

ORDINANCE 3122

AN ORDINANCE AMENDING TITLE 10, CHAPTERS 3, 48 AND 87 OF THE OFFICIAL CODE OF THE CITY GREAT FALLS (OCCGF) PERTAINING TO THE ADMINISTRATION AND OPERATION OF THE CITY'S PARKING SYSTEM

* * * * *

WHEREAS, a financially sound parking system and properly maintained parking facilities are essential to the continuing redevelopment of downtown Great Falls and to the many citizens who use those facilities; and

WHEREAS, to ensure the continued financial health of the parking system, certain provisions of the OCCGF require updating; and

WHEREAS, for clarification and simplifying the administration of the parking system, certain provisions of the OCCGF relating to loading and parking areas, parking districts, and parking violations require updating; and

WHEREAS, City staff, in concurrence with the Parking Advisory Commission, recommends that the City Commission approve the amendments to Title 10, Chapters 3, 48 and 87 of the OCCGF for the continued administration and operation of the City's parking system.

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

- Section 1. That Title 10, Chapter 3, Section 010 of the OCCGF be amended as depicted in Exhibit "A" attached hereto, which removes any language indicated by a strike-out and adds language which is bolded;
- Section 2. That Title 10, Chapter 48 of the OCCGF be amended as depicted in Exhibit "B" attached hereto, which removes any language indicated by a strike-out and adds language which is bolded;
- Section 3. That Title 10, Chapter 87 of the OCCGF be amended as depicted in Exhibit "C" attached hereto, which removes any language indicated by a strike-out and adds language which is bolded;
- Section 4. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading November 18, 2014.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading December 2, 2014.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, 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 hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3122 in three places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

(Seal of the City)

Lisa Kunz, City Clerk

EXHIBIT "A"

Title 10 - VEHICLES AND TRAFFIC

Chapter 3 DEFINITIONS

Chapter 3 DEFINITIONS

Section:

[10.3.010 Definitions.](#)

10.3.010 Definitions.

Unless otherwise specified or a different meaning is plainly intended, the following definitions apply throughout this chapter ~~Chapter~~ **Title**:

"Administrator" means the City employee or contractor tasked by the City Manager with the management of the City's parking facilities.

(Ord. 3122, 2014)

~~"Alley." means any public right-of-way or public thoroughfare twenty (20) feet or less in width.~~

~~(Ord. 3122, 2014; Prior code §0-2-1(M) (part)).~~

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

(Ord. 3122, 2014; Ord. 2646 §part), 1994)

"Central business district" means **the C-4 Central Business Core Zoning District.** ~~all streets and portions of streets within the area described as follows: All that area bounded by the west line of Park Drive, thence in an easterly direction on a line with south line of Second Avenue South to east line of Ninth Street, thence north to the north line of Second Avenue North thence west to point of origin.~~

(Ord. 3122, 2014; Prior code §10-2-1(M) (part)).

~~"Curb-loading zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and/or freight and materials.~~

~~**(Ord. 3122, 2014; Prior code §10-2-1(M) (part)).**~~

~~Whenever certain hours are named in this title, they mean standard time or daylight savings time as may be in current use in this City.~~

~~**(Ord. 3122, 2014; Prior code §10-2-1 (M)(part)).**~~

"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. This term also includes delivery zones in the metered parking district.

(Ord. 3122, 2014)

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Title 10 - VEHICLES AND TRAFFIC

Chapter 3 DEFINITIONS

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

(Ord. 3122, 2014)

~~"Parking meter" means any mechanical device or meter, not inconsistent with this chapter, placed or erected~~ **installed** for the regulation of **the time allowed for parking by the authority of as provided by 10.48.270 of this chapter title**. Each parking meter installed shall indicate by proper legend the legal parking time established by the City and when operated, shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(Ord. 3122, 2014; Prior code §10-2-1(M)(part)).

"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.

(Ord. 3122, 2014)

~~"Parking meter space" means any space within a parking meter zone and adjacent to a legally placed parking meter.~~

(Ord. 3122, 2014; Prior code §0-2-1(M)(part)).

~~"Parking meter zone" means any restricted street upon which parking meters are installed and in operation.~~

(Ord. 3122, 2014; Prior code §10-2-1(M)(part)).

~~"Passenger curb-loading zone" means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.~~

(Ord. 3122, 2014; Prior code §10-2-1(M)(part)).

