

- A. The penalty for a violation of this section occurring in a parking management district must be paid within thirty (30) calendar days of the date of the citation. If payment is not received within that time, an administrative fee will be added to the violation. The penalties and fees will be set by Commission resolution.
- B. After thirty (30) days without payment, a statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- C. After sixty (60) days without payment, a second statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- D. After ninety (90) days without payment, a third statement that is clearly marked as a pre-collection notice of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- E. After one hundred twenty (120) days without payment, the amount due for the violation and the administrative fee will be referred to a collection agency. If the payment through collection efforts is not received within ten (10) months of the date of the citation, the City may request an arrest warrant and proceed with an action through the Municipal Court as provided by this Chapter.
- F. Proceedings through the Municipal Court for enforcement of this Title must be filed within one (1) year of the date of the citation.

10.21.030 Illegally parked vehicle presumption.

If any vehicle is found stopped or parked in any manner violative of legally authorized restrictions, the owner, person, or corporation in whose name said vehicle is registered shall be held absolutely responsible for said violation and subject to applicable penalties.

10.21.040 Illegally parked vehicle warrant issued when.

In the event any person fails to comply with a notice served on the person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the Municipal Court, or if any person fails or refuses to deposit bail as required and within the time permitted by law, Municipal Court may, at its discretion, issue a warrant of arrest.

Exhibit "A" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

10.21.050 Disposition of fines and parking meter revenue.

- A. All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this Title shall be paid to the Planning and Community Development Department and deposited in the parking fund, to be expended to defray the expenses of:
 - 1. Proper regulation of traffic;
 - 2. Parking upon City public streets;
 - 3. Supervision, regulation, and control of parking vehicles; and
 - 4. The purchase, supervision, operation, maintenance, control and use of parking meters.
- B. All revenue obtained from and through the use of parking meters shall be appropriated by the City to pay for the operation and maintenance of on-street and off-street parking facilities.

10.21.060 Fines and forfeitures official misuse.

Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture, either before or after a deposit in the fund, to comply with the foregoing provisions of this Chapter, shall constitute misconduct in office and shall be grounds for removal therefrom.

10.21.070 Penalties and administrative fees.

Penalties and administrative fees for violations of this Title shall be set by Commission resolution.

(Ord. 3188, 2018; Ord. 3146, 2016; Ord. 3122, 2014; Ord. 3090, 2012; Ord. 3057, 2010; Ord. 3042, 2009; Ord. 2951, 2006; Ord. 2867, 2004; Ord. 2819, 2002; Ord. 2815, 2002; Ord. 2802, 2001; Ord. 2790, 2000; Ord. 2757, 1999; Ord. 2708, 1996; Ord. 2707, 1996; Ord. 2676, 1995; Ord. 2646, 1994; Ord. 2640, 1994; Ord. 2633, 1992; Ord. 2521, 1989; Ord. 2520, 1989; Ord. 2469, 1987; Ord. 2457, 1987; Ord. 2456, 1987; Ord. 2446, 1987; Ord. 2443, 1986; Ord. 2442, 1986; Ord. 2383, 1985; Ord. 2353, 1984; Ord. 2321, 1983; Ord. 2305, 1982; Ord. 2283, 1981; Ord. 2245, 1981; Ord. 2219, 1980; Ord. 2189, 1980; Ord. 2188, 1980; Ord. 2186, 1980; Ord. 2052, 1979; Ord. 2021, 1977; Ord. 1987, 1976; Ord. 1974, 1976; Ord. 1627, 1969; Ord. 1471, 1964; Ord. 1454, 1963; Ord. 1217, 1956; Prior codes §§ 10-1-19; 10-2-1(M); 10-2-2(D), 10-2-2(E); 10-2-3(C), 10-2-3(I); 10-2-5(A), 10-2-5(B); 10-2-7(A), 10-2-7(B), 10-2-7(C); 10-2-8(A), 10-2-8(B); 10-2-9(F), 10-2-9(G), 10-2-9(L), 10-2-9(M), 10-2-9(Z); 10-2-10(2); 10-2-11; 10-2-12(A), 10-2-12(D), 10-2-12(E); 10-2-13(A), 10-2-13(B), 10-2-13(C), 10-2-13(D); 10-2-14, 10-2-14(A), 10-2-14(B), 10-2-14(C), 10-2-14(E), 10-2-14(F), 10-2-14(G)(1), 10-2-14(G)(2), 10-2-14(G)(3), 10-2-14(G)(4), 10-2-14(G)(5), 10-2-14(G)(6); 10-2-16(F), 10-2-16(H), 10-2-16(I), 10-2-16(J); 10-2-20(A), 10-2-20(B); 10-2-26(A); 10-2-27(A), 10-2-27(B), 10-2-27(D); 10-2-28; 10-2-29(A), 10-2-29(B), 10-2-29(C); 10-2-30(A), 10-2-30(B); 10-2-33)

Title 10 VEHICLES AND TRAFFIC

Title 10 VEHICLES AND TRAFFIC

Chapter

Chapter ~~31~~ - DEFINITIONS

Chapter ~~92~~ - APPLICABILITY

Chapter ~~213~~ - TRAFFIC CONTROL DEVICES AND PARKING METERS

Chapter ~~274~~ - STOP INTERSECTIONS

Chapter ~~305~~ - ONE-WAY STREETS AND ALLEYS

Chapter ~~336~~ - FOUR-LANE STREETS AND ROADWAYS

Chapter ~~367~~ - SPEED RESTRICTIONS

Chapter ~~398~~ - MISCELLANEOUS DRIVING RULES

Chapter ~~489~~ - STOPPING, STANDING, AND PARKING

Chapter ~~5010~~ - VEHICLE IMMOBILIZATION

Chapter ~~5711~~ - COMMERCIAL VEHICLES

Chapter ~~6012~~ - ABANDONED AND JUNKED VEHICLES, MACHINERY, TRAILERS, AND PARTS

Chapter ~~6113~~ - ABANDONED, WRECKED, JUNKED, OR DISMANTLED VEHICLES ON PRIVATE PROPERTY

Chapter ~~6614~~ - SNOWMOBILES

Chapter ~~6915~~ - MOTORCYCLES

Chapter ~~71 - HANDICAP~~ **16 - HANDICAPPED ZONE**

Chapter ~~72 - BICYCLES~~

Chapter ~~7317~~ - TRAILERS

Chapter ~~7518~~ - TOLL LOCATIONS

Chapter ~~7819~~ - LIABILITY FOR STREET DAMAGE

Chapter ~~8420~~ - EXCESS SIZE AND WEIGHT PERMITS

Chapter 21 – PARKING VIOLATIONS

Title 10 VEHICLES AND TRAFFIC

Chapter ~~87~~ VIOLATION PENALTY

Chapter 31 DEFINITIONS

Section:

~~10.3.010 Definitions.~~

10.1.010 Definitions.

10.31.010 Definitions.

Unless otherwise specified or a different meaning is plainly intended in this Title, the following definitions apply throughout this title:

~~Administrator~~**A. "Abandoned vehicle" means any of the City employees following:**

1. **A vehicle that has been left unattended on public property for more than forty-eight (48) hours and is rendered inoperable;**
2. **A vehicle that has remained illegally parked on public property for more than forty-eight (48) hours;**
3. **A vehicle that has been unlawfully parked on private real property or contractor tasked by has been placed on private property without the City Manager with consent of the management real property owner or person in control of the City's parking facilities. property for more than forty-eight (48) hours;**

~~(Ord. No. 3122, § 1, 12-2-2014)~~

4. **A vehicle that has been legally impounded by order of a law enforcement authority and has not been reclaimed for a period of five (5) days; or**
5. **Any vehicle parked on a street determined by a law enforcement authority to create a hazard to other vehicle traffic.**

B. "Bicycle" means a non-motorized vehicle consisting of a metal frame on two (2) or more wheels and having handlebars and a seat.

~~(Ord. No. 3122, § 1, 12-2-2014; Ord. 2646 (part), 1994)~~

C. "Central Business District" means the C-4 Central Business Core Zoning District.

~~(Ord. No. 3122, § 1, 12-2-2014; Prior code § 10-2-1(M)(part))~~

Title 10 VEHICLES AND TRAFFIC

- D. **"Commercial motor vehicle"** any vehicle meeting the definition provided by Mont. Code Ann. § 61-1-101.
- E. "Freight Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading goods. Freight loading zones are established following the procedures adopted in this ~~chapter~~ **Title**. This term also includes delivery zones in the metered parking district.

~~(Ord. No. 3122, § 1, 12-2-2014)~~

- ~~Handicap~~ F. **"Handicapped Parking Zone"** means a portion of a public right-of-way that is designated for use only by vehicles that have a ~~handicap~~ **handicapped** parking permit or plate. ~~Handicap~~ **Handicapped** parking zones are established following the procedures adopted in this ~~title~~ **Title**.

~~(Ord. No. 3122, § 1, 12-2-2014)~~

- G. "Junk vehicle" means any vehicle, machinery, trailer, or parts thereof, located on public property or illegally parked on private property within the incorporated City limits, which, as to a vehicle or trailer, does not properly display license plates or stickers indicating current registration and/or which has any one (1) or more of the following characteristics:
1. Lacks an engine, wheel, tire, properly installed battery or other structural part which renders the vehicle inoperable for use as designed by the manufacturer;
 2. Has a broken or missing fender, door, bumper, hood, steering wheel, trunk top, trunk handle, tail pipe, muffler, driver's seat, fuel tank, driveshaft, differential, generator, or alternator;
 3. Has become or has the potential to become the breeding ground or habitat of rats, mice, snakes, mosquitoes or other vermin, rodents or insects, or is otherwise used for the storage, harbor, caging or dwelling for an animal of any kind;
 4. Has heavy growth of weeds or other noxious vegetation over eight (8) inches in height under or immediately next to it;
 5. Has become a point of collection for stagnant water;
 6. Contains junk, garbage, refuse, gasoline or fuel other than in its fuel tank, paper, cardboard, wood or other combustible materials, solid waste, or other hazardous material in it or is primarily used for storage of any materials;
 7. Has become a source of danger for children through possible entrapment in areas of confinement that cannot be opened from inside, through a danger of the vehicle falling or turning over, or through possible injury from exposed surfaces of metal, glass, or other rigid materials;
 8. Has become a potential source of contamination of the soil from petroleum products or other toxic liquids being discharged or leaking from the vehicle;
 9. Has become illegal to operate on the public streets because it is missing one (1) or more parts required by law; or

Title 10 VEHICLES AND TRAFFIC

10. Because of its defective, deteriorated, or obsolete condition, in any other way constitutes a nuisance or a threat to the public's health or safety.
- H. "Law enforcement authority" means a peace officer or any City, State, or Federal department or agency member operating in his or her professional capacity within the incorporated City limits.
- I. "Local service" means limiting the authorized use of City streets or avenues to those trucks which have either point of origin or destination for immediate business purposes within the incorporated City limits.
- J. "Machinery" is synonymous with and means the same as "machine" as defined by the current edition of the Merriam-Webster Dictionary.
- K. "OCCGF" means the Official Code of the City of Great Falls.
- L. "Operator" means any person who operates or is in actual physical control of the operation of vehicle.
- M. "Parking Administrator" means the City employee or contractor tasked by the City Manager with the management of the City's parking facilities. Within this Title this person may also be referred to as "The Administrator".
- N. "Parking Official" means peace officers and other persons designated by the City Manager to enforce the provisions of this Title.
- O. "Parking Meter" means any device installed for the regulation of the time allowed for parking as provided by ~~10.48.270~~ of this ~~title~~ Title.

~~(Ord. No. 3122, § 1, 12-2-2014; Prior code § 10-2-1(M)(part))~~

- P. "Part" means any mechanical, structural, body, or decorative component of any vehicle, machinery, or trailer.
- Q. "Passenger Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading people. This specifically includes school bus loading zones. Passenger loading zones are established following the procedures adopted in this ~~title~~ Title.

~~(Ord. No. 3122, § R.~~ "Person" means any individual, partnership, association or corporation, or other legal entity.

- S. "Snowmobile" means any self-propelled vehicle designed primarily for travel on the snow or ice, which may be steered by wheels, skis or runners, and which is not otherwise registered or licensed under Montana State law.
- T. "Trailer" means any vehicle without motor power designed for carrying persons or property and for being drawn by a motor vehicle. The term includes devices intended for recreational camping purposes carried in the bed of a pick-up truck.
- U. "Vehicle" means any device by which any person or property may be propelled, moved, or drawn upon a street. The term includes, but is not limited to:
1. An automobile;
 2. Truck;

Title 10 VEHICLES AND TRAFFIC

3. Van;
 4. Sport utility vehicle;
 5. Recreational vehicle;
 6. Watercraft;
 7. Boat;
 8. Jet ski;
 9. Snowmobile;
 10. ATV;
 11. Aircraft, or
- ~~12-2-2014~~. Parts thereof.

Chapter 92 APPLICABILITY

Sections:

~~10.9.010 Pushcarts and animals.~~

~~10.9.020 Toy vehicles and devices—restrictions—exception.~~

10.2.010 Pushcarts and animals.

10.2.020 Toy vehicles and devices—restrictions—exception.

10.92.010 Pushcarts and animals.

~~Every~~**Any** person propelling any pushcart or, riding an animal upon a roadway and every person, or driving any animal-drawn vehicle shall be subject to the provisions of this ~~title~~**Title**.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-2(D)).~~

10.9.020 Toy vehicles and devices—restrictions—exception.

- A. It is unlawful for any person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device to be upon any roadway except while crossing a street on a crosswalk, and when so crossing such. **Such** person shall be granted all of the rights and shall be subject to all the duties applicable to pedestrians.

~~(Ord. 2646 §(part), 1994; Prior code §10-2-2(E)).~~

- B. **A violation of this section is punishable by a fine of fifty dollars (\$50.00).**

Chapter 213 TRAFFIC CONTROL DEVICES AND PARKING METERS

Sections:

~~10.21.010 Installation—traffic control devices—parking meters.~~

~~10.21.020 Obedience required.~~

~~10.21.030 Interference with signals.~~

~~10.21.040 Crosswalks, traffic lanes and parking spaces—designation authority.~~

~~10.21.050 Standards and specifications.~~

~~10.21.060 No-passing zones—establishment authority.~~

~~10.21.070 Lane designation signs—erection.~~

10.3.010 Installation of traffic control devices and parking meters.

10.3.020 Obedience required.

10.3.030 Interference with signals.

10.3.040 Crosswalks, traffic lanes, and parking spaces.

10.3.050 Standards and specifications.

10.3.060 No-passing zones—establishment authority.

10.3.070 Lane designation signs—erection.

10.213.010 Installation— of traffic control devices— and parking meters.

A.— The Public Works Department, with the approval of the City Commission **and The Montana Department of Transportation when applicable**, shall place and maintain traffic and parking control signs, signals, and devices when and as required under the ~~traffic laws of this City, and per~~**OCCGF, pursuant to the** recommendations of the Manual on Traffic Control Devices, ~~to make effective the provisions of the laws, and may place and maintain such additional traffic-control devices as necessary to regulate traffic under the traffic laws of this City~~**OCCGF** or under State law, or to guide or warn traffic.

