

ORDINANCE NO. 86-05

PURPOSE

The purpose of this Ordinance is to provide rules and regulations governing the parking of motor vehicles within the Town Limits of Broadus, Montana. Such Ordinance is necessitated for public safety factors such as easy access to public buildings by emergency vehicles and by handicapped persons. This Ordinance shall also provide penalties for violation of this Ordinance.

BE IT ORDAINED AS FOLLOWS:

I. TITLE

The title of this Ordinance shall be the "Broadus Parking Ordinance."

II. PERSONS TO COMPLY WITH ORDINANCE

Drivers and owners of all motor vehicles shall comply with the rules and regulations contained in this Ordinance. Every person in whose name a vehicle is registered or licensed shall comply with the rules and regulations contained in this Ordinance or be subject to the penalties contained herein. It is no defense to a charge for any violation of this Ordinance that the vehicle was illegally parked by another, unless it is shown that at such time the vehicle was being used without the consent of the registered or licensed owner thereof.

III. PARKING IN VIOLATION OF DULY ERECTED SIGNS

Whenever signs are erected by the Town pursuant to an Ordinance or Resolution of the Town which in any way limits or prohibits parking, no person shall park, stop, stand, or park in violation of the provisions indicated on such signs.

IV. AUTHORITY TO MOVE ILLEGALLY STOPPED VEHICLES

Whenever any police officer finds a vehicle standing upon a street or highway in violation of this Ordinance (and as explained or modified by other Ordinances and Resolutions adopted in con-

1 junction with this Ordinance), such officer is authorized to move  
2 such vehicle, or require the driver or the person in charge of the  
3 vehicle to move the same, so as to eliminate a continuous viola-  
4 tion.

5 Additionally, firefighters in emergency situations shall  
6 also have the power to remove any illegally parked or stopped  
7 vehicle as is necessary to deal with the emergency.

#### 8 V. PROHIBITED PARKING AND PENALTIES

9 The following types of parking are prohibited in the Town of  
10 Broadus and shall constitute a violation of this Ordinance:

11 1) Double Parking. Double Parking is defined as parking  
12 adjacent or behind a legally parked or stopped motor vehicle,  
13 preventing or helping to prevent the legally parked motor vehicle  
14 from moving safely in at least one direction. Any owner or  
15 operator of such motor vehicle found to violate this provision  
16 shall be fined \$5.00.

17 2) Parking in a Handicapped Zone. Any person parking  
18 without a handicap permit in an area designated as a handicapped  
19 parking zone shall be fined \$5.00.

20 3) Parking Within 15 Feet of a Fire Hydrant. Any motor  
21 vehicle parking within 15 feet of a fire hydrant may do so only in  
22 the case of an emergency. Motor vehicles parking within 15 feet  
23 of a fire hydrant in a non-emergency shall be fined \$30.00.

#### 24 VI. ENFORCEMENT

25 This Ordinance (and other Ordinances and Resolutions adopted  
26 in conjunction with this Ordinance) shall be enforced by Town of  
27 Broadus Police Officers or other officials designated by the Town.  
28 Citations issued for violations need not be personally served on  
29 violators, but may be left by officers or officials under the  
30 driver side windshield wiper blade. Such service shall be pre-  
31 sumed to be made on the alleged violator when it is placed on the  
32 illegally parked vehicle.

VII. INVALID PROVISIONS

Should any part of this Ordinance be declared illegal, the remaining valid provisions shall remain in full force and effect excluding the invalid provision.

VIII. ORDINANCE SUPERCEDES PRIOR ORDINANCES AND RESOLUTIONS

Upon final adoption of this Ordinance, this Ordinance shall supercede all prior Ordinances and Resolutions in conflict with this Ordinance.

IX. EFFECTIVE DATE

This Ordinance shall become effective 30 days following its approval on second reading.


Read, passed, and approved first reading this 6th day of May, 1986.

  
Klayton Rogge, Mayor


ATTEST:

  
Tina Williams, Clerk

Read, passed and approved second reading this 20 day of May, 1986.

  
Klayton Rogge, Mayor

ATTEST:

  
Tina Williams, Clerk