EXHIBIT "B"

Title 10 - VEHICLES AND TRAFFIC

Chapter 48 STOPPING, STANDING AND PARKING

Chapter 48 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 ~~Operation of~~ Parking at meters.

10.48.055 Paying for Parking.

10.48.060 Stopping, standing or parking on ~~trafficways~~ 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.

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 ~~Special use~~ On street loading and parking zones.

10.48.175 Parking management districts.

10.48.180 ~~Permits for special use zones~~ **Review of applications for loading and parking zones on public streets.**

10.48.190 **Application** Fees for permits **the establishment of for special use loading and parking zones.**

10.48.200 Use of ~~special use~~ loading and parking zones on public streets.

10.48.220 ~~Bus~~ **Passenger loading zones serving schools.**

10.48.230 ~~Passenger loading zone.~~

10.48.240 ~~Freight loading zone.~~

10.48.250 ~~Delivery zone.~~

10.48.260 ~~Daily use zone—meter bags.~~

10.48.270 ~~Residential zone.~~

10.48.230 Delivery permits.

10.48.240 Meter bags.

10.48.250 Residential parking in parking management districts.

10.48.2860 ~~Administration of P~~ parking meter management districts defined.

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Chapter 48 STOPPING, STANDING AND PARKING

~~10.48.2970~~ Parking meter enforcement periods and time periods/limits.

~~10.48.29480~~ Courtesy parking provided by property owner(s) within parking district.

~~10.48.300290~~ Unauthorized parking in off-street parking facilities prohibited.

~~10.48.3400~~ Rates charged on City owned/operated off-street parking lots and garages.

10.48.010 Stopping, standing or parking close to curb.

It is unlawful for any person to stop, stand or park a vehicle 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 Sections ~~10.48.040~~ and 10.48.050.

(Ord. 3122, 2014; Ord. 1987 2(part), 1976: prior code 10-2-12(A)).

10.48.040 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 ~~Operation of~~ Parking at meters.

~~Except for an emergency as determined directed by an officer of the Fire or Police Departments or City parking attendants, or in compliance with the direction of a Police Officer or traffic control device, when any vehicles is parked in any using metered parking spaces adjacent to a parking meter, the driver of such vehicle shall park within the space area and at the angle designated delineated by the curb pavement markings, and in the event such When those markings are obscured by snow, wear, or other conditions and there is, where angle parking, prevails, the vehicles shall be parked to the left side to or right side to of the appropriate meter; wWhere there is parallel parking, prevails, the vehicles shall be parked front end to or rear end to, within 18 inches of the appropriate meter, and within 18 inches of the curb. Failure to comply with this Section is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this Title. Upon entering the meter space, a driver shall immediately deposit or cause to be deposited in the meter such proper coin of United States or legal token required for such parking meter. The driver of such vehicle, after the deposit of the proper coin(s) or legal token(s), shall also set in operation the timing mechanism on such meter. Any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin or token so long the occupancy of the space does not exceed the indicated unused parking time. If the vehicle remains parked in any such parking space, and if the meter indicates such illegal parking, it shall be deemed a violation of this chapter.~~

(Ord. 3122, 2014; Ord. 1987 §2(part), 1976: prior code §10-2-12(E)).

10.48.055 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**

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Chapter 48 STOPPING, STANDING AND PARKING

by the City. The available means of payment shall be indicated on the meter and/or signs posted on the adjoining sidewalk. Alternatively, 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, subject to the penalties and fees authorized by Section 10.87.090 of this Title.

- B. A valid free parking pass bears the signature of the 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, subject to the penalties and fees authorized by Section 10.87.090 of this Title.
- C. It is lawful to use unexpired time on a parking meter, but the unexpired time counts toward the applicable time limit.