B.—~~Parking Meters.~~ In parking meter zones ~~to be established as provided in Chapter 10.48~~**pursuant to this Title**, the Planning and Community Development Director, or designee, shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces. The Planning and Community Development Director shall be responsible for the regulation, control, operation, maintenance ~~and use of such parking meters. Upon the expiration of the lawful time limit, the right of such vehicle to occupy such space ceases and the operator, owner, possessor or manager thereof, shall be subject to the penalties provided in Chapter 10.87, and use of such parking meters.~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~**C. Upon the expiration of the lawful time limit, the right of the occupying vehicle to occupy such space ceases and the operator, owner, possessor, or manager thereof, shall be subject to the penalties provided in this Title.**

Title 10 VEHICLES AND TRAFFIC

10.213.020 Obedience required.

The driver of any vehicle shall obey the instruction of any official traffic-control device applicable thereto placed in accordance with the traffic laws of ~~this~~**the** City, unless otherwise directed by a ~~Police Officer~~**law enforcement officer**, subject to the exceptions granted the driver of an authorized emergency vehicle.

~~(Ord. 2646 §(part), 1994; Prior code §10-2-3(C)).~~

10.21.030 Interference with signals.

- A. It is unlawful for any person without ~~lawful authority~~**legal authorization** to attempt to or ~~in fact~~ alter, deface, injure, knock down, or remove any official traffic-control device or any, railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof, ~~nor shall such~~.
- B. **It is unlawful for any** person ~~deposit or cause to be deposited in~~**damage, disable, or destroy** any parking meter ~~any slugs, device or metal substance or other substitute for lawful coins or approved tokens~~.

~~(Ord. 2646 §(part), 1994; Prior code §10-2-3(I)).~~

10.24C. A violation of this section is punishable by a term not to exceed six (6) months in jail, a fine of not more than five hundred dollars (\$500.00), or both.

10.3.040 Crosswalks, traffic lanes, and parking spaces—~~designation authority.~~

The Public Works Department is authorized, ~~with the approval of the City Commission,~~ to:

- A.— Install and maintain by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as deemed necessary; **and**
- B.— Mark lanes for traffic on street pavements at such places as he **or she** may deem advisable, consistent with the ~~traffic laws of this City~~**OCCGF**.

10.213.050 Standards and specifications.

All traffic control signs, signals, and devices shall conform to the standards and guidelines set forth by the ~~manual~~**Manual** on Uniform Traffic Control Devices.

~~(Ord. 2646 §(part), 1994)~~

10.213.060 No-passing zones—~~establishment authority.~~

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to determine those portions of any roadway where overtaking and passing or driving to the left of the roadway would be especially hazardous and ~~may, by appropriate signs and markings on the roadway,~~ indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof **provide appropriate signage**.

Title 10 VEHICLES AND TRAFFIC

~~(Ord. 2646 §(part), 1994; Prior code §10-2-20(A)).~~

10.210.3.070 Lane designation signs—erection.

Official signs may be erected directing traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, ~~and drivers of vehicles shall obey the directions of every such sign.~~

~~(Ord. 2646 § (part), 1994; Prior code §0-2-20(B)).~~

Chapter 274 STOP INTERSECTIONS

Sections:

~~10.27.010 Designated.~~

~~10.27.020 Stop sign erection—authority.~~

10.4.010 Designated.

10.4.020 Stop sign erection—authority.

10.274.010 Designated.

The following streets and parts of streets ~~so described~~ are through ~~and preferential~~ streets **at stop intersections** for the purpose of this ~~chapter~~**Chapter**:

- A.— Second Avenue North from Park Drive to east City limits;
- B.— Park Drive from Second Avenue South to Eighth Avenue North;
- C.— First Avenue North from Thirty-Seventh Street to west end of First Avenue North Bridge;
- D.— Central Avenue West from west end of First Avenue North Bridge to west City limits;
- E.— Sixth Street Southwest from Central Avenue West to south City limits;
- F.— Third Street Northwest and Smelter Avenue from Central Avenue West to northeast City limits;
- G.— Tenth Avenue South from west City limits to east City limits;
- H.— Ninth Street from Tenth Avenue South to River Drive North;
- I.— Fourteenth and Fifteenth Streets couplet from Tenth Avenue South to River Drive North;
- J.— Central Avenue from Ninth ~~Streets~~**Street** to Forth-sixth Street;
- K.— Second Street from Tenth Avenue South to First Avenue South;
- L.— River Drive ~~all inside of~~ City limits;
- M.— Twenty-fifth and Twenty-sixth Streets couplet from Tenth Avenue South to River Drive North;

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- N.— Twenty-sixth Street South from Tenth Avenue South to the south City limits;
- O.— Fifth and Sixth Street couplets from Central Avenue to Tenth Avenue South;
- P.— Second Avenue South from Second Street to Fifteenth Street;
- Q.— First Avenue South from Park Drive to Fifteenth Street.;
- R.— Thirteenth Avenue South from Fourth Street to Twentieth Street;
- S.— Thirty-second Street South from Central Avenue to Tenth Avenue South;
- T.— Thirteenth Street South from Tenth Avenue South to south City limits;
- U.— Fox Farm Road from Tenth Avenue South to south City limits;
- V.— Upper River Road from River Road loop to south City limits--; **and**
(Prior code §W. **Eighth Avenue North from Park Drive North to Thirty-Eighth Street North.**

~~10-2-8(A)).~~

~~10.27.4.020 Stop sign erection—authority.~~

~~Whenever any law of this City, the OCCGF designates and describes a through or preferential street, it shall be the duty of the Public Works Department to place and maintain a stop sign on each and every street intersecting such through or preferential street or intersection that portion thereof described and designated as such by any law of this City, the OCCGF.~~

~~(Ord. 2646 § (part), 1994; Prior code §10-2-8(B)).~~

Chapter 305 ONE-WAY STREETS AND ALLEYS

Sections:

~~10.30.010 Sign placement and maintenance.~~

~~10.30.020 Direction designated.~~

10.5.010 Sign placement and maintenance.

10.5.020 Direction designated.

~~10.305.010~~ **10.305.010 Sign placement and maintenance.**

~~Whenever any laws of this City designate any~~ **Whenever the OCCGF designates a one-way street or alley, the Public Works Department shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place.** Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-7(A)).~~

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

10.30.5.020 Direction designated.

- A.— Upon those streets ~~and~~, parts of streets, and ~~in those~~ alleys described in subsection B of this section, vehicular traffic shall move only in the indicated direction ~~when signs indicating the direction of traffic are erected and maintained at every intersection where movement.~~ **Movement** in the opposite direction is prohibited.
- B.— In accordance with Section 10.305.010 and when proper signs are posted, traffic shall move only in the direction indicated upon the following streets or avenues.

~~(Ord. 2867, 2004)~~

<u>Street, Avenue or Alley</u>	<u>Permitted direction</u>
First Avenue North Park Drive to Thirty-seventh Street	<u>Eastbound</u>
(Ord. 1217, 1956)	Eastbound
First Avenue South Park Drive to Fifteenth Street	<u>Westbound</u>
(Ord. 1217, 1956)	Westbound
Second Avenue South Second Street to Fifteenth Street	<u>Eastbound</u>
(Ord. 1217, 1956)	Eastbound
Second Avenue North Park Drive to Thirty-seventh Street	<u>Westbound</u>
(Ord. 1217, 1956)	Westbound
Fifth Street Eighth Avenue North to Tenth Avenue South	<u>Southbound</u>
(Ord. 1471, 1964)	Southbound
Sixth Street Eighth Avenue North to Tenth Avenue South	<u>Northbound</u>

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

(Ord. 1471, 1964)	Northbound
Fourteenth Street Twelfth Avenue North to Tenth Avenue South	<u>Southbound</u>
(Ord. 1454, 1963)	Southbound
Fifteenth Street Twelfth Avenue North to Tenth Avenue South	<u>Northbound</u>
(Ord. 1454, 1963)	Northbound
Twenty-fifth Street Tenth Avenue South to Eighth Avenue North	<u>Southbound</u>
(Ord. 1627, 1969)	Southbound
Twenty-fifth Alley Northeast Sixth Street Northeast to Ninth Street Northeast	<u>Westbound</u>
(Ord. 3042, 2009)	Westbound
Twenty-sixth Street Tenth Avenue South to Eighth Avenue North	<u>Northbound</u>
(Ord. 1627, 1969)	Northbound
Park Drive First Avenue South to Second Street	Southbound

(Ord. 2867, 2004; Ord. 2646 §(part), 1994; Prior code §10-2-7(B)).

(Ord. No. 3042, § 1, 8-4-2009)

Chapter 336 FOUR-LANE STREETS AND ROADWAYS

Sections:

Title 10 VEHICLES AND TRAFFIC

~~10.33.010 Designated marking regulations.~~

10.6.010 Designated marking regulations.

~~10.336.010~~ **Designated marking regulations.**

A.— The following streets and avenues or portions thereof, located within the **incorporated** City limits, are designated as four-lane streets and roadways:

1. Central Avenue:
From the east line of Ninth Street to the west line of Fifteenth Street;
2. Tenth Avenue South:
From the west City limits to the east City limits;
3. Central Avenue West:
From the west abutment of the First Avenue North Bridge to west line of Interstate 15;
4. Fourteenth and Fifteenth Streets North:
From the south line of Twelfth Avenue North to the south abutment of the Fifteenth Street North Bridge;
5. First Avenue North-:
From west abutment of First Avenue North Bridge to west line of Park Drive;
6. Park Drive:
From south line of First Avenue North to north line of First Avenue South;
7. Sixth Street SW:
From Central Avenue West, south to City limit;
8. Northwest Bypass:
From Third Street Northwest, west to City limits;
9. Third Street Northwest/ **and** Smelter Avenue:
From Central Avenue West, northeast to City limits;
10. Ninth Street North:
From 8th Avenue North to south abutment of Tenth Street North Bridge;
11. Tenth Street North:
From north abutment of Tenth Street North Bridge, north to City limits;
12. Fox Farm Road:
From Tenth Avenue South to Alder Drive; **and**
13. River Drive:
From Tenth Street North to Fifteenth Street North.

B.— The Public Works Department is directed to mark appropriately all such four-lane streets or roadways and to keep the same properly marked and ~~laned~~ **designated** for four-lane traffic.

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

C.— All vehicles proceeding on any four-lane street or roadway must be driven wholly within a single lane and the driving of any vehicle so as to straddle two (2) lanes of traffic, except in passing from one (1) lane to the other, is prohibited.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-7(C)(2-4)).~~

Chapter 367 SPEED RESTRICTIONS

Sections:

~~10.36.010 Established—specific streets.~~

~~10.36.020 Established - alleys.~~

10.7.010 Established—specific streets.

10.7.020 Established - alleys.

10.367.010 Established—specific streets.

In accordance with ~~Section~~**Mont. Code Ann. § 61-8-306, MCA,** and when signs are erected giving notice thereof, no person shall drive a motor vehicle at a speed greater than ~~or less than~~ the speed as set forth in the following schedule ~~on the street or parts of streets as follows:~~

<u>Street and Avenue</u>	<u>Minimum Maximum M.P.H. M.P.H.</u>
Central Avenue Ninth Street to Fifteenth Street	25
Central Avenue Fifteenth Street to Thirty-eighth Street	30
First Avenue South Ninth Street to Fifteenth Street	30
Second Avenue South Ninth Street to Fifteenth Street	30

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

Second Street South Tenth Avenue South to south line of First Avenue South	30
Park Drive First Avenue North to Eighth Avenue North	30
Parkdale Housing All streets within the following boundaries: Bounded on the north by the north line of Fifth Avenue South; on the east by the west line of Eighteenth Street and Chowen Park; on the south by the north line of Eighth Avenue South and Chowen Park; and on the west by the east line of Fifteenth Street	15
(Ord. 2633, 1992)	15
Eighth Avenue North Park Drive to Twenty-fifth Street All trucks only	20
All other vehicles	25

-

~~(Ord. 2646 §(part), 1994; Ord. 2446 §2, 1987; Prior code §~~

~~10-2-5(B)).~~

10.36.7.020 Established - alleys.

The limit for all alleys within the **incorporated** City limits shall be **fifteen (15)** miles per hour.

~~(Ord. 2802, 2001; Ord 2446, 1987; prior code §10-2-5(A)).~~

Chapter 398 MISCELLANEOUS DRIVING RULES

Sections:

~~10.39.055 Loud noises prohibited.~~

~~10.39.060 Processions parades permits required when.~~

Title 10 VEHICLES AND TRAFFIC

~~10.39.070 Driving on sidewalk prohibited—exception.~~

~~10.39.080 Boarding or alighting from moving vehicles prohibited.~~

~~10.39.090 Passenger regulations.~~

~~10.39.100 Violation—misdemeanor—penalty.~~

~~10.39.110 Use of electronic communication devices while operating a motorized vehicle or a bicycle.~~

10.39.055—Loud noises—prohibited.

Refer to OCCGF 8.5610.8.010 Driving on sidewalk prohibited—exception.

10.8.020 Boarding or exiting from moving vehicles prohibited.

10.8.030(C)– Passenger regulations.

~~(Ord. 10.8.040 Violation—misdemeanor—penalty.~~

10.8.050 Use of electronic communication devices while operating a motorized vehicle or a bicycle.

~~2790, 2000; Ord. 2640 § (part), 1994).~~

10.39.060—Processions—parades—permits required when.

~~No funeral procession or parade containing two hundred (200) or more persons or fifty (50) or more vehicles or any marching band and drum and bugle corps, except the forces of the United States Army or Navy, the military forces of this State, or the forces of the Police and Fire Departments shall occupy, march or proceed along any street unless application is made and approved by the City administration and a permit issued by the Park & Recreation Department. Such application must meet the requirements of the City Parade policy and such other regulations as are set forth in this chapter which may apply.~~

~~(Ord. 2245, 1981; Prior code §10-2-9(F)).~~

10.39.0708.010 Driving on sidewalk prohibited—exception.

- A. The driver of a vehicle shall not drive upon any sidewalk area except at a permanent driveway.

