### **EXHIBIT A**

## **Chapter 22 MANUFACTURED HOMES AND TRAILERS**

### ARTICLE I. IN GENERAL

Secs. 22-1--22-18. Reserved.

#### ARTICLE II. TRAILER PARKS

### Sec. 22-19. Purpose and scope of provisions.

The purpose of this article is to provide certain minimum standards, provisions, requirements and arrangements for sanitation, safety and use of materials for all auto trailer parks and auto trailers on public and private property.

(Code 1955, § 19-1; Ord. No. 664, § 1, 5-18-1955)

#### Sec. 22-20. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Auto trailer includes the words house car, recreational vehicle, or camp car and shall be defined as any building or structure designed and/or used for living or sleeping purposes and equipped to facilitate movements from place to place and automobiles used for living or sleeping purposes. Auto trailer automobiles shall have the following requirements:

- (1) A state license for motor vehicles and attached state license plates, issued to the owner within the last current year.
- (2) Wheels shall be maintained permanently in place on the auto trailer axles for its immediate movement.

Auto trailer park includes the words auto trailer camp and shall be defined as any lot or parcel of land used or intended to be used for the accommodation of one or more auto trailers.

Auto trailer unit includes the words auto trailer site and shall be defined as a plot of land in an auto trailer park used or intended to be used for the accommodation of not more than one trailer and not more than two motor vehicles which are not auto trailers.

Building means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Building department means the officer, department or agency of the city who is charged with the enforcement of the provisions pertaining to the erection, construction, reconstruction, alteration, conversion, movement, arrangement or use of building or structure and the use of property within the city.

Building inspector means the building inspector or any regularly authorized deputy.

*Electrical inspector* means the electrical inspector or any regularly authorized deputy.

*Health officer* means the officer designated by authority of the city and entrusted with the regulation control or supervision of all matters pertaining to the general health of the citizens of the city.

*License bureau* means such department created or established by authority of the city and entrusted with the issuance of licenses and the collection of license fees.

*Park sewer* means a sewer constructed in any auto trailer park for the service of auto trailers and connected to the city sewer.

*Persons* means any natural person, firm, association, or corporation.

*Plumbing inspector* means the plumbing inspector or any regularly authorized deputy.

<u>Recreational vehicle</u> means a vehicle primarily designed as temporary living quarters for recreational living, camping or travel use that either has its own motor power or is mounted on or drawn by another

# <u>vehicle.</u> The term includes a travel trailer, camping trailer, truck camper, and/or motor home. A recreational vehicle does not include a pickup truck with an attached topper shell.

(Code 1955, § 19-2;Ord. No. 664, § 2, 5-18-1955)

## Sec. 22-23. Parking trailers on private property.

It shall be unlawful for any person to place, keep or maintain any auto trailer on any land within the city without the express permission of the owner of such land. No person shall allow, suffer or permit any auto trailer to be placed, kept, or maintained on any land owned or controlled by him except in an auto trailer park for which a permit to construct and establish has been issued by the building inspector and a license to operate has been issued by the license bureau. It shall be unlawful for the owner, occupant or other person having charge or control of any lot or tract of land in the city, other than a trailer park as herein defined, to permit any person to occupy for living or sleeping quarters or business purposes any trailer parked thereon, provided that nothing in this section shall be construed to prohibit any owner of a lot or tract of land from parking his own trailer for not more than one year thereon and living therein while actually constructing a house, if proper sanitary facilities are provided as required by law.

(Code 1955, § 19-5; Ord. No. 664, § 3, 5-18-1955)

# Sec. 22-24. Parking trailer with auto trailer unit; limitations on street parking.

Except as provided in section 22-23 and/or 25, it shall be unlawful to store, park, or inhabit any trailer within the city unless such trailer be situated in a duly licensed auto trailer unit. This section shall not be construed to prohibit a bona fide tourist from street parking a trailer for necessary stops within the city in compliance with Chapter 38 for a period not to exceed 12 hours.

(Code 1955, § 19-6; Ord. No. 664, § 4, 5-18-1955)

### Sec. 22-25. Storage of trailers not in use for human habitation.

Nothing in this chapter shall be deemed to prohibit the storage of one auto trailer on the home premises of its owner for any length of time when not used for living, sleeping or business purposes; provided, that the owner of the trailer will call at the office of the city health department and sign a form to that effect.

# Sec. 22-26 thru 48 remain the same.

## **Chapter 38 TRAFFIC AND VEHICLES**

### ARTICLE I. IN GENERAL

# Sec. 38-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a right-of-way, usually narrow, passing between the rear of buildings or lots.

Authorized emergency vehicle means a vehicle of a governmental fire agency organized under MCA title 7, ch. 33 (MCA 33-7-105 et seq.), an ambulance, or an emergency vehicle designated or authorized by the state.

*Business district* means the territory contiguous to and including a highway when within any 600 feet along a highway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, office buildings, railroad stations, and public buildings that occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

## Crosswalk means:

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or
- (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

*Driver* means every person who drives or is in actual physical control of vehicles.

*Highway* means the same as provided in MCA 61-1-101, but includes ways that have been or are later dedicated to public use.

Intersection means the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. When a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway must be regarded as a separate intersection. If the intersecting highways also include two roadways 30 feet or more apart, then every crossing of two roadways of the highways must be regarded as a separate intersection.

### Motor vehicle means:

- (1) A vehicle propelled by its own power and designed or used to transport persons or property on the highways of the state;
- (2) A quadricycle if it is equipped for use on the highways as prescribed in chapter 16; or
- (3) A golf cart only if it is equipped for use on the highways as prescribed in chapter 16 and is operated pursuant to MCA 61-8-391 or by a person with a low-speed restricted driver's license.