(Ord. 3122, 2014)

10.48.060 Stopping, standing or parking on trafficways on public streets and alleys.

Except when temporarily necessary to avoid conflict with other traffic, when so directed by an officer of the Fire or Police Departments or City parking attendants, or where a parking space is clearly delineated by pavement markings ~~it is unlawful for any person to stop or a violation of this Code to park (temporarily or otherwise) a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a Police Officer or traffic control devices, in any of the following places:-:~~

- A. In front of (**across**) or within five (5) feet of a public or private driveway or **an** alley or as otherwise ~~designated~~ **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 ~~properly~~ signed and/or marked fire hydrant zone or, if **the fire hydrant zone is** not signed and/or marked, within ten (10) feet of ~~the~~ **a** fire hydrant.
- C. Within thirty (30) feet **in front of** ~~upon the approach to~~ any crosswalk (marked or unmarked) at an intersection ~~(end zone).~~
- D. Within twenty (20) feet **beyond** ~~upon the departure from~~ any crosswalk (marked or unmarked) at an intersection ~~(end zone).~~
- E. Within thirty (30) feet **in front of** ~~upon the approach~~ or to twenty (20) feet **beyond** ~~upon the departure from~~ any mid-block crosswalk ~~(end zone).~~
- F. Upon the paved or main traveled part of ~~the traffic way~~ **a street or alley** when it is practical to stop, stand, or park ~~or so leave such vehicle off part of the traffic way~~ **in a delineated parking space, on the shoulder, or otherwise safely out of the flow of traffic.**

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- G.** In a traffic lane for the purpose of discharging or receiving passengers, ~~in which case B~~ both the driver of ~~such the~~ vehicle and ~~such the~~ passenger ~~or such pedestrian shall be equally guilty of~~ **may be cited for a violation;**~~s of this section.~~
- H.** **In a marked or signed fire lane.**
- I.** ~~At a~~ **Any other** place where official signs, **pavement or curb markings** prohibit parking ~~in a fire lane.~~
- J.** **The violations listed above are subject to the penalties and fees authorized by Section 10.87.090 of this Title.**

(Ord. 3122, 2014; Ord. 2676 § (part), 1995; Ord. 2646 §(part), 1994; Ord. 2353 §1, 1984; Ord. 1987 §2(part), 1976: prior code §10-2-13(A)).

10.48.070 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 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)).

10.48.080 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.
- B. Grease, paint or repair such vehicle, except repairs necessitated by an emergency.

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

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10.48.090 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.

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

10.48.100 Compliance with signs required.

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

(Ord. 1987 §2(part), 1976: prior code §10-2-14(part)).

10.48.105 Curb or pavement markings.

The Public Works Department is authorized to approve curb or pavement markings. No such markings shall be applied without prior approval from the Public Works Department.

(Ord. 3122, 2014)

10.48.110 Parking controlled adjacent to schools.

The Public Works Department 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** ~~their~~ opinion, interfere with traffic or create a hazardous situation.

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

10.48.120 Parking controlled on narrow trafficways.

The Public Works Department 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)).

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

The Public Works Department 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.

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

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

The Public Works Department is authorized to install and maintain signs that control the stopping, standing or parking of vehicles that would create an especially hazardous condition 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 Stopping, standing or parking controlled along arterial and collector trafficways.

The Public Works Department 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 ~~Special use~~ On-street loading and parking zones.

- A. On-street loading and parking zones may be established following the procedure adopted in 10.48.180, below.**

- B. The Public Works Department is authorized to install and maintain parking control signs and/or curb or pavement markings on public streets for all special use on-street loading and parking zones serving properties within the City. A special use zone may be a freight loading zone including freight or passenger loading zones, delivery zone, daily use zone, residential zone or handicap parking zones, and Bbus parking zones and Passenger Loading zones outside serving schools areas are also specifically included.**

(Ord. 3122, 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 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. 3122, 2014).

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Chapter 48 STOPPING, STANDING AND PARKING

10.48.180 ~~Permits for special use zones~~ Review of applications for loading and parking zones on public streets.

- A. ~~The Planning and Community Development Department Administrator, upon written application to it for a special use zone permit, which application shall state the location of the desired zone, the type of zone and the number of parking stalls in such zone, shall approve or disapprove the request. If disapproved, the applicant shall be notified in writing with good cause and reason shown. If approved, the Planning and Community Development Department shall issue a permit upon payment by the applicant of the permit fee. All permits hereunder shall expire on June 30th of the fiscal year of issuance. Application for renewal must be made to the Planning and Community Development Department by June 15th prior to the renewal fiscal year. All renewal applications shall be reviewed and approved by the Public Works Department before the renewal permit is reissued shall provide forms upon which applications for the establishment of loading or parking zones, including handicap parking zones, may be filed. Upon receipt of such an application accompanied by the application fee established pursuant to 10.48.190, below, 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 approve, conditionally approve, or deny the application, with any conditions imposed or reasons for denial stated in writing. 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. 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. 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. 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.