~~(Prior code §10-2-9(G)).~~

10.39.080B. This section does not apply to City authorized vehicles performing sidewalk maintenance or snow removal.

Title 10 VEHICLES AND TRAFFIC

10.8.020 Boarding or ~~alighting~~ exiting from moving vehicles prohibited.

It is unlawful for any person to board or ~~alight from~~ exit any vehicle while ~~such~~ the vehicle is in motion.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-9(L)).~~

~~10.39.090~~**10.8.030 Passenger regulations.**

It is unlawful for any person to ride on any vehicle or portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in the space intended for merchandise.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-9(M)).~~

~~10.39.100~~**10.8.040 Violation—misdemeanor—penalty.**

~~Every person convicted of a misdemeanor for the~~**A violation of any provisions of this chapter shall be punished**~~Chapter is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for), a term not more than to exceed six (6) months in jail, or by both such fine and imprisonment.~~

~~(Ord. 2646 § (part), 1994; Prior code §10-2-9(Z)).~~

~~10.39.110~~**10.8.050 Use of electronic communication devices while operating a motorized vehicle or a bicycle.**

~~1. Electronic communication device usage while driving prohibited.~~

~~(a) A.~~ No person operating a motorized vehicle or a bicycle on a public highway within the ~~city~~**incorporated City limits of Great Falls** shall use a mobile telephone to engage a call and/or use any other hand-held electronic communication device to compose, send, view or retrieve email, a text message, or other electronic data.

~~(b) B.~~ "Hand-held electronic communication device" includes wireless or cellular phones, laptop and notebook computers, GPS and navigational systems, pagers, electronic games, and any other device that would permit wireless communications to and from the user of the device.

~~(c) Exceptions.~~

~~(1) C.~~ This ~~provision shall~~**section does not apply to any** the following:

1. **Any** person reporting a health, fire, safety, or police emergency-;

~~(2) This provision shall not apply to governmental~~**2. Governmental** fire agencies, ambulance services, law enforcement agencies, emergency responders, or any other **person operating an** "authorized emergency vehicle" as defined in ~~Montana~~**Mont. Code Annotated Sec. Ann. § 61-8-102(2)(a)-;**

~~(3) This provision shall not apply to operators.~~ **Operators** or passengers of a motorized vehicle using a hand-held electronic communication device while in a parking lane or space out of moving traffic lanes-;

Title 10 VEHICLES AND TRAFFIC

(4) ~~This provision shall not apply to persons.~~ **Persons** using a "hands-free device." A "hands free device" is", **defined as**, an external device that connects to a wireless telephone, wireless or electronic communication device that allows use of the hands-free device.; **and**

(5) ~~This provision shall not apply to drivers.~~ **Drivers** using two-way radios while in the performance and scope of their work-related duties, or ~~to~~ drivers holding a valid amateur radio operator license issued by the Federal Communications Commission while using a two-way radio.

2. ~~**Penalty: D.** The penalty(ies) **penalties** for a person who is found to have committed a violation of Section 10.39.110 shall be~~ **this section are** as follows:

(a) ~~1.~~ **1.** A first conviction for a violation of ~~Section 10.39.110~~ **this section**, shall be punishable by a fine not less than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00).);

(b) ~~2.~~ **2.** A second conviction, within 24 months after the first conviction, for a violation of ~~Section 10.39.110~~ **this section**, shall be punishable by a fine not less than three hundred dollars (\$300.00) and not more than five hundred dollars (\$500.00). The Defendant shall further participate in twenty (20) hours of Court-approved community service to be completed within ninety (90) days of the date of the second conviction. The Defendant shall provide completion of community service to the Great Falls Municipal Court.; **and**

(c) ~~3.~~ **3.** A third or subsequent conviction, within 24 months after the first conviction, for a violation of ~~Section 10.39.110~~ **this section**, shall be punishable by a fine not less than four hundred dollars (\$400.00) ~~and~~ **or** more than five hundred dollars (\$500.00). The Defendant shall further participate in forty (40) hours of community service to be completed within ninety (90) days of the date of conviction. Additional penalties may include forfeiture of license plates of the vehicle, driven at the time of the offense, or forfeiture of the Defendant's driver's license for a period not to exceed 180 days, or both.

~~(Ord. 3146, 2016; Ord. 3090, § 1(Exh. A), 7-3-2012, eff. 8-2-2012)~~

Chapter 489 STOPPING, STANDING, AND PARKING

Sections:

~~10.48.010 Stopping, standing or parking close to curb.~~

~~10.48.040 Lights on parked vehicles.~~

~~10.48.050 Parking at meters.~~

~~10.48.055 Paying for parking.~~

~~10.48.060 Stopping or parking on public streets and alleys.~~

~~10.48.070 Parking in alleys.~~

~~10.48.080 Parking for certain purposes prohibited.~~

~~10.48.090 Parking of commercial vehicles.~~

~~10.48.100 Compliance with signs required.~~

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- ~~10.48.105 Curb or pavement markings.~~
- ~~10.48.110 Parking controlled adjacent to schools.~~
- ~~10.48.120 Parking controlled on narrow trafficways.~~
- ~~10.48.130 Parking controlled during certain hours of the day and/or days of the week.~~
- ~~10.48.150 Stopping, standing or parking controlled in hazardous or congested places.~~
- ~~10.48.160 Stopping, standing or parking controlled along arterial and collector trafficways.~~
- ~~10.48.170 On-street loading and parking zones.~~
- ~~10.48.175 Parking management districts.~~
- ~~10.48.180 Review of applications for loading and parking zones on public streets.~~
- ~~10.48.190 Application fees for the establishment of loading and parking zones.~~
- ~~10.48.200 Use of loading and parking zones on public streets.~~
- ~~10.48.220 Passenger loading zones serving schools.~~
- ~~10.48.230 Delivery permits.~~
- ~~10.48.240 Meter bags.~~
- ~~10.48.250 Residential parking in parking management districts.~~
- ~~10.48.260 Administration of parking management districts.~~
- ~~10.48.270 Parking meter enforcement periods and time limits.~~
- ~~10.48.280 Courtesy parking.~~
- ~~10.48.290 Unauthorized parking in off-street parking facilities prohibited.~~
- ~~10.48.300 Rates charged on City owned/operated off-street parking lots and garages.~~

- 10.4810.9.010 Stopping, standing or parking close to curb.**
- 10.9.020 Lights on parked vehicles.**
- 10.9.030 Parking at meters.**
- 10.9.040 Paying for parking.**
- 10.9.050 Stopping or parking on public streets and alleys.**
- 10.9.060 Parking in alleys.**
- 10.9.070 Parking for certain purposes prohibited.**
- 10.9.080 Parking of commercial vehicles.**
- 10.9.090 Compliance with signs required.**
- 10.9.100 Curb or pavement markings.**
- 10.9.110 Parking controlled adjacent to schools.**
- 10.9.120 Parking controlled on narrow traffic ways.**
- 10.9.130 Parking controlled during certain hours of the day and/or days of the week.**

Title 10 VEHICLES AND TRAFFIC

- 10.9.140 Stopping, standing or parking controlled in hazardous or congested places.
- 10.9.150 Stopping, standing or parking controlled along arterial and collector traffic ways.
- 10.9.160 On-street loading and parking zones.
- 10.9.170 Parking management districts.
- 10.9.180 Review of applications for loading and parking zones on public streets.
- 10.9.190 Application fees for the establishment of loading and parking zones.
- 10.9.200 Use of loading and parking zones on public streets.
- 10.9.210 Passenger loading zones serving schools.
- 10.9.220 Delivery permits.
- 10.9.230 Meter bags.
- 10.9.240 Residential parking in parking management districts.
- 10.9.250 Administration of parking management districts.
- 10.9.260 Parking meter enforcement periods and time limits.
- 10.9.270 Courtesy parking.
- 10.9.280 Unauthorized parking in off-street parking facilities prohibited.
- 10.9.290 Rates charged on City owned or operated off-street parking lots, garages, and parking meters.
- 10.9.300 Parking in construction zones.

10.9.010 Stopping, standing or parking close to curb.

~~Unless otherwise provided in this Chapter, it is unlawful for any person to stop, stand, or park a vehicle, other than a motorcycle, in a traffic way other than parallel with the edge of the traffic way headed in the direction of the lawful traffic movement for the lane in which it is stopped, standing, or parked and with the wheels of the vehicle within eighteen (18) inches of the curb or edge of the traffic way except as otherwise provided in Section 10.48.050.~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 1987 2(part), 1976: prior code 10-2-12(A))~~

~~10.48.040~~**10.9.020 Lights on parked vehicles.**

Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

~~(Ord. 1987 §2(part), 1976: prior code §10-2-12(d))~~

~~10.48.050~~**9.030 Parking at meters.**

- A. Except as directed by an officer or representative of the ~~Great Falls Fire or Rescue~~ **(GFFR) Department, Great Falls Police Department (GFPD) officer or**

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

representative, or a City parking attendants official, vehicles using metered parking spaces shall park within the area and at the angle delineated by the pavement markings.

- B.** When ~~these~~**pavement** markings are obscured by snow, wear, or other conditions and there is angle parking, vehicles shall be parked to the left side or right side of the appropriate meter.
- C.** Where there is parallel parking, vehicles shall be parked front end to or rear end to, within eighteen (18) inches of the appropriate meter, and within eighteen (18) inches of the curb. Failure to comply with this section is a violation of this ~~Code~~**Title**, subject to the penalties and fees authorized by ~~Section 10.87.090~~**Chapter 21** of this ~~the~~**Title**.

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 1987 §2(part), 1976: prior code §10-2-12(E))~~

~~10.48.055~~**9.040** **Paying for parking.**

- A.—** Upon parking in a metered parking space, the occupants of the vehicle shall immediately pay for parking using coins of the United States or any other means provided for payment by the City-, **including a mobile electronic device application.**
- B.** The available means of payment shall be indicated on the meter and/or signs posted on the adjoining sidewalk. ~~Alternatively, the~~**The** occupants may display a free parking pass issued by the City. Failure to pay for parking or to display a pass is a violation of this ~~Code~~**Title** subject to the penalties and fees authorized by ~~Section 10.87.090~~**Chapter 21** of this ~~the~~**Title**.
- ~~B.—~~**C.** A valid free parking pass bears the signature of the **Parking** Administrator, the City Manager, or the City's authorized agent, and an expiration date. Attempted use of a pass that does not bear an authorized signature and an expiration date is a violation of this ~~Code~~**Title**, subject to the penalties and fees authorized by ~~Section 10.87.090~~**Chapter 21** of this ~~the~~**Title**.
- ~~C.—~~**D.** ~~It is lawful to~~ **Vehicle occupants may** use unexpired time on a parking meter, but the unexpired time counts toward the applicable time limit.

~~(Ord. No. 3122, § 2, 12-2-2014)~~

~~10.48.0609~~**050** **Stopping or parking on public streets and alleys.**

Except when temporarily necessary to avoid conflict with other traffic, when so directed by ~~an~~ **GFFR or GFPD officer of the Fire or Police Departments** or **representative, City parking attendants official**, or where a parking space is clearly delineated by pavement markings, it is a violation of this ~~Code~~**Title**, **punishable by Chapter 21 of this Title**, to park a vehicle in any of the following places:

- A.—** In front of ~~(, across)~~ **from**, or within five (5) feet of a public or private driveway ~~or~~, an alley, or as otherwise indicated by pavement markings and/or official signs, which may prohibit parking in a larger area adjacent to the driveway or alley-;
- B.—** Within a signed and/or marked fire hydrant zone, or, if the fire hydrant zone is not signed and/or marked, within ten (10) feet of a fire hydrant-;
- C.—** Within thirty (30) feet in front of any crosswalk (marked or unmarked) at an intersection-;
- D.—** Within twenty (20) feet beyond any crosswalk (marked or unmarked) at an intersection-;

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- E.— Within thirty (30) feet in front of or twenty (20) feet beyond any mid-block crosswalk-;
 - F.— Upon the paved or main traveled part of a street or alley when it is practical to stop or park in a delineated parking space, on the shoulder, or otherwise safely out of the flow of traffic-;
 - G.— In a traffic lane for the purpose of discharging or receiving passengers, in which case both the driver of the vehicle and the passenger may be cited for a violation-;
 - H.— In a marked or signed fire lane-;
 - I.— **In violation of parking City parking facility rules or lease agreement; or**
 - J.— Any other place where official signs, pavement, or curb markings prohibit parking.
- ~~J.— The violations listed above are subject to the penalties and fees authorized by Section 10.87.090 of this title.~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2676 § (part), 1995; Ord. 2646 §(part), 1994; Ord. 2353 §1, 1984; Ord. 1987 §2(part), 1976: prior code §10-2-13(A))~~

10.48.0709.060 Parking in alleys.

- A.— It is unlawful to stop, stand, or park any vehicle or trailer in any alley unless ~~the same shall be~~ parallel to and within eighteen (18) inches of the alley line and leaving at least ten (10) feet of roadway for movement of through traffic.
- B.— It is unlawful to stop, stand, or park any vehicle or trailer in any alley so as to block entry to any private driveway, entrance to a building, or at any location which will prevent or hinder garbage collection.
- C.— It is unlawful to stop, stand, or park any vehicle or trailer in any alley at any time in the area which may ~~from time to time~~ be designated ~~central business district; save and excepting only~~ **Central Business District; except** commercial vehicles which are attended or in the process of loading or unloading. Such alleys shall be properly signed and marked by the Public Works Department.
- D.— It is unlawful to stop, stand, or park any vehicle or trailer in any one-way alley, except upon the right-hand side of the alley and heading in the proper direction of designated traffic flow.

~~(Ord. 1987 §2(part), 1976: prior code §10-2-13(B))~~

10.48.08010.9.070 Parking for certain purposes prohibited.

It is unlawful for any person to do any of the following while a vehicle is parked upon any traffic way of the City:

- A.— Display more than one (1) vehicle for sale or advertising of such vehicle on the vehicle itself-; **or**
- B.— Grease, paint, or repair ~~such any~~ vehicle, ~~except repairs necessitated by an~~ **for non-emergency purposes.**

~~(Ord. 2283, 1981: Ord. 1987 §2(part), 1976: prior code §10-2-13(C))~~

Title 10 VEHICLES AND TRAFFIC

~~10.48.090~~**10.9.080** **Parking of commercial vehicles.**

It is unlawful for any motor vehicle used for commercial purposes to park on any traffic way for any continuous period in excess of twenty-four (24) hours, unless otherwise provided ~~for herein~~ **in this Title.**

~~(Ord. 1987 §2(part), 1976: prior code §10-2-13(D))~~

~~10.48.100~~**10.9.090** **Compliance with signs required.**

When official signs controlling parking are erected upon such traffic ways as authorized ~~herein~~ **by this Title**, no person shall stop, stand, or park a vehicle upon any ~~such~~ traffic way in violation of any ~~such~~ sign.