The term "motor vehicle" does not include a bicycle or a moped as defined in MCA 61-8-102, an electric personal assistive mobility device, a motorized nonstandard vehicle, or a motorized wheelchair or other low-powered, mechanically propelled vehicle that is designed specifically for use by a physically disabled person and that is used as a means of mobility for that person.

*Motorcycle* means a motor vehicle that has a seat or saddle for the use of the operator and that is designated to travel on not more than three wheels in contact with the ground. A motorcycle may carry one or more attachments and a seat for the conveyance of a passenger. A motorcycle designed for use on highways is a motor vehicle unless otherwise prescribed. A motorcycle designed for off-road recreational use is an off-highway vehicle unless it has been modified to meet the equipment standards specified in chapter 16 and has been registered for highway use. The term "motorcycle" includes an autocycle. The term "motorcycle" does not include a tractor, a bicycle or a moped as defined in MCA 61-8-102, a motorized nonstandard vehicle, or a two- or three-wheeled all-terrain vehicle that is used exclusively on private property.

Official traffic control devices means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulation, warning or guiding traffic.

Official traffic signals means any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

Operator means a person who is in actual physical control of a motor vehicle.

*Park* means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

*Parking*, when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

*Pedestrian* means any person on foot or any person in a manually or mechanically propelledwheelchair or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person.

*Police officer* means every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

*Private road or driveway* means every way or place in private ownership and use for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Railroad means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

*Railroad train* means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

Recreational vehicle means a vehicle primarily designed as temporary living quarters for recreational living, camping or travel use that either has its own motor power or is mounted on or drawn by another vehicle. The term includes a travel trailer, camping trailer, truck camper, and/or motor home. A recreational vehicle does not include a pickup truck with an attached topper shell.

Residence district means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with dwellings and buildings in use for business.

Residential zoning district means any area within the City which is zoned Residential A, Residential B, or Commercial C, where the existing use in the C zoned area is residential, and/or those portions of a Planned Unit Development which are specified for residential uses.

Right-of-way means the privilege for the immediate use of the roadway.

Safety zone means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

*Sidewalk* means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

*Slide-out* means any mechanically extended portion of a recreational vehicle designed to increase the living space of the recreational vehicle but that is not designed to be extended during legal travel on a highway, street, road, or ally. Slide-outs include features commonly referred to as a "slide, slide room, bump out or tip out".

Standing means any stopping of a vehicle, whether occupied or not.

Stop, when required, means complete cessation of movement.

*Stop or stopping*, when prohibited, means any stopping of a vehicle when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

Street means the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel. The term "street" includes ways which have been or shall be dedicated to public use, ways established by easement, ways established by prescriptive use, and ways established by common usage. In the case of ways established by prescriptive use or common usage, the boundary lines shall be the outside edges of the way.

*Traffic* means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purposes of travel.

<u>Trailer</u> means a non-motorized vehicle designed to be towed by a motor vehicle and used to transport (enclosed or un-enclosed) one or more boats, personal watercraft, snowmobiles, all-terrain vehicles, off-road equipment, construction equipment, live-stock, vehicles or any other goods, materials or equipment.

*Truck* means any vehicle designed, used, or maintained primarily for the transportation of property.

*Truck tractor* means any vehicle designed or used primarily for drawing other vehicles and not constructed primarily to carry a load other than a part of the weight of the vehicle and load drawn.

*Vehicle* means every device in, upon or by, which any person or property is or may be transported or drawn upon a highway, except devices moved by animal power or used exclusively upon stationary rails or tracks. The term "vehicle" does not include a manually or mechanically propelled wheelchair or other low-powered, mechanically

propelled vehicle that is designed specifically for use by a physically disabled person and that is used as a means of mobility for that person.

# <u>Vessel</u> means watercraft used or capable of being used as a means of transportation of persons and property upon or under the water, other than single chamber air-inflated devices.

(Code 1955, § 18-1; Ord. No. 900, §§ 3, 4, 7-1-1996; Ord. No. 941, § 1, 5-3-2010; Ord. No. 947, § 1, 6-18-2012)

Sec. 38-2 Compliance with chapter.

It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter.

(Code 1955, § 18-2; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-3. Boarding or alighting from vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion.

(Code 1955, § 18-3; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-4. Riding on portions of vehicle not designed for passengers.

No person shall ride on any portion of any vehicle 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 space intended for merchandise.

(Code 1955, § 18-4; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-5. Clinging to moving vehicles.

Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle upon any roadway, but a bicycle trailer may be attached to a bicycle.

(Code 1955, § 18-5; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-6. Riding on fire apparatus.

It is unlawful for any person, other than a member of the fire department of the city to ride upon any of the fire apparatus of the city when the same is being used in going to or coming from a fire.

(Code 1955, § 18-6; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-7. Coasters, roller skates, and similar devices.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk and except upon streets set aside as play streets when and as authorized by ordinance of the city.

(Code 1955, § 18-7; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-8. Persons propelling pushcarts, riding bicycles or animals to obey traffic regulations.

Every person propelling any push carts or riding a bicycle or an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.

(Code 1955, § 18-8; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-9. Dragging of vehicle or load upon streets.

It shall be unlawful for any person driving any vehicle or contrivance to allow such vehicle or contrivance or any part of the same, or any load or portion of load carried thereon, to drag upon any streets in the city.

(Code 1