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

10.48.190 Application Fees for ~~permits~~ the establishment of special-use loading and parking zones.

~~The annual permit~~ Application fees for the establishment of loading and parking zones shall be set by resolution of the City Commission ~~resolution with guidelines as follows:~~ 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.

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Chapter 48 STOPPING, STANDING AND PARKING

- ~~A. **Bus Zones, Passenger Loading Zones Freight Loading Zones.** For parking stalls within the parking meter district as defined in [Section 10.48.280](#) the cost shall reflect the cost per meter hour and hours and days of normal meter enforcement. The charge for such special use zones in non-metered areas shall be the same amount City wide per year per parking stall.~~
- ~~B. **Delivery Permit.** To be set as a separate fee for each vehicle using same.~~
- ~~C. **Meter Bags.** To be set as a separate fee for each day that the meter is out of regular service. Meter bags will be placed/removed by City of Great Falls or parking contractor personnel.~~
- ~~D. **Residential Zone Handicap Zone.** Shall be issued free of charge to persons meeting the established requirements.~~

~~(Ord. 3122, 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)).~~

10.48.200 Use of special use loading and parking zones on public streets.

- ~~A. **No It is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this Title, for any vehicle shall to stop stand, or park in any special loading or parking zone established as provided in this chapter at any time, for any purpose except as herein provided that for which the zone was established. It is also a violation 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.** and in addition to other penalties provided for in this chapter, upon proof to the Planning and Community Development Department of repeated violation of the limitation upon the use of the zone by the vehicle owned by or under the control of the applicant or any member of the family (or owned or controlled by any partner or principal officer of any corporation or a member of the family of any such partner or official in case the applicant is a partnership or corporation), such permit shall not be renewed at the end of the current fiscal year.~~
- ~~B. **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. 3122, 2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 §(part), 1994; prior code §10-2-14(G) (4) (part)).~~

10.48.220 Bus Passenger loading zones serving schools.

- ~~A. **The driver of a bus shall not park same upon any traffic way within that area herein defined as the parking meter district at any place other than at a bus zone, except a driver of any bus may temporarily stop in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers; provided, that it is unlawful for any bus to cruise in and upon any traffic way for the purpose of soliciting passengers. It is unlawful for any person to stop, stand or park a vehicle other than a bus in a bus zone when any such zone has been officially designated and appropriately signed.**~~

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Title 10 - VEHICLES AND TRAFFIC

Chapter 48 STOPPING, STANDING AND PARKING

- ~~B. The only buses allowed in bus passenger zones adjacent to schools are those authorized by the Great Falls School District.~~
- ~~C. Bus zones adjacent to schools shall only be enforceable between 7:00 a.m. and 5:00 p.m. when school is in session.~~
- ~~D. Any violation of this section in a school bus zone shall be punished as a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00).~~

Section 10.48.200 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. 3122, 2014; Ord. 2951, 2006)

~~10.48.230 Passenger loading zone.~~

- ~~A. It is unlawful for any person to stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading of passengers in a passenger zone when any such zone has been officially designated and appropriately signed and then only for a period not to exceed three (3) minutes. A driver of a taxicab or bus may not stop, stand or park in a school passenger zone. In any other passenger zone a driver of a taxicab or bus may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with nay passenger vehicle waiting to enter or about to enter such zone.~~

(Ord. 3122, 2014; Ord. 2951, 2006)

- ~~B. School passenger loading zone means an appropriately signed passenger zone located adjacent to a school.~~

(Ord. 3122, 2014; Ord. 2951, 2006).

- ~~C. No special designation of passenger vehicles is required.~~

- ~~D. The applicant for a passenger loading zone permit is herein defined as the owner(s)/lessee of the property(ies) that front the zone.~~

(Ord. 3122, 2014; Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).