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 1987 §2(part), 1976: prior code §10-2-14(part))~~

~~10.48.105~~**9.100** **Curb or pavement markings.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to approve curb or pavement markings. No ~~such~~ markings shall be applied without prior approval from the Public Works Department.

~~(Ord. No. 3122, § 2, 12-2-2014)~~

~~10.489~~**.110** **Parking controlled adjacent to schools.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain signs that control parking upon either side of any traffic way adjacent to any school property when ~~such~~ stopping, standing, or parking would, in the Department's opinion, interfere with traffic or create a ~~hazardous situation~~ **hazard to health or safety.**

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2646 § (part), 1994; Ord. 1987 §2(part), 1976: prior code §10-2-14(A))~~

~~10.48.9~~**.120** **Parking controlled on narrow ~~trafficways~~ traffic ways.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain signs that control parking upon any traffic way when the width of the traffic way does not permit safe passage of traffic flow under existing conditions.

~~(Ord. 2646 §(part), 1994; Ord. 1987 §2(part), 1976: prior code §10-2-14(B))~~

~~10.4810.9~~**.130** **Parking controlled during certain hours of the day and/or days of the week.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain signs that control parking during certain hours of the day and/or days of the week upon any traffic way whenever it is deemed necessary.

Title 10 VEHICLES AND TRAFFIC

~~(Ord. 2646 §(part), 1994; Ord. 1987 §2(part), 1976: prior code §10-2-14(C))~~

~~10.48.150.9.140~~ **Stopping, standing, or parking controlled in hazardous or congested places.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain signs that control the stopping, standing, or parking of vehicles that would create an ~~especially hazardous condition~~ **hazard to health or safety** or that would cause unusual delay to traffic along certain traffic ways.

~~(Ord. 2646 §(part), 1994; Ord. 1987 §2(part), 1976: prior code §10-2-14(E))~~

~~10.48.160.9.150~~ **Stopping, standing, or parking controlled along arterial and collector trafficway traffic ways.**

The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain signs that control parking upon either side of any arterial or collector traffic way that may be hereafter designated as such by proper authority.

~~(Ord. 2646 § (part), 1994; Ord. 1987 §2(part), 1976: prior code §-10-2-14(F))~~

~~10.48.170.9.160~~ **On-street loading and parking zones.**

- A.— On-street loading and parking zones may be established following the procedure adopted in ~~Section 10.48.180, below~~ **the Chapter**.
- B.— The Public Works Department, **with appropriate Montana Department of Transportation approval**, is authorized to install and maintain parking control signs and/or curb or pavement markings on public streets for on-street loading and parking zones serving properties within the **incorporated City limits**, including freight or passenger loading zones, ~~handicap~~ **handicapped** parking zones, and bus parking zones serving schools.

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2646 §(part), 1994; Ord. 2520 §1, 1989; Ord. 2021 §1, 1977; Ord. 1987 §2(part), 1976: prior code §10-2-14(G)(1))~~

~~10.48.175.9.170~~ **Parking management districts.**

- A.— The City may establish parking management districts in which time limits ~~or~~, parking meters, or both, are used to encourage turnover in the use of parking spaces and/or to ensure that adequate parking is available to businesses and residents. Delivery permits, meter bags, and monthly meter passes may be used to facilitate the administration of these districts.
- B.— The Public Works Department is authorized to install and maintain parking control signs and/or curb or pavement markings designating parking management districts.

~~(Ord. No. 3122, § 2, 12-2-2014)~~

Title 10 VEHICLES AND TRAFFIC

10.489.180 Review of applications for loading and parking zones on public streets.

- A.— The Administrator shall provide forms upon which applications for the establishment of loading or parking zones, including ~~handicap~~**handicapped** parking zones, may be filed. Upon receipt of ~~such~~ an application accompanied by the application fee established pursuant to ~~Section 10.48.190, below~~**Commission resolution**, the Administrator shall refer the application to the Public Works and Planning and Community Development Departments for review and comment and then, based on those comments:
1. **Approve;**
 2. **Conditionally approve, conditionally approve,; or deny**
 3. **Deny** the application, with any conditions imposed or reasons for denial stated in writing.
- B. In addition to the application fee, applicants will be responsible for the actual costs the City incurs in making and erecting signs or installing curb or pavement markings to delineate the loading or parking zone.
- ~~B.—~~C. The extent and location of loading and parking zones may be limited by the Administrator to ensure traffic and pedestrian circulation and safety. The Administrator is not required to approve an application for a loading or parking zone that interferes with safe circulation.
- ~~C.—~~D. Loading and parking zones will not be permitted on a public street where the Administrator determines that there is adequate space for loading and parking on the applicant's property.
- ~~D.—~~E. The Administrator's decision may be appealed to the Board of Adjustment following the procedures established in ~~Title 17, Chapter 16, Article 34 of the Official Code of the City of Great Falls~~**OCCGF Title 17**.

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 §(part), 1994; Ord. 1987 §2(part), 1976; prior code §10-2-14(G)(2))~~

10.4810.9.190 Application fees for the establishment of loading and parking zones.

Application fees for the establishment of loading and parking zones shall be set by **Commission** resolution ~~of the City Commission~~ with the objective of recovering the administrative costs involved. ~~For the convenience of applicants, the Commission may elect to set a flat fee for the installation of residential handicap parking zones.~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2646 § (part), 1994; 2443 §3, 1986; Ord. 2353 §3, 4, 1984; Ord. 2305 §1, 1982; Ord. 2021 §2, 1977; Ord. 1987 §2(part), 1976; prior code §10-2-14(G)(3))~~

10.48.9.200 Use of loading and parking zones on public streets.

- A.— It is ~~a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this title,~~**unlawful** for any vehicle to stop or park in any loading or parking zone established ~~as provided in~~**pursuant to this chapter**~~Chapter~~ for any purpose except that for which the zone was established.
- B. It is ~~also a violation~~**unlawful** for vehicles or materials to be parked or stored in a loading zone except where the Administrator permits the temporary use of a loading zone for the parking of equipment or storage of materials during construction.

Title 10 VEHICLES AND TRAFFIC

- ~~B.—~~**C.** The Administrator may, after seeking the advice of the Parking Advisory Commission, remove any loading or parking zone that ~~is subject to repeated violations by the applicant requesting its establishment, that is creating a traffic hazard or congestion, that is no longer in use, or that is otherwise failing to function for its intended purpose.:~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 §(part), 1994; prior code §10-2-14(G)(4)(part))~~

10.48.2201. Is subject to repeated violations by the applicant requesting its establishment;

- 2.** Is creating a traffic hazard or congestion;
- 3.** Is no longer in use; or
- 4.** Is otherwise failing to function for its intended purpose.

10.9.210 Passenger loading zones serving schools.

Section 10.489.200 shall be enforced in passenger loading zones serving schools only between 7:00 a.m. and 5:00 p.m. on school days ~~during the school year or, when weekend, summer, or evening sessions served by busses are held, and when school is in session.~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2951, 2006)~~

10.48.2309.220 Delivery permits.

- A.— Delivery permits allow parking in freight loading zones or in any lawful parking space in a parking management district without additional payment only while a vehicle is making deliveries.
- B.— All vehicles that regularly make deliveries within a parking management district shall display a delivery permit issued by the City in a way that is clearly visible to parking enforcement personnel. The Administrator may issue more specific instructions for the display of these permits.
- C.— Delivery permits must be renewed ~~each year, on or before the anniversary date of their issuance.~~ **January 1 each year.** The cost of a delivery permit will be set by **Commission** ~~resolution of the City Commission.~~
- D.— Use of a delivery permit to attempt to avoid paying for parking when not making a delivery is a violation of this ~~section, subject to the penalties and fees authorized by Section 10.87.090 of this title~~ **Title.**

~~(Ord. No. 3122, § 2, 12-2-2014)~~

Editor's note— Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by repealing former § 10.48.230, and adding a new § 10.48.230. Former § 10.48.230 pertained to passenger loading zones, and derived from the prior code, § 10-2-14(G)(4); Ord. 1987 of 1976; and Ord. 2951 of 2006.

Title 10 VEHICLES AND TRAFFIC

~~10.48.240~~ ~~Meter bags.~~

10.9.230 Meter bags.

- A.— Meter bags may be issued ~~to~~ temporarily **to** reserve metered parking spaces for maintenance or construction activities, while moving, or for other activities being conducted by or for the adjoining property owner that require reserved parking at a particular location within a parking management district.
- B.— The daily cost of meter bags will be set by **Commission** resolution of the ~~City Commission.~~
- C.— Using a meter bag to attempt to avoid paying for parking when not engaged in the activities for which the meter bag was issued is a violation of this section, ~~subject to the penalties and fees authorized by Section 10.87.090 of this title. It is also a violation to park a vehicle in a parking space with a meter bag without the meter bag applicant's permission.~~ **Title.**

~~(Ord. No. 3122, § 2, 12-2-2014)~~

Editor's note ~~— Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by repealing former § 10.489.240, and adding a new § 10.48.240. Former § 10.48.240 pertained to freight loading zones, and derived from the prior code, § 10-2-14(G)(4); and Ord. 1987 of 1976.~~

10.48.250 Residential parking in parking management districts.

- A.— Residential parking areas are shown on the Official Parking Management District Map of the City of Great Falls that is ~~appended to this title.~~ **filed with the Planning and Community Development Department.** After seeking the advice of the Parking Advisory Commission, the City Commission may, by resolution, dissolve, amend, or add residential parking areas in any parking management district.
- B.— ~~It is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this title,~~ **It is unlawful** to stop or park a vehicle for longer than the time limit established by the signs posted in a residential parking area ~~except that residents.~~
- C. **Residents** of the district, ~~whether owners or lessees,~~ may, upon submitting proof of their residence in a residential parking area, obtain a residential parking permit that exempts them from the posted time limit. ~~The City Commission may set a fee that covers the administrative costs of issuing the residential parking permits.~~ **Fees for such permits shall be set by Commission resolution.**
- C.—**D** Residential parking permits are specific to the vehicle plate number shown on the application for the permit and must be used within one block of the place of residence given on that application. Residential parking permits may not be used at metered parking spaces. Penalties for violations of this section are as set by **Commission** resolution of the ~~City Commission.~~

~~(Ord. No. 3122, § 2, 12-2-2014)~~

Editor's note ~~— Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by repealing former § 10.489.250, and adding a new § 10.48.250. Former § 10.48.250 pertained to delivery zones, and derived from the prior code, § 10-2-14(G)(4); Ord. 1987 of 1976; Ord. 2646 of 1994; and Ord. No. 3057, adopted August 17, 2010.~~

Title 10 VEHICLES AND TRAFFIC

10.48.260 Administration of parking management districts.

- A.— Parking management districts are shown on the Official Parking Management District Map of the City of Great Falls that is ~~appended to this title.~~ **filed with the Planning and Community Development Department.** After seeking the advice of the Parking Advisory Commission, the City Commission may, by resolution, dissolve, amend, or add parking management districts. ~~These changes shall be promptly added to the Official Parking Management District Map of the City of Great Falls that is appended to this title.~~
- B.— Parking meters may be installed within parking management districts. Meters need not, however, be used throughout these districts. The Administrator, in consultation with the Parking Advisory Commission, may remove parking meters that are not needed to maintain parking turnover or where the cost of servicing a meter exceeds the revenue it generates. **The Administrator, in consultation with the Parking Advisory Commission, may add meters in an established management district.** Where meters are not used within the metered parking districts, time limits may be posted and enforced using signs.
- C.— The Administrator may also issue monthly parking passes that can be used at meters in areas where meters are underutilized. The fee for monthly parking passes shall be set by **Commission** ~~resolution of the Commission.~~

~~(Ord. No. 3122, § 2, 12-2-2014; Ord. 2189, 1989; Ord. 1987 §2 (part), 1976; prior code §10-2-14(G)(5))~~

Editor's note— ~~Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by repealing former § 10.48.9.260, and renumbered former § 10.48.280 as a new § 10.48.260. Former § 10.48.260 pertained to daily use zones and meter bags, and derived from the prior code, § 10-2-14(G)(4); Ord. 1987 of 1976; Ord. 2353 of 1984; Ord. 2520 of 1989; Ord. 2572 of 1990; and Ord. 2646 of 1994.~~

10.48.270 Parking meter enforcement periods and time limits.

- A.— ~~Time limits on curb parking, whether metered or not, are established to promote parking turnover for the convenience of shoppers and the benefit of downtown businesses.~~
The rates and time limits for parking in parking management districts shall be as ~~established~~ **set** by **Commission** ~~resolution of the City Commission.~~
- B.— Any type of meter may be used within a parking management district at the discretion of the Administrator, with recommendations from the Parking Advisory Commission.
- C.— Enforcement of the parking rates and time limits established by the Commission shall be in effect from 9:00 a.m. to 5:00 p.m. on all days except **Saturdays**, Sundays, and City holidays or as otherwise provided by **Commission** ~~resolution of the Commission.~~ The Administrator may temporarily suspend parking meter enforcement for downtown events, holidays, or construction projects.
- D.— ~~It is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this title,~~ **It is unlawful** to park a vehicle in a parking management district for a period of time longer than the limit that is adopted by the Commission and posted on the meter and/or signs placed by the City. Spaces may be used without regard to the posted time limit on **Saturdays**, Sundays, and City holidays, except where otherwise posted.
- E.— The time limits authorized herein are enforced, among other ways, by chalking tires. Consistent with the purpose of time limits, as stated in A., above, a vehicle that has not

Title 10 VEHICLES AND TRAFFIC

been moved far enough to erase the chalk mark is still in violation of the time limits ~~and this Code.~~

- F.— An exception to the posted time limits is hereby granted to individuals with disabilities as ~~defined~~**provided** in Mont. Code Ann. Title 49, Chapter 4, to use any metered space without regard to the sign-posted time limit.