- ~~E. Passenger loading zones adjacent to schools shall only be enforceable between 7:30 a.m. to 5:00 p.m. when school is in session.~~

- ~~F. Any violation of this section in a school bus zone shall be punished as a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00).~~

(Ord. 3122, 2014; Ord. 2951, 2006)

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Chapter 48 STOPPING, STANDING AND PARKING

10.48.240 Freight loading zone.

- ~~A. It is unlawful for any person to stop, stand or park a vehicle for any purpose or period of time exclusive of loading and unloading of freight for a period not to exceed thirty (30) minutes in a freight loading zone when such zone has been officially designated and appropriately signed except a driver of a taxicab, bus, or passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with any freight vehicle waiting to enter or about to enter such zone.~~
- ~~B. No special designation of freight vehicles is required.~~
- ~~C. The applicant for a freight vehicle loading zone permit is herein defined as the owner(s) of the property(ies) that front the zone.~~

~~(Ord. 3122, 2014; Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).~~

10.48.250 Delivery zone.

- ~~A. It is unlawful for any person to stop, stand or park a vehicle for any purpose or period of time other than those vehicles displaying a valid delivery zone permit in any delivery zone when any such zone has been officially designated and appropriately signed and then only for a period not to exceed forty five (45) minutes~~
- ~~B. Each delivery zone applicant shall display the permit issued by the City on the inside of the displaying vehicle on the right hand side where it is clearly visible. Whenever such applicant transfers or assigns the interests in such vehicles, the permit shall be removed and immediately surrendered to the Planning and Community Development Department together with a notice of transfer of interest in such vehicle. If another vehicle is acquired by the applicant, a new permit shall be issued by the Planning and Community Development Department or designated representative.~~
- ~~C. The applicant for delivery zone permit is herein defined as the owner/lessee of the vehicle that bears the permit and is a common conveyor of service agency and who submits satisfactory proof to the Planning and Community Development Department or designated representative that he is unable to have access to specific locations within the central business district other than through a delivery zone.~~

~~(Ord. 3122, 2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 §(part), 1994; Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).~~

10.48.260 Daily use zone – meter bags.

- ~~A. It is unlawful for any person to stop, stand or park a vehicle for any purpose or period of time other than the applicant, his vehicles and his equipment in a daily use zone when so permitted by~~

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~~the Planning and Community Development Department and when any such zone has been officially designated and appropriately signed or marked.~~

- ~~B. Each daily use zone applicant may be required to display a temporary permit issued by the City conspicuously on each vehicle and piece of equipment. The Planning and Community Development Department, or designee, shall install temporary signs or meter bags designating the zone as a daily use zone. Where it becomes necessary to physically remove parking meters or signs because of a construction situation, the removal and replacement shall be done by the City and the responsible party shall reimburse the City in full for all reasonable expense thereof.~~
- ~~C. The applicant for a daily use zone permit is hereby defined as any person or organization actively engaged in construction of any type or other activity necessitating the reservation of parking spaces.~~
- ~~D. The policy of the City Commission is to designate daily use zones for the following applicants only:~~
- ~~1. The business or property owner immediately adjacent to the proposed zone;~~
 - ~~2. A construction contractor, mover, etc. for an activity on the same block as the proposed zone. The designated zone shall be as close as practicable to the necessitating activity. Only vehicles and equipment necessary to the activity shall be parked in the daily use zone. Parking of employee's private vehicles in such zone is not authorized.~~

~~(Ord. 3122, 2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 § (part), 1994; Ord. 2572, 1990; Ord. 2520 §3, 1989; Ord. 2353 §5, 1984; Ord. 1987 §2(part), 1976: prior code §10—2-14(G) (4) (part)).~~

10.48.270 Residential zone.

- ~~A. It is unlawful for any person to stop, stand or park a vehicle for any purpose longer than the designated time other than those vehicles displaying a valid residential zone permit in any residential zone when any such zone has been officially designated and appropriately signed, and then the vehicle must be parked within one (1) block of the address on the permit.~~
- ~~B. Each residential zone applicant will display the permit issued by the City where it is clearly visible. Whenever such applicant transfers or assigns his interest in such vehicles or residences, the permit shall be removed and immediately surrendered to the Planning and Community Development Department or his designated representative together with a notice of transfer of interest in such vehicle or residence. If another vehicle is acquired by the applicant, a new permit shall be issued by the City Manager or his designated representative.~~
- ~~C. The applicant for a residential zone permit is defined as the owner/lessee of the vehicle and the place of residence within the residential zone.~~

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~~D. Residential zone permits are not valid within the parking meter district as defined in Section 10.48.230.~~

(Ord. 3122, 2014; Ord. No. 3057, § 1, 8-17-2010; Ord. 2646 § (part), 1994; Ord. 2353 §6, 1984; Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).

10.48.230 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. The cost of a delivery permit will be set by 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.

(Ord. 3122, 2014)

10.48.240. Meter bags.

- A. Meter bags may be issued to temporarily 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 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.

(Ord. 3122, 2014)

10.48.250 Residential parking in parking management districts.

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- 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. 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, 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 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.
- C. 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 resolution of the City Commission.

(Ord. 3122, 2014)

10.48.280260 Administration of parking meter management districts. defined

~~The parking meter district to be established in the City shall consist of traffic ways or portions of traffic ways described and set forth within the following bounds:~~

~~At the point of beginning from the south line of Third Alley North projected to the west line of Park Drive, in a southerly direction along the west line of Park Drive to the south line of First Avenue South thence in an easterly direction to the west line of Second Street South thence in a southerly direction to the north line of Third Alley South thence in an easterly direction to the west line of Seventh Street South thence in a northerly direction to the north line of Second Alley South thence in an easterly direction to the east line of Ninth Street South thence in a northerly direction to the south line of Second Alley North thence in a westerly direction to the East line of Sixth Street North thence in the northerly direction to the north line of Second Avenue North thence in a westerly direction to the East line of Fifth Street North thence in a northerly direction to the north line of Third Avenue North thence in a westerly direction to the west line of Fourth Street North thence in a southerly direction to the south line of Third Avenue North thence in a westerly direction to the west line of Third Street North thence in a southerly direction to Third Alley North thence in a westerly direction to the point of beginning; Lots 1 through 7, Block 312; Lots 1 through 5, Block 315; Lots 11 through 14, Block 362; Lots 8, 9 and East one half of 10, Block 365, Lots 8 and 9, Block 367, Lots 8 and 9, Block 370, all within Cascade County, Montana.~~

- 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. 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.

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- 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. 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 resolution of the Commission.**

(Ord. 3122, 2014; Ord. 2189, 1980; Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (5)).

10.48.290270 Parking meter enforcement periods and time periods 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 meters in parking management districts shall be as established by resolution of the City Commission resolution.**
- B. Any type of meter may be located **used** within the parking meter a parking **management** district at the discretion of the ~~Planning and Community Development Director~~ **Administrator**, with recommendations from the Parking **Advisory** Commission.
- C. **Enforcement of the P parking meter requirements of this chapter 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 resolution of the Commission. The Administrator may temporarily suspend parking meter enforcement for downtown events, holidays, or construction projects.**
- ~~D. No person shall stand or~~ **It is a violation of this Code, subject to the penalties and fees authorized by Section 10.87.090 of this Title, to park a vehicle upon a street in a parking management district for a longer period of time longer than the limit that is adopted by the Commission and sign-posted in either metered or un-metered areas on the meter and/or signs placed by the City. Meter sSpaces may be used without regard to the sign-posted time limit on Saturdays, Sundays and City holidays, except where sign-posting specifically prohibits otherwise posted. An exception is granted to individuals as defined in 49-4-302 MCA, to use any metered space without regard to the sign-posted time limit.**
- 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 and this Code.**
- F. **An exception to the posted time limits is hereby granted to individuals with disabilities as defined in Mont. Code Ann. Title 49, Chapter 4, to use any metered space without regard to the sign-posted time limit.**

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(Ord. 3122, 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)).

10.48.291280 Courtesy parking provided by property owner(s) within parking district.

Upon the request by the **adjoining** property owner **or tenant** and the approval of the **Planning and Community Development Department Administrator**, metered spaces may be designated as courtesy parking, ~~thereby 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 **Planning and Community Development Department Administrator**. ~~Only spaces immediately adjacent to the applicants' property shall be considered.~~ The fee for designating spaces as courtesy parking shall be at a ~~standard rate as approved by~~ **set by resolution of the City Commission and payable each year on the anniversary date of the application.** ~~The fee shall be payable monthly.~~ The City will continue to enforce the applicable time limit ~~for area parking~~ **on courtesy parking spaces.**