(Ord. No. 3122, § 2, 12-2-2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 § (part), 1994; Ord. 2520 §4, 1989; Ord. 2353 §9, 10, 1984; Ord. 2052 §1, 1979; Ord. 2021 §4, 1977; Ord. 1987 §2(part), 1976; prior code §10-2-14(G)(6))

Editor's note— Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by repealing former § 10.48.270, and renumbered former § 10.48.290 as a new § 10.48.270. Former § 10.48.270 pertained to residential zones, and derived from the prior code, § 10-2-14(G)(4); Ord. 1987 of 1976; Ord. 2353 of 1984; Ord. 2646 of 1994; and Ord. No. 3057, adopted August 17, 2010.

~~10.48.280~~10.9.270 Courtesy parking.

Upon request by the adjoining property owner or tenant and approval of the Administrator, metered spaces may be designated as courtesy parking, allowing the removal of the meters and their replacement with a sign stating that parking is being provided by the adjoining business. The number and location of spaces that may be thus designated will be determined by the Administrator. The fee for designating spaces as courtesy parking shall be set by **Commission** resolution of the City Commission and payable each year on the anniversary date of the application. ~~The City will continue prior to enforce the applicable time limit on courtesy parking spaces~~**January 1.**

(Ord. No. 3122, § 2, 12-2-2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 § (part), 1994; Ord. 2443 § 1, 1986; Ord. 2353 §11, 1984)

Editor's note— Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by renumbering former § 10.48.280 as a new § 10.48.260, and renumbered former § 10.48.291 as a new § 10.48.280.

~~10.48.290~~9.280 Unauthorized parking in off-street parking facilities prohibited.

- A.— It is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this title, **A. It is unlawful** for any person to stop or park a vehicle in any parking space in an off-street parking facility that is owned or leased by the City unless the occupants of that vehicle have paid the required fee.
- B.— Parking spaces controlled by parking meters in off-street parking facilities owned or leased by the City shall be subject to the same rates, time limits, and periods of enforcement as other parking meters, unless otherwise provided by **Commission** resolution ~~of the Commission.~~

(Ord. No. 3122, § 2, 12-2-2014; Ord. 2457 § 1, 1987; Ord. 2383 § 2, 1985; Ord. 2353 § 12, 1984; Ord. 2188, 1980)

Title 10 VEHICLES AND TRAFFIC

Editor's note—Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by renumbering former § 10.48.290 as a new § 10.48.270, and renumbered former § 10.48.300 as a new § 10.48.290.

10.48.300- Rates charged on City owned/~~operated off-street parking lots and garages.~~

The City Manager shall, on recommendation of the Parking Advisory Commission, establish the hourly, daily, and monthly lease rates charged for parking in City owned or **or operated off-street parking lots or, garages-, and parking meters.**

(Ord. No. 3122, § 2, 12-2-2014; Ord. 2646 § (part), 1994; Ord. 2521, 1989)

Editor's note—Ord. No. 3122, § 2, adopted December 2, 2014, amended the Code by renumbering former § 10.48.300 as a new § 10.48.290, and renumbered former § 10.48.310 as a new § 10.48.300.

Rates for City-owned or City-operated off-street parking lots, garages, and parking meters shall be set by Commission resolution.

10.9.300 Parking in construction zones.

The Public Works Department is authorized to relocate vehicles parked in active construction zones. Prior to relocation the Department shall:

- A. Place a no parking notice in the construction zone twenty-four (24) hours prior to construction beginning;
- B. Provide notice to the GFPD that a vehicle is located in the construction zone and must be removed; and
- C. GFPD shall attempt to locate the registered owner of the vehicle.
- D. If the registered owner is not located, or the vehicle is not removed from the construction zone within twenty-four (24) hours, the Public Works Department shall remove the vehicle from the construction zone, and the costs of said removal shall be charged to the registered owner.

Chapter 5010 VEHICLE IMMOBILIZATION

Sections:

10.50.010 Authorization to use vehicle immobilizer.

10.50.020 Procedure for vehicle immobilization.

10.50.030 Removal of violation vehicle.

Title 10 VEHICLES AND TRAFFIC

~~10.50.040 Release to the owner.~~

~~10.50.050 Hearing on immobilization.~~

~~10.50.060 Cost liability.~~

10.10.010 Authorization to use vehicle immobilizer.

10.10.020 Procedure for vehicle immobilization.

10.10.030 Removal of violation vehicle.

~~10.50~~**10.040 Release to the owner.**

10.10.050 Hearing on immobilization.

10.10.010 Authorization to use vehicle immobilizer.

- A.** Members of the ~~City Police Department~~**GFPD, or other Parking Administrator authorized persons**, are authorized to use a vehicle immobilizer ("boot") to immobilize any vehicle that is parked in a ~~city~~**City** parking space located in the downtown residential district, the parking meter district, or any ~~city~~**City** owned off-street pay-to-park facility~~let,~~ and that has five (5) or more parking tickets unpaid ~~or delinquent thirty (30) days or more,~~ provided that.
- B. Prior to any vehicle immobilization,** the Planning and Community Development Department's Parking Division ~~has~~**is required to** either ~~(a) mailed:~~
- 1. Mail** the registered owner of the vehicle a final notice for five (5) or more of the unpaid ~~or delinquent~~ parking tickets; or ~~(b) has filed~~
 - 2. File** a complaint in ~~court~~**Great Falls Municipal Court** charging the registered owner with unpaid parking tickets on the vehicle, and no individual has appeared for arraignment on the complaint.

~~(Ord. 2815, 2002).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~10.50~~**10.020 Procedure for vehicle immobilization.**

- A.** If parking officials, as defined in ~~section 10.87.010~~**this Chapter**, choose to immobilize a vehicle with a boot as allowed by ~~section 10.50.040~~**Chapter**, then the on-site officers immobilizing the vehicle shall ensure that a written notice is conspicuously affixed to the vehicle.
- B.** The written notice will inform the owner, driver, or person in charge of such vehicle: that the:

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

1. ~~The~~ **The** vehicle has been immobilized by the City for ~~violation of one (1) or more provisions of~~ **pursuant to this Chapter 10.48**; ~~that release~~;
 2. **Release** from such immobilization may be obtained at a designated place; ~~that unless~~
 3. **Unless** arrangements are made for the release of such vehicle within forty-eight (48) hours, the vehicle will be **towed and impounded** ~~and towed as provided in section 10.50.030~~ **pursuant to this Chapter**; ~~and that removing~~
 4. **Removing** or attempting to remove the immobilization device before a release is obtained is unlawful.
- C. An immobilized vehicle shall not be released by the City until the immobilization fee is paid, together with payment of all outstanding parking fines, or posting of a bond as allowed by ~~section 10.50.040~~ **this Chapter**.
- D. If the vehicle has remained immobilized for a period of forty-eight (48) hours and a release has not been obtained, then the ~~parking official~~ **GFPD** shall have the vehicle **towed and impounded** ~~and towed as provided in section 10.50.030~~.

~~(Ord. 2815, 2002).~~

10.5010.030 Removal of violation vehicle.

- A.— The City is authorized to remove a vehicle or tow a vehicle from parking spaces located in the areas listed in section 10.5010.010 to the designated tow site when a vehicle with an immobilization device attached remains immobilized for a period of forty-eight (48) hours and a release has not been obtained.

~~(Ord. 2815, 2002).~~

- B.— Whenever an officer removes a vehicle from a street or City parking space as authorized in this section, and the officer knows or is able to ascertain from the registration records on the vehicle the name and address of the **vehicle** owner ~~thereof, such, the~~ officer shall give notice in writing to ~~such~~ **the** owner of the ~~fact of such removal, the violations, and the reasons thereof and of the place to which such~~ **where the** vehicle has been ~~removed.~~ **relocated.**
- C. If ~~any such~~ a vehicle is stored at a designated tow site, a copy of ~~such~~ **the** notice shall be given to the proprietor of ~~such garage. Further, the~~ **tow site. The** party towing the vehicle shall immediately notify the ~~police department~~ **GFPD** dispatcher that a vehicle has been towed from a specific location and give the dispatcher a detailed description of the vehicle and the location to which it is being towed.

~~(Ord. 2815, 2002).~~

- C.—**D.** Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner ~~as hereinafter provided~~, and if the vehicle is not returned to the owner within a period of three (3) days, then the officer shall send ~~or cause to be sent written reports~~ **a report** of ~~such~~ **the** removal by mail to the state department whose duty it is to register motor vehicles, **to the Montana Department of Transportation Motor**

Title 10 VEHICLES AND TRAFFIC

Vehicle Division and shall file a copy of ~~such~~**the** notice with the proprietor of the designated tow site ~~in which the vehicle may be stored. Such. The~~ notice shall include a complete description of the vehicle, the date, time, and place from which removed, the ~~reasons for such removal~~**violations**, and name of the ~~garage or place where the vehicle is stored~~**tow site**.

~~(Ord. 2815, 2002).~~

~~D. — Any officer is authorized to take possession of any motor vehicle owned by any person that has violated, as to the vehicle, any of the provisions of Chapter 10.48, and has the authority to remove such vehicle from the streets and parking facilities in the areas designated in section 10.50.010, and to store and keep possession thereof until the owner of such vehicle appears and claims the same. E. The cost of towing or removing such~~**the** vehicle and costs of storing the ~~same~~**vehicle** shall be chargeable against the vehicle and shall be paid by the owner of the vehicle before ~~the same shall be~~**it is** released. ~~The vehicle will be stored in a designated tow site. The owner of a vehicle impounded and towed due to unpaid parking tickets must secure the release of the vehicle as required by section 10.50.040(B).~~

~~(Ord. 2815, 2002).~~

~~E. —~~**F.** The taking of possession of a vehicle for violation of any parking ordinance or regulation shall not prohibit the filing of a complaint in ~~connection with such~~**Municipal Court for the** violation(s).

~~(Ord. 2815, 2002).~~

10.5010.040 Release to the owner.

A. — A vehicle immobilized for unpaid parking tickets shall be released to the registered owner or any other person legally entitled to claim possession of the vehicle, and the vehicle immobilization equipment **shall be** removed, upon payment of all overdue and unpaid parking tickets and the immobilization fee. The fee may be paid in the form of a refundable bond, pending the outcome of any hearing requested pursuant to section 10.50**10.050**(D).

~~(Ord. 2815, 2002).~~

B. — A vehicle **towed and** impounded ~~and towed~~ for unpaid parking citations, and in accordance with section 10.50**10.030**, can only be released pursuant to a written order from the Municipal Court that all penalties, fines, or forfeitures owed by the registered owner have been satisfied by full payment or the posting of a bond pending a hearing.

~~(Ord. 2815, 2002).~~

10.5010.050 Hearing on immobilization.

A. — After a vehicle has been immobilized pursuant to this ~~chapter~~**Chapter**, the registered owner, and any other person(s) who reasonably appear to have an interest in the vehicle, is entitled to have speedy hearing with the Parking ~~Official~~**Administrator** or a designated

Title 10 VEHICLES AND TRAFFIC

representative **designee** to determine if the vehicle was immobilized in accordance with sections 10.50.010 and 10.50.020 **this Chapter**.

~~(Ord. 2815, 2002).~~

- B.— If the Parking ~~Official~~ **Administrator or designee** finds that the immobilization was invalid or unjustified, he/ or she will order the vehicle to be immediately released, and the owner or any other person(s) who have an interest in the vehicle shall not be held liable for the immobilization fee.

~~(Ord. 2815, 2002).~~

- C.— If the Parking ~~Official~~ **Administrator** finds that the immobilization was valid and justified, he/ or she ~~will~~ **may** order that the immobilization device remains on the vehicle until payment is received for the immobilization fee and all overdue and unpaid parking tickets. ~~However, pursuant to section 10.50.030 A., when a vehicle with an immobilization device attached remains immobilized for a period of forty-eight (48) hours and a release has not been obtained, the vehicle will be towed and impounded.~~

~~(Ord. 2815, 2002).~~

- D.— ~~The decision of the Parking Official shall be the final decision by the City. Any person aggrieved by a decision can request a hearing in Municipal Court. The court shall attempt to have the hearing as soon as all parties can be present, preferably on the day the immobilization or towing occurred; but in no instance shall the hearing be any later than three (3) business days after towing has occurred. If the Municipal Court judge determines that the immobilization or towing was in violation of sections 10.50.010, 10.50.020 and/or 10.50.030, then the court may order the City to pay or reimburse the fees for immobilization or storage.~~

~~(Ord. 2815, 2002).~~

10.50.060 — Cost liability.

~~The cost of removal and storage of any vehicle moved or towed pursuant to this chapter shall be paid by the owner or operator of the vehicle unless the Great Falls Municipal Court orders otherwise.~~

~~(Ord. 2815, 2002).~~

- D. **The decision of the Parking Administrator may be appealed to the City Manager's Office within fifteen (15) calendar days. The City Manager or designee shall affirm, modify, or reverse the decision of the Parking Administrator by written finding. An adverse finding by the City Manager may be appealed, in writing, within (15) calendar days to the City Commission. The City Commission, after hearing testimony on the matter, shall issue a written finding affirming, modifying, or reversing the decision of the City Manager.**

Title 10 VEHICLES AND TRAFFIC

Chapter 5711 COMMERCIAL VEHICLES

Sections:

~~10.57.010 Definitions.~~

~~10.57.020 Trucks—prohibited where.~~

~~10.57.040 Trucks—parking prohibited where—exception.~~

~~10.57.050 Restriction of vehicles—determined by City Commission—signs to be erected.~~

~~**10.57.010 Definitions.**~~

~~"Truck" and other "commercial~~**10.11.010 Commercial vehicles—prohibited where.**

~~10.11.020 Commercial vehicles" include motor buses.—parking prohibited where—exception.~~

~~(Ord. 1974 §1(part), 1976: prior code §10-2-27(A)).~~

~~**10.57.020 Trucks**~~**10.11.030 Restriction of vehicles—determined by City Commission—signs to be erected.**

10.11.010 Commercial vehicles—prohibited where.

A.— It is unlawful ~~and constitutes a public offense~~ for any person to drive or operate, or for the owner to cause or knowingly permit to be driven or operated any ~~truck,~~**commercial vehicle** not involved in local service as defined in subsection B., of this ~~Section~~**section**, upon ~~the streets and avenues of the~~**any City public way** except upon the truck routes designated as follows:

- 1.— Tenth Avenue South from the west City limits to the east City limits;
- 2.— The Northeast Bypass from the intersection at Fifty-seventh Street and Tenth Avenue South, north and then westerly to the ~~Tenth~~**Ninth** Street Bridge;
- 3.— River Drive from its connection with Tenth Avenue South at or near the Warden Bridge to the First Avenue North Bridge;
 - i. First Avenue North from Park Drive westerly through the First Avenue North Bridge; **and**
 - ii. Central Avenue West from the west end of the First Avenue North Bridge to the west City limits on the Vaughn Highway;
- 4.— Third Street Northwest and Smelter Avenue from Central Avenue West to the northeasterly City limits;
- 5.— Second Street from the Tenth Avenue South approaches north to First Avenue South;
- 6.— First Avenue South from Second Street, west to Park Drive; **and**

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- i. Park Drive from First Avenue South to First Avenue North;
- 7.— Sixth Street Southwest from Central Avenue West to Tenth Avenue South; **and**
- 8.— River Drive from First Avenue North to the ~~Tenth~~**Ninth** Street Bridge;

~~B.— For the purpose of this section, the following definitions and terms shall apply:~~

~~"Truck" means any motor vehicle designed, used or maintained primarily for the transportation of property, which has a gross vehicle weight of over ten thousand (10,000) pounds.~~

~~"Local service" means limiting the authorized use of City streets or avenues to those trucks which have either point of origin or destination for immediate business purposes within the corporate limits of the City.~~

~~C.— In any hearing in Municipal Court, unless credible evidence is produced demonstrating such immediate business purposes such as a bill of lading or routing schedule, the operation of such truck on a prohibited street or avenue shall be prima facie evidence of violation of 10.57.11.020.~~

~~(Ord. 2646 § (part), 1994; Ord. 1974 §1(part), 1976; prior code §10 2 27(B) (part); Ord. 2219 1980).~~

~~10.57.040~~ **Trucks** — **Commercial vehicles—parking prohibited where—exception.**

~~It is unlawful and constitutes a public offense for any person to park a truck (as defined in Section 10.57.020)commercial vehicle on any streetCity public way, or avenue within the City, and outside of that area which may from time to time by the City ordinance be designated as the central business districtCentral Business District, except for an emergency or for loading and unloading purposes.~~

~~(Ord. 1974 §1(part), 1976; prior code §10 2 27(D)).~~

~~10.57.050~~**10.11.030** **Restriction of vehicles—determined by City Commission—signs to be erected.**

- A.— The City Commission may, by ~~law or resolution~~**ordinance**, prohibit the operation of vehicles upon any such streets, avenues, or highways, or impose restrictions as to the weight of vehicles to be operated upon any ~~such~~ street, whenever any street by reason of deterioration, rain, snow, or other climate conditions will be seriously damaged or destroyed ~~unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.~~
- B.— The City Commission, in enacting any such ~~law or resolution~~**Public Works Department ordinance** shall erect ~~or cause to be erected and maintained~~ signs ~~designating~~**pursuant to the provisions of the law or resolutionordinance** at each end of that portion of any street affected thereby, and the ~~law or resolution~~**ordinance** shall not be effective unless and until ~~such~~ signs are erected and maintained.

~~(Prior code §10 2 28).~~

Title 10 VEHICLES AND TRAFFIC

**Chapter 6012 ABANDONED AND JUNKED VEHICLES, MACHINERY,
TRAILERS, AND PARTS**

Sections:

~~10.60.010 Purpose.~~

~~10.60.020 Definitions.~~

~~10.60.030 Exemptions.~~

~~10.60.040 Junk vehicle deemed nuisance.~~

~~10.60.050 Administration and enforcement.~~

~~10.60.060 Administration costs.~~

~~10.60.070 Notices of intention to abate and remove; mailing; form of notices.~~

~~10.60.080 Appeal.~~

~~10.60.090 Abatement and removal.~~

~~10.60.100 Illegal off-street parking.~~

~~10.60.110 Continuing notice.~~

~~10.60.120 Penalty.~~

~~10.60.130 Non-exclusively of this chapter.~~

~~10.60~~10.12.010 Purpose.

10.12.020 Exemptions.

10.12.030 Junk vehicle deemed nuisance.

10.12.040 Administration and enforcement.

10.12.050 Notices of intention to abate and remove; mailing; form of notices.

10.12.060 Appeal.

10.12.070 Abatement and removal.

10.12.080 Illegal off-street parking.

10.12.090 Continuing notice.

10.12.100 Penalty.

10.12.010 Purpose.

The City Commission of the City of Great Falls hereby makes, finds and declares that the accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles, machinery, trailers, or parts thereof, on public property or illegally parked on private property is hereby found to create:

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- A. **Create** a condition tending to reduce the value of private property, ~~to promote;~~
- B. **Promote** blight and deterioration, ~~to invite plundering, to create;~~
- C. **Invite criminal activity;**
- D. **Create** fire hazards, ~~to constitute;~~
- E. **Constitute** an attractive nuisance creating a hazard to the health and safety of minors, ~~to create; and~~
- F. **Create** a harbor for rodents and insects, ~~and to be~~ **potentially** injurious to the health, safety, and general welfare.
- G. Therefore, the presence of an abandoned, wrecked, or dismantled or inoperative vehicle, or part thereof, on public property ~~or illegally parked on private property~~, except as expressly hereinafter permitted, is hereby declared to constitute a ~~public nuisance~~ **Nuisance**, which may be abated as such in accordance with the provisions of ~~this chapter~~ **OCCGF Title 8, Chapter 49.**

(Ord. 2819, 2002)

10.6012.020 Definitions.

For the purpose of this chapter the following definitions shall apply:

"Vehicle" means ~~any device by which any person or property may be propelled, moved, or drawn upon a street, except a device which is designed to be exclusively moved by human power or used exclusively upon stationary rails or tracks. The term vehicle shall include, but is not limited to, an automobile, truck, van, sports utility vehicle, recreational vehicle, camper, motorcycle, trailer, watercraft, boat, canoe, jet skis, snowmobiles, ATV's or aircraft.~~

"Machinery" is ~~synonymous with and means the same as "machine" as defined by the current edition of Webster's New Collegiate Dictionary.~~

"Trailer" means ~~any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle.~~

"Parts" means ~~any mechanical, structural, body or decorative part of any vehicle, machinery or trailer.~~

"Junk vehicle" means ~~any vehicle, machinery, trailer, or parts thereof, located on public property or illegally parked on private property within the corporate limits of the City of Great Falls, which, as to a vehicle or trailer, does not properly display license plates or stickers indicating current registration and/or, as to any vehicle, machinery, trailer, or parts thereof, which has any one (1) or more of the following characteristics:~~

- A. ~~Lacks an engine, wheel, tire, properly installed battery or other structural parts which renders the vehicle inoperable for use as designed by the manufacturer; provided, that if there is more than one (1) vehicle on the real property, there shall be the necessary number of engines, wheels, tires, batteries and other structural parts for each respective vehicle;~~
- B. ~~Has a broken or missing fender, door, bumper, hood, exterior door handle, running board, steering wheel, trunk top, trunk handle, tail pipe, muffler, driver's seat, fuel tank, driveshaft, differential, generator, alternator or other structural piece;~~

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- ~~C. Has become or the potential to become the breeding ground or habitat of rats, mice, snakes, mosquitoes or other vermin, rodents or insects, or is otherwise used for the storage, harbor, caging or dwelling for an animal of any kind;~~
- ~~D. Has heavy growth of weeds or other noxious vegetation over eight (8) inches in height under or immediately next to it.~~
- ~~E. Has become a point of collection for stagnant water;~~
- ~~F. Has junk, garbage, refuse, gasoline or fuel other than in its fuel tank, paper, cardboard, wood or other combustible materials, solid waste or other hazardous material present in it or which is primarily used for storage of any materials;~~
- ~~G. Has become a source of danger for children through entrapment in areas of confinement that cannot be opened from inside, through a danger of the vehicle falling or turning over, or through possible injury from exposed surfaces of metal, glass or other rigid materials;~~
- ~~H. Has become a potential source of contamination of the soil from petroleum products or other toxic liquids being discharged or leaking from the vehicle;~~
- ~~I. Has become illegal to operate on the public streets because it is missing one (1) or more parts required by law;~~
- ~~J. Is an abandoned vehicle; or~~
- ~~K. Because of its defective, deteriorated or obsolete condition in any other way constitutes a nuisance or a threat to the public's health or safety.~~

~~"Abandoned vehicle" means any of the following. For the purposes of this subsection, the word "vehicle" includes a vehicle, machinery, trailer or parts thereof:~~

- ~~A. A vehicle that has been left unattended on public property for more than forty-eight (48) hours and lacks current registration, plates, or one (1) or more wheels/tires or other parts which renders the vehicle totally inoperable;~~
- ~~B. A vehicle that has remained illegally parked on public property for more than forty eight (48) hours;~~
- ~~C. A vehicle that has been unlawfully parked on private real property or has been placed on private property without the consent of the real property owner or person in control of the property for more than forty-eight (48) hours;~~
- ~~D. A vehicle that has been legally impounded by order of a law enforcement authority and has not been reclaimed for a period of five (5) days. However, a law enforcement authority may declare the vehicle abandoned within the five-day period by commencing the notification process in Mont. Code Annotated Title 61 Chapter 8 (2004).~~
- ~~E. Any vehicle parked on a street determined by a law enforcement authority to create a hazard to other vehicle traffic.~~

~~"Law enforcement authority" means a peace officer or any City, state or federal department or agency operating with arrest authority in Great Falls, Montana.~~

~~"Responsible parties if ascertainable, the last known registered owner of the junk vehicle as indicated in the official records of the State of Montana Department of Motor Vehicles or a sister state division of transportation or motor vehicles.~~

10.60.030 — Exemptions.

This ~~chapter~~**Chapter** shall not apply to the following:

Title 10 VEHICLES AND TRAFFIC

- A.— When such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise on land which such business or enterprise is authorized by the City's zoning regulations; **or**
- B.— A vehicle which was recently involved in a collision, duly documented by a timely report filed with the appropriate law enforcement agency or the ~~state department of transportation~~**Montana Department of Transportation**, or its equivalent in a sister state, shall not be deemed a junk vehicle unless the owner/ **or** operator of said vehicle fails to repair **or properly cover** the same ~~within a reasonable period of time after said collision.~~
- C.— ~~Nothing in this chapter shall authorize the maintenance of a public or private nuisance as defined under provisions of law. (See Title 8 regarding Criminal Nuisances.)~~
- D.— ~~Nothing in the chapter and none of these exemptions alter any zoning regulations for the land on which the vehicle is located. (See Title 17 for zoning regulations)~~

10.60.04012.030 Junk vehicle deemed nuisance.

The keeping, maintaining, or allowing a junk vehicle to be on public ~~or illegally parked on private~~ property, except as provided by Section 10.60.030 ~~above~~**12.020**, shall constitute a nuisance. ~~The owner of a junk vehicle shall be responsible for the maintaining or keeping of a nuisance.~~**Nuisance as defined by OCCGF Title 8, Chapter 49.**

10.60.05012.040 Administration and enforcement.

- A. Except as otherwise provided ~~in this chapter~~, the provisions of this ~~chapter~~**Chapter** shall be administered and enforced by the Planning and Community Development Director and/or the Police Chief, or their respective designees, hereinafter collectively referred to as "enforcement officer."
- B. The enforcement officer and any person designated by the enforcement officer to abate the nuisance, pursuant to ~~this code~~**the OCCGF** or court order, are hereby authorized access to any property upon which a junk vehicle is located for the purpose of carrying out any and all actions necessary to enforce this ~~chapter~~**Chapter**.

~~(Ord. No. 3057, § 1, 8-17-2010)~~

10.60.060 Administration costs.

~~The City Commission shall determine and fix the administrative fee, an amount to be assessed as administrative costs under this chapter. Said administrative fee shall be in addition to the actual costs incurred regarding towing, storage and disposal of the vehicle. The administrative fee shall be set by resolution.~~

10.60.07012.050 Notices of intention to abate and remove; mailing; form of notices.

- A.— A ten-day notice (exclusive of weekends or federally mandated holidays) of intention to abate and remove the vehicle or parts thereof as a ~~public nuisance~~**Nuisance** shall be given to the owner of the land ~~and/or to the owner of the vehicle, if known.~~ The ~~notices of intention~~**notice** shall be in a form promulgated by the ~~Planning and Community Development Director~~**issuing enforcement officer**, and shall provide the following information at a minimum:

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- 1.— A description of the vehicle or parts which constitute(s) a ~~nuisance~~**Nuisance** under the provisions of the ~~Great Falls Municipal Code~~**OCCGF**;
 - 2.— That the ~~nuisance~~**Nuisance** must be abated within ten (10) days, (exclusive of weekends and federally mandated holidays) ~~to wit:~~ the junk vehicle must be either:
 - i.—Brought into a condition that it no longer is defined as a junk vehicle;;
 - ii.— Placed in a proper enclosure;; or
 - iii.— Removed from the property and properly disposed of or removed from the City; and
 - 3.— Failure to properly abate said ~~nuisance~~**Nuisance** as prescribed shall be sufficient cause for the removal of the junk vehicle by the enforcement ~~authority~~**officer** or his/her ~~duly designated agent~~**designee** as set forth by the ~~municipal code~~**OCCGF**.
- B.— The notice required by this section shall be served in any one (1) of the following manners:
- 1.— ~~Posting notice on or near the junk vehicle(s) in question and by certified~~**1. By regular mail, return receipt requested to the last registered-owner of said vehicle, if ascertainable, at the address listed in the state'sState's records concerning ownership of the vehicle (for the purposes of this provision, and service shall be deemed to have been perfected the day after the notice is mailed);; or**
 - 2.— If the last registered owner's name is not ascertainable, by posting notice on or near the junk vehicle(s) in ~~(for the purposes of this provision, and service shall be deemed to have been perfected the day the notice is posted on or near the junk vehicle).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

10.60.08012.060 Appeal.

Any interested party may appeal the decision of the enforcement officer by filing a written notice of appeal with the ~~Planning and Community Development Director ten (10) days (exclusive of weekends and federally mandated holidays) days after service of notice as required by Section 10.60.070 above. Such appeal shall be heard by the Municipal Court Judge which may affirm, amend or reverse the notice/order or take other action deemed appropriate. The Clerk of Municipal Court shall give at least five-day written notice of the time and place of the hearing to the appellant by first-class mail or personal service~~**City Manager ten (10) calendar days after service of notice as required by this Chapter. The City Manager or designee shall within fifteen (15) calendar days make a written finding affirming, reversing or modifying the enforcement officer's decision.**

~~(Ord. No. 3057, § 1, 8-17-2010)~~

10.60.09012.070 Abatement and removal.

- A.— The responsible party, after service of notice is perfected, shall abate the ~~nuisance~~**Nuisance** within ten (10) **calendar days** ~~(exclusive of weekends and federally mandated holidays) days of service being perfected.~~ Abatement shall consist of:
 - 1.— Providing for the current registration of ~~each and every~~**the** vehicle including the affixing the registration plate or current sticker to the vehicle;

Title 10 VEHICLES AND TRAFFIC

- 2.— Repairing any and all conditions which cause ~~such~~the vehicle(s) to be a ~~nuisance~~**Nuisance** under the provisions of the ~~Municipal Code~~**OCCGF**; and
 - 3.— Having all of the required equipment and parts for ~~each~~the vehicle which was described in the notice; or
 - 4.— Removing the ~~junk~~ vehicle or causing the ~~junk~~ vehicle to be removed to a licensed dismantler, salvage yard, licensed vehicle dealer, a junk dealer, an auto body shop or to any other **legally authorized** location provided the same complies with all applicable provisions of the Municipal Code.
- B.— If the responsible parties fail to abate the ~~nuisance~~**Nuisance** as prescribed, or after such abatement has been affirmed by the ~~Court on appeal~~**City Manager**, the City, through the enforcement officer, may abate such ~~nuisance~~**Nuisance** by causing the junk vehicle(s) to be removed, impounded and sold, or disposed of as provided for abandoned vehicles under the laws of the State of Montana. All costs of ~~such~~ abatement and the administrative fee provided by this ~~chapter~~**Chapter** shall be charged to the responsible parties, jointly and severally.

~~10.60.100~~**12.080** **Illegal off-street parking.**

- A.— No person shall park a vehicle ~~onto or~~ upon privately owned real property or area developed as an off-street parking facility without the consent of the owner, lessee, or person in charge of said property or facility.
- B.— No person shall park a vehicle ~~onto or~~ upon publicly owned real property or area developed as an off-street parking facility, if said property is not properly designated and signed for parking of private vehicles; ~~contrary to~~ **in violation of** any signs set forth upon said property or facility; ~~or contrary to the laws of the State of Montana, County of Cascade or the City of Great Falls without proper consent of said state, county or City.~~ **legally authorized signage.**
- C.— Any vehicle parked in violation of this section shall be deemed an abandoned vehicle.

~~10.60.110~~**12.090** **Continuing notice.**

A notice issued as ~~provided in Section 10.60.070 above~~ **pursuant to this Chapter** shall be deemed a continuing notice regarding the vehicle(s) described in the notice for a period of one (1) year from the date of service and is valid for all locations within the **incorporated** City of ~~Great Falls~~. **limits**. No further notice by an enforcement officer or ten-day period to abate is necessary to abate a ~~nuisance~~**Nuisance** created by said vehicle(s) within the one-year period.

~~10.60.120~~**12.100** **Penalty.**

Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of this Code. Each day that a violation is allowed to continue shall constitute a separate and distinct violation.

~~10.60.130~~ **Non-exclusively of this chapter.**

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the City of Great Falls. It shall supplement and be in addition to the other regulatory codes, statutes,

Title 10 VEHICLES AND TRAFFIC

~~and ordinances heretofore or hereafter enacted by the City, the state, or any other legal entity or agency having jurisdiction.~~

Chapter 61 ~~Parking any vehicle in violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.~~

Chapter 13 ABANDONED, WRECKED, JUNKED OR DISMANTLED VEHICLES ON PRIVATE PROPERTY

Sections:

~~10.61.010 Definitions.~~

~~10.61.020 Enforcement.~~

~~10.61.030 Prohibited.~~

~~10.61.040 Permitted in a building.~~

~~10.61.050 Repair.~~

~~10.61.060 Person responsible.~~

~~10.61.070 Notice.~~

~~10.61.080 Violation and penalty.~~

10.61.010 — Definitions.

~~The following definitions shall apply in the interpretation and enforcement of this chapter unless otherwise noted:~~

~~When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number.~~

~~"Vehicle" means every device in, upon, or by which any person or property may be transported or drawn upon a public highway or upon p property, including trailers, semi-trailers, travel or camp trailers, as well as machinery used in farming, logging, excavating, but not including mobile homes presently utilized for human habitation. "Vehicle" shall not include a bicycle, but shall include motorbikes, motorcycles, motor-scooters, tractors, go-carts and golf carts.~~

~~"Abandoned, wrecked, junked or dismantled motor vehicles" means any motor vehicle described in 61-1-102, MCA, which does not have lawfully affixed thereto both an unexpired license plate or plates and the condition of which is wrecked, dismantled, inoperative, abandoned or discarded.~~

~~"Abandoned, wrecked, junked or dismantled vehicle" means any vehicle described in Subsection B of this section which is not being utilized for its manufactured or intended purpose and has been discarded, abandoned, wrecked, junked, dismantled or partially dismantled, including parts thereof.~~

Title 10 VEHICLES AND TRAFFIC

~~"Person" means any person, firm, partnership, association, corporation, company or organization of any kind.~~

~~"Private property" means any real property within the City which is privately owned.~~

~~(Ord. 2646 §(part), 1994; Ord. 2442 §2 Ex. B(part), 1986).~~

~~**10.61.020 — Enforcement.**~~

~~A. **Authority.** The Planning and Community Development Director or duly authorized representative, is authorized and directed to enforce all the provisions of this chapter, and all enforcement agencies of the City shall cooperate in this regard.~~

~~B. **Right of entry.** The Planning and Community Development Director or a duly authorized representative's right of entry in the enforcement of this chapter shall be in accordance with Section 17.16.46.020B.4 and 17.16.46.080 of this Code.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~**10.61.030 — Prohibited.**~~

~~No person shall park, store, keep, place, leave or permit the same, any abandoned, wrecked, junked or dismantled motor vehicle or vehicle upon any private property within the City limits for a period in excess of seventy-two (72) hours. The presence of any abandoned, wrecked, junked or dismantled vehicle or motor vehicle, or parts thereof, upon private property as specified in this chapter, is declared a public nuisance which shall be abated as such in accordance with the provisions of this chapter. This section shall not apply to any vehicles enclosed within a building, or covered by a fabric cover specifically designed for covering vehicles or motor vehicles or to any vehicle held in connection with a business enterprise lawfully licensed and properly operated in an appropriate zone, pursuant to the zoning laws of the City or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City or to any vehicle or motor vehicle validly and properly retained by the owner thereof for antique collection purposes, pursuant to 61-3-411, M.C.A. Any motor vehicle whether in operable or inoperable condition designed, adapted or used for dragstrip racing or raceway racing shall be covered, as set forth in this chapter, or placed within a building.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

~~**10.61.040 — Permitted in a building.**~~

~~Storage, service, restoration and repair of an abandoned, wrecked, junked or dismantled vehicle or motor vehicle which is conducted within the confines of a building shall be permitted provided that such vehicle or motor vehicle is the property of the owner or occupier of the lot and provided that the storage service, service, restoration or repair is not a commercial use of the property.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

Title 10 VEHICLES AND TRAFFIC

10.61.050 — Repair.

~~This chapter shall not be construed to prevent any occupant of premises within the City limits from repairing his own motor vehicles or vehicle or machinery on his premises even though exposed to public view, so long as the person pursues the work to completion with reasonable diligence; provided, however, that any vehicle which remains out of running condition with any wheel, tire, engine, body or other major part removed there from for a period in excess of twenty (20) days, while remaining exposed to public view, shall be deemed to be prima facie evidence that the vehicle or motor vehicle is not being diligently repaired and constitutes a violation of this chapter.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

10.61.060 — Person responsible.

~~The owner of any private property within the City limits shall be absolutely responsible for any violation of the chapter.~~

~~(Ord. 2646 §(part), 1994; Ord. 2442 §2 Ex. B(part), 1986).~~

10.61.070 — Notice.

~~Whenever it comes to the attention of the Planning and Community Development Director that a nuisance exists within the City limits due to the maintenance or presence of abandoned, wrecked, junked or dismantled motor vehicles or vehicles upon private property within the City limits, a notice in writing shall be served upon the occupant of the land where the nuisance exists, or in the case there is no such occupant, then upon the person being the owner of the property, notifying them of the existence of the nuisance and ordering its removal in the time specified in this chapter.~~

~~A. — Notice shall be given by United States mail, postage prepaid, addressed to the occupant or the person who is the owner at the last known address as exists upon the records of City. An alternative notice may be served in the same manner as other legal process is served in the State.~~

~~B. — The Planning and Community Development Director shall give the notice for the removal of the items which constitute the nuisance at least fourteen (14) days before the time of compliance with the notice. The notice shall specify clearly the abandoned, wrecked, junked or dismantled motor vehicles or vehicles, or parts thereof upon the private property, which constitutes the nuisance and shall order the removal of the same as specified within this chapter. The notice shall advise that failure to remove or cover as specified in the notice shall render the person so served subject to prosecution for violation of this chapter and the penalty therefore as set forth in this chapter. The notice shall contain the name, address and telephone number of the Planning and Community Development Department for contact by the occupant or owner.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

10.61.080 — Violation and penalty.

~~A. — Failure of the person or persons responsible for the removal or covering of abandoned, wrecked, junked or dismantled motor vehicles or vehicles or parts thereof to remove or cover the same within the time specified in the notice, after the same has been served as provided in this chapter, constitutes~~

Title 10 VEHICLES AND TRAFFIC

~~a violation of the chapter which shall be punishable by a fine not to exceed five hundred dollars (\$500.00). It is specifically provided that each day a violation continues after the time for removal or covering specified in the notice, constitutes a separate offense, thereby subjecting the person or persons in violation thereof to a daily fine until the abandoned, wrecked, junked or dismantled motor vehicles or vehicles or parts thereof are removed from the private property, or covered, as provided in the notice.~~

~~B. In any action or proceeding brought for the violation of this chapter, as defined in this chapter, the reasonable cost and expense to City in connection with the mailing or serving of notice and the inspection of the private property in question, shall be awarded to City as part of the court's sentence.~~

~~(Ord. 2442 §2 Ex. B(part), 1986).~~

~~Chapter 66~~ SNOWMOBILES ^{HH}

~~10.13.010 A condition prohibited.~~

~~10.13.020 Repair.~~

10.13.010 A condition prohibited.

An abandoned or junked vehicle on a private, non-permitted, premises is hereby declared a condition prohibited pursuant to OCCGF Title 8, Chapter 51.

10.13.020 Repair.

Vehicles may be repaired by non-commercial property owners or occupants in public view. Said repairs must be pursued to completion. Dismantled vehicles must be covered when not being repaired. Vehicles not fully repaired within twenty (20) calendar days are presumed to be abandoned.

Chapter 14 SNOWMOBILES

Sections:

~~10.66.010 Definitions.~~

~~10.66.020 Prohibited where.~~

10.14.010 Prohibited where.

10.14.020 Penalty.

Title 10 VEHICLES AND TRAFFIC

10.66.14.010 Definitions.

~~"Operator" includes every person who operates or is in actual physical control of the operation of the snowmobile.~~

~~"Person" includes any individual, partnership, association or corporation, or any other body or groups of persons, whether incorporated or not, and regardless of the degree of formal organization.~~

~~"Snowmobile" includes any self-propelled vehicle designed primarily for travel on the snow or ice or natural terrain, which may be steered by wheels, skis or runners, and which is not otherwise registered or licensed under the laws of the State.~~

~~(Prior code §10-2-30(A)).~~

10.66.020 Prohibited where.

It is unlawful for any person or operator to drive any snowmobile upon any public ~~streets, avenues, highways, roadways, alleys or sidewalks~~ **rights-of-way** within the **incorporated City limits**, or upon any public parks or public grounds within the City.

~~(Prior code §10-2-30(B)).~~

FOOTNOTE(S):

~~(1)~~

~~For statutory provisions regarding snowmobiles, see RCM 53-1012 et seq. ([Back](#))~~

10.14.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 6915 MOTORCYCLES

Sections:

Section:

~~10.69.020 Driving on sidewalks and in public parks or grounds prohibited.~~

Title 10 VEHICLES AND TRAFFIC

10.15.010 Driving on sidewalks and in public parks or grounds prohibited.

10.6915.020 Penalty.

10.15.010 Driving on sidewalks and in public parks or grounds prohibited.

It is unlawful for any person or operator to drive any motorcycle or other power driven two-wheel vehicle upon the sidewalks within the City or upon that portion of any public park or public grounds where no roadway is provided.

~~(Ord. 2646 § (part), 1994; Prior code §10-2-10 (2)).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

Chapter 71 — HANDICAP ZONE

Section:

~~10.71.010 Handicap zone.~~

10.7110.15.020 Penalty.

A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 16 HANDICAPPED ZONE

Sections:

10.16.010 Handicapped zone.

10.16.010 HandicapHandicapped zone.

A.— No person shall park a motor vehicle in a parking space designated and reserved for the physically handicapped, unless:

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- 1.— Such person is physically handicapped in a manner rendering it difficult and burdensome for such person to walk, or such person was operating the vehicle under the direction of ~~such~~ a physically handicapped person; and
 - 2.— The vehicle visibly bears or contains the certificate or insignia issued to physically handicapped persons by the City or visibly bears or contains a special handicapped license plate or permit issued to physically handicapped persons by any State or City.
- B.— Notice of such designation of handicapped parking spaces shall be given by posting appropriate signs.
- C.— In any prosecution charging a violation of the above provisions, the owner or person or corporation in whose name said vehicle is registered shall be held absolutely responsible for said violation and subject to the penalty therefore.
- D.— A violation of this section ~~shall constitute~~ **is punishable by a misdemeanor. Vehicles in violation may be removed, impounded, and kept in custody at the direction of the Chief of Police fine set by Commission resolution.**

~~(Ord. 2676, 1995; Ord. 2646, 1994; Ord. 2353, 1984; Ord. 2031, 1977).~~

Chapter 72 — BICYCLES

Section:

~~10.72.010 Riding on sidewalks prohibited where regulation.~~

10.72.010 — Riding on sidewalks prohibited where regulation.

- A.— It is unlawful for any person to ride a bicycle upon a sidewalk within the central business district east of the west line of Park Drive.
- B.— Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

~~(Ord. 2646 § (part), 1994; Prior code §10-1-19).~~

C.— Bicycles operated as part of the City bike patrol program are exempt from 10.72.010(A).