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

10.48.300290 Unauthorized parking in off-street parking facilities prohibited.

- A. It is ~~unlawful~~ **a violation of this code, subject to the penalties and fees authorized by Section 10.87.090 of this Title**, for any person to stop stand, or park a vehicle in any parking space in an off-street parking facility **that is owned or leased** by the ~~municipality~~ **City** unless ~~such the occupants of that vehicle conspicuously displays a valid permit designating a rental of the use of the space for parking for a specific period. Sufficient currency or authorized tokens placed in the lot coin box shall also constitute a valid permit. Failure to display permit or deposit sufficient currency or authorized token(s) within two (2) hours after parking in the facility will constitute a violation of nonpayment at City lot. Each subsequent two-hour nonpayment lapse shall constitute a further violation~~ **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 ~~control and enforcement as otherwise provided in this title relative to parking meters~~ **the same rates, time limits, and periods of enforcement as other parking meters, unless otherwise provided by resolution of the Commission.**

(Ord. 3122, 2014; Ord. 2457 §1, 1987; Ord. 2383 §2, 1985; Ord. 2353 §12, 1984; Ord. 2188, 1980).

10.48.310300 Rates charged on City owned/operated off-street parking lots and garages.

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

(Ord. 3122, 2014; Ord. 2646 § (part), 1994; Ord. 2521, 1989).

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Chapter 87 VIOLATION PENALTY

Chapter 87 VIOLATION PENALTY

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[10.87.090 Penalties and administrative fees.](#)

10.87.010 Definitions.

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

(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 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 ~~clerk~~ **City** for the owner to answer to **or pay** the charge against the driver within ~~five (5) days~~ **the time set forth in the notice**, during the hours and at a place specified in the notice.

(Ord. 2646 § (part), 1994)

10.87.040 Illegally parked vehicle—notice—failure to comply.

If a violator of the restrictions on stopping, standing or parking under the traffic laws does not appear in response to a notice affixed to such motor vehicle within ~~a period of five (5) days~~, **the time set forth in the notice**, **the City shall implement the following process:** ~~the Clerk of the Municipal Court or other person authorized by the proper magistrate shall send to the owner of the vehicle a written notice informing the driver of the violation and warning the driver that in the event such written notice is disregarded for a period of ten (10) days a warrant of arrest will be issued.~~

1. **The penalty for a violation of this section occurring in a parking management district must be paid within 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**

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fees will be set by resolution of the City Commission, as provided by Section 10.87.090 of this Chapter.

2. After 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. After 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. After 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. After 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.
6. Proceedings through the Municipal Court for enforcement of this Title must be filed within one (1) year of the date of the citation.

(Ord. 3122, 2014; Ord. 2646 § (part), 1994; Prior code §10-2-16(F))

10.87.050 Illegally parked vehicle—presumption.

If any vehicle is found stopped, ~~standing~~ or parked in any manner violative of the provisions of Title 10 of ~~this Code~~ **the Official Code of the City of Great Falls**, 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.

(Ord. 2321 §1, 1983)

10.87.060 Illegally parked vehicle—warrant issued when.

In the event any person fails to comply with a notice so given to 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, ~~the proper magistrate shall~~ **Municipal Court may**, in their ~~at its~~ discretion, issue a warrant of arrest.

(Prior code §10-2-16(H))

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10.87.070 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 ~~general~~ **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.

- 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. 3057, § 1, 8-17-2010; Ord. 2646 § (part), 1994; Prior Code §10-2-16(I))

10.87.080 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.

(Prior code §10-2-16(J))

10.87.090 Penalties and administrative fees.

~~The penalty for violation of the two-hour parking limit in the parking meter district shall be ten dollars (\$10.00) for each offence. The penalty for meter or overtime violations (other than the two-hour time limit) or non-payment at off-street parking facilities shall be three dollars (\$3.00) for each offense. The penalty for all other standing or parking violations including, but not limited to, hydrant zone, crosswalk, end zone, double parking, bus or passenger zones, driveway, alley and fire lane shall be ten dollars (\$10.00) for each offense. In the event that citations issued for violations of any of the provisions of this chapter, except Chapter 10.72, are disregarded for a period of thirty (30) days, the City may charge an administrative fee to recover the costs of processing the violations. Penalties and administrative fees for violations of this Title shall be set by resolution of the City Commission.~~

(Ord. 3122, 2014; Ord. 2707, 1996; Ord. 2646 § (part), 1994; Ord. 2469 §1, 1987; Ord. 2456 §1, 1987; Ord. 2443 §2, 1986; Ord. 2321 §2, 1983).