~~(Ord. 2708; 1996)~~

Chapter 7317 TRAILERS

Section:

~~10.73.010 Occupancy regulations.~~

Title 10 VEHICLES AND TRAFFIC

Sections:

10.17.010 Occupancy regulations.

~~10.73~~**10.020 Penalty.**

10.17.010 Occupancy regulations.

No trailer, as defined in ~~Section 10.15.010, subsection 32-2105, or motor vehicle as defined in Section 10.15.010, subsection 32-2101(b),~~ **by this Title**, shall be occupied either permanently or temporarily as a dwelling place, or living abode while parked on any street, avenue, alley or highway, or other public place unless otherwise authorized by law. **OCCGF Title 17 or other applicable Federal or State law.**

~~(Ord. 1984, 1976: prior code §10-2-33).~~

10.17.020 Penalty.

A violation of this Chapter ~~75~~ **is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.**

Chapter 18 TOLL LOCATIONS

Sections:

Sections:

~~10.75.010 Prohibited.~~

~~10.75.020 Exception.~~

10.18.010 Tolls prohibited.

10.18.020 Penalty.

~~10.75~~**10.010 Prohibited Tolls prohibited.**

It is unlawful for any person, firm, corporation or organization, charitable or otherwise, to occupy, stand in, and/or use any portion of any public ~~street, highway or bridge~~ **right-of-way** for the purpose of establishing a toll location through which vehicular traffic must pass in order to collect funds or make any other contact

Title 10 VEHICLES AND TRAFFIC

or solicitation from the driver or occupant of any vehicle using the public street, highway or bridge within the City: **without prior written authorization from the City Manager.**

~~(Prior code §10-2-11).~~

10.75.18.020—Exception Penalty.

The City Manager may approve a toll request provided that:

A. ~~The requesters are sworn public safety officers trained in emergency scene management, accident prevention, traffic control, personnel and public safety, advanced medical training, and are experienced in the appropriate methods to set up and operate a safe tolling exercise.~~

~~(Ord. 2757, 1999).~~

B. ~~The requesters submit a traffic plan which includes the date, time and location for the tolling activity, traffic control descriptions for each location, and a one million dollar (\$1,000,000.00) general liability policy naming the City as additional insured.~~

C. ~~No more than one (1) toll will be granted per calendar year.~~

Chapter 78A violation of this Chapter is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00), a term not to exceed six months in jail, or both.

Chapter 19 LIABILITY FOR STREET DAMAGE

Sections:

~~10.78.010 Applicability.~~

~~10.78.020 Owner and driver of vehicle jointly liable.~~

~~10.78.030 Civil action.~~

10.19.010 Applicability.

10.19.020 Owner and driver of vehicle jointly liable.

10.19.030 Civil action.

10.7819.010 Applicability.

Any person driving any vehicle, object, or ~~entrivancedevice~~ **entrivancedevice** upon any street or street structure shall be liable for all damage which the street or structure may sustain as a result of any illegal operation, driving, or moving of ~~suchthe~~ **suchthe** vehicle, object, or ~~entrivancedevice~~ **entrivancedevice**, or as a result of operating, driving or moving any vehicle, object, or ~~entrivancedevice~~ **entrivancedevice** weighing in excess of the maximum weight in this ~~the~~ **Title** except

Title 10 VEHICLES AND TRAFFIC

Chapters 10.51 and 10.72 but is authorized by a special permit issued as **otherwise** provided in this title except Chapters 10.51 and 10.72 **or permitted**.

~~(Prior code §10-2-29(A)).~~

10.78.19.020 Owner and driver of vehicle jointly liable.

- A. Whenever such driver is not the owner of such vehicle, object, or ~~contrivance~~ **device**, but is ~~se~~ operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any ~~such~~ damage.

~~(Prior code §B.~~ **The Public Works Director may, in his or her discretion, authorize an individual liable for damage pursuant to this Chapter to repair any damage caused to the same or better condition before the damage was caused or to any other legally mandated condition.**

~~10-2-29(B)).~~

10.78.19.030 Civil action.

Such damage may be recovered in a civil action brought by the ~~authorities~~ **City** in ~~control~~ **a Court** of such ~~streets or street structure~~ **competent jurisdiction**.

~~(Prior code §10-2-29(C)).~~

Chapter 8420 EXCESS SIZE AND WEIGHT PERMITS

Sections:

~~10.84.010 Issuance—conditions.~~

~~10.84.020 Display—violation—penalty.~~

10.20.010 Issuance conditions.

10.20.020 Penalty.

10.8420.010 Issuance—conditions.

~~The City Engineer is authorized to issue or withhold such special permit at his discretion, or if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle described may be operated on the public streets indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against damage to the road foundation, surfaces or structures or safety or traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any street or road structure.~~

Title 10 VEHICLES AND TRAFFIC

~~(Ord. 2646 § (part), 1994; Prior code §~~**The City Engineer is authorized to issue, revoke, or deny permits for the operation of vehicles of excess size and weight pursuant to adopted written policy on file at the Great Falls Public Works Department. A permit issued pursuant to this Chapter shall describe any applicable conditions for the operation of the vehicle subject to the permit.**

~~10-2-26(A))~~

~~10.84.20.020~~ **Display violation penalty**~~Penalty.~~

- A.— Any person who knowingly ~~and~~ willfully misrepresents the size or weight of any load in obtaining a ~~special permit~~ **pursuant to this Chapter**, does not follow the ~~requirement and conditions of the special permit, or who operates any vehicle, the gross weight of which is in excess of the maximum for such vehicle may be eligible for license,~~ **requiring a permit pursuant to this Chapter** without ~~first obtaining a special~~ permit, is guilty of a misdemeanor. **punishable by a fine not to exceed five-hundred dollars (\$500.00), six months in jail, or both.**
- B.— Every ~~special permit issued under~~ **pursuant to this chapter** ~~Chapter~~ shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by ~~the Police Officer~~ **law enforcement.**
- C.— ~~A complaint filed and a summons or notice to appear issued pertaining to a violation of the gross weight regulations in this chapter shall specify the amount of the over-weight which the defendant is allowed to have had upon the vehicle or combination of vehicles.~~

~~(Ord. 2646 § (part), 1994; Ord. 2186, 1980)~~

Chapter 87 — VIOLATION PENALTY

Sections:

~~10.87.010 Definitions.~~

~~10.87.030 Illegally parked vehicle — notice — procedure.~~

~~10.87.040 Illegally parked vehicle — notice — failure to comply.~~

~~10.87.050 Illegally parked vehicle — presumption.~~

~~10.87.060 Illegally parked vehicle — warrant issued when.~~

~~10.87.070 Disposition of fines and parking meter revenue.~~

~~10.87.080 Fines and forfeitures — official misuse.~~

~~10.87.090 Penalties and administrative fees.~~

10.87

Title 10 VEHICLES AND TRAFFIC

Chapter 21 PARKING VIOLATIONS

Sections:

- 10.21.010 Illegally parked vehicle notice.
- 10.21.020 Illegally parked vehicle notice of failure to comply.
- 10.21.030 Illegally parked vehicle presumption.
- 10.21.040 Illegally parked vehicle warrant issued when.
- 10.21.050 Disposition of fines and parking meter revenue.
- 10.21.060 Fines and forfeitures official misuse.
- 10.21.070 Penalties and administrative fees.

10.21.010 Definitions.

~~"Parking Official" for purposes of Title 10, Chapter 87 means: peace officers and other persons designated by the City Commission.~~

~~(Ord. No. 3122, § 3, 12-2-2014; Ord. 2646 § (part), 1994)~~

10.87.030 — Illegally parked vehicle — notice — procedure.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any ~~of the~~ **State or local** restrictions imposed by the laws of this City or by State law, the Parking Official finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its owner and shall conspicuously affix to such vehicle a notice in writing on a form provided by the City for the owner to answer to or pay the charge against the driver within the time set forth in the notice during the hours and at a place specified in the notice **post written notice of the violation on the vehicle indicating any applicable penalties and the place where any applicable fines may be paid or contested.**

~~(Ord. No. 3122, § 3, 12-2-2014; Ord. 2646 § (part), 1994)~~

10.87.040 21.020 Illegally parked vehicle — notice — of failure to comply.

If ~~an~~ **alleged** violator of the restrictions on stopping, standing, or parking under ~~the traffic laws~~ **legally authorized restriction** does not appear in response to a notice affixed to such motor vehicle within the time set forth in the notice, the City shall implement the following process:

4. **A.** The penalty for a violation of this section occurring in a parking management district must be paid within thirty (30) calendar days of the date of the citation. If payment is not received within that time, an administrative fee will be added to the violation. The penalties and fees will be set by **Commission** resolution of the City Commission, as provided by Section 10.87.090 of this chapter.

Exhibit "B" (Updated from First Reading)

Title 10 VEHICLES AND TRAFFIC

- 2.—**B.** After thirty (30) days without payment, a statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- 3.—**C.** After sixty (60) days without payment, a second statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- 4.—**D.** After ninety (90) days without payment, a third statement that is clearly marked as a pre-collection notice of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- 5.—**E.** After one hundred twenty (120) days without payment, the amount due for the violation and the administrative fee will be referred to a collection agency. If the payment through collection efforts is not received within ten (10) months of the date of the citation, the City may request an arrest warrant and proceed with an action through the Municipal Court as provided by ~~other sections of this chapter~~ **Chapter**.
- 6.—**F.** Proceedings through the Municipal Court for enforcement of this ~~title~~ **Title** must be filed within one (1) year of the date of the citation.

~~(Ord. No. 3122, § 3, 12-2-2014; Ord. 2646 § (part), 1994; Prior code § 10-2-16(F))~~

10.87.050.21.030 Illegally parked vehicle— presumption.

If any vehicle is found stopped or parked in any manner violative of ~~the provisions of Title 10 of the Official Code of the City of Great Falls~~ **legally authorized restrictions**, the owner, person, or corporation in whose name said vehicle is registered shall be held absolutely responsible for said violation and subject to ~~the penalty therefore~~ **applicable penalties**.

~~(Ord. No. 3122, § 3, 12-2-2014; Ord. 2321 § 1, 1983)~~

10.87.060.21.040 Illegally parked vehicle— warrant issued when.

In the event any person fails to comply with a notice ~~so given~~ **reserved on** the person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the ~~municipal court~~ **Municipal Court**, or if any person fails or refuses to deposit bail as required and within the time permitted by law, Municipal Court may, at its discretion, issue a warrant of arrest.

~~(Ord. No. 3122, § 3, 12-2-2014; Prior code § 10-2-16(H))~~

10.87.070.21.050 Disposition of fines and parking meter revenue.

- A.— All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this Title ~~except Chapter 10.72~~ shall be paid to the Planning and Community Development Department and deposited in the parking fund, to be expended to defray the ~~expense of proper regulation of traffic and parking upon the public streets of the City, to provide for the cost of supervision, regulation, and control of parking vehicles and to cover the cost of purchase, supervision, operation, maintenance, control and use of parking meters.~~ **expenses of:**

Title 10 VEHICLES AND TRAFFIC

1. **Proper regulation of traffic;**
2. **Parking upon City public streets;**
3. **Supervision, regulation, and control of parking vehicles; and**
4. **The purchase, supervision, operation, maintenance, control and use of parking meters.**

B.— All revenue obtained from and through the use of parking meters shall be appropriated by the City to pay for the operation and maintenance of on-street and off-street parking facilities.

~~(Ord. No. 3122, § 3, 12-2-2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 (part), 1994; Prior Code § 10-2-16(I))~~

~~10.87.080.21.060~~ **Fines and forfeitures— official misuse.**

Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture, either before or after a deposit in the fund, to comply with the foregoing provisions of this ~~chapter~~ **Chapter**, shall constitute misconduct in office and shall be grounds for removal therefrom.

~~(Prior code § 10-2-16(J))~~

~~10.87.090.10.21.070~~ **Penalties and administrative fees.**

Penalties and administrative fees for violations of this ~~title~~ **Title** shall be set by **Commission** resolution ~~of the City Commission.~~

~~(Ord. 3188, 2018; Ord. 3146, 2016; Ord. 3122, 2014; Ord. 3090, 2012; Ord. 3057, 2010; Ord. 3042, 2009; Ord. 2951, 2006; Ord. 2867, 2004; Ord. 2819, 2002; Ord. 2815, 2002; Ord. 2802, 2001; Ord. 2790, 2000; Ord. 2757, 1999; Ord. 2708, 1996; Ord. 2707, 1996; Ord. 2676, 1995; Ord. 2646, 1994; Ord. 2640, 1994; Ord. 2633, 1992; Ord. 2521, 1989; Ord. 2520, 1989; Ord. 2469, 1987; Ord. 2457, 1987; Ord. 2456, 1987; Ord. 2446, 1987; Ord. 2443, 1986; Ord. 2442, 1986; Ord. 2383, 1985; Ord. 2353, 1984; Ord. 2321, 1983; Ord. 2305, 1982; Ord. 2283, 1981; Ord. 2245, 1981; Ord. 2219 1980; Ord. 2189, 1980; Ord. No. 3122, § 3, 12-2-2014; Ord. 2188, 1980; Ord. 2186, 1980; Ord. 2052, 1979; Ord. 2021, 1977; Ord. 1987, 1976; Ord. 1974, 1976; Ord. 1627, 1969; Ord. 1471, 1964; Ord. 1454, 1963; Ord. 1217, 1956; Prior codes §§ 10-1-19; 10-2-1(M); 10-2-2(D), 10-2-2(E); 10-2-3(C), 10-2-3(I); 10-2-5(A), 10-2-5(B); 10-2-7(A), 10-2-7(B), 10-2-7(C); 10-2-8(A), 10-2-8(B); 10-2-9(F), 10-2-9(G), 10-2-9(L), 10-2-9(M), 10-2-9(Z); 10-2-10(2); 10-2-11; 10-2-12(A), 10-2-12(D), 10-2-12(E); 10-2-13(A), 10-2-13(B), 10-2-13(C), 10-2-13(D); 10-2-14, 10-2-14(A), 10-2-14(B), 10-2-14(C), 10-2-14(E), 10-2-14(F), 10-2-14(G)(1), 10-2-14(G)(2), 10-2-14(G)(3), 10-2-14(G)(4), 10-2-14(G)(5), 10-2-14(G)(6); 10-2-16(F), 10-2-16(H), 10-2-16(I), 10-2-16(J); 10-2-20(A), 10-2-20(B); 10-2-26(A); 10-2-27(A), 10-2-27(B), 10-2-27(D); 10-2-28; 10-2-29(A), 10-2-29(B), 10-2-29(C); 10-2-30(A), 10-2-30(B); 10-2-33)2707, 1996; Ord. 2646 (part), 1994; Ord. 2469 § 1, 1987; Ord. 2456 § 1, 1987; Ord. 2443 § 2, 1986; Ord. 2321 § 2, 1983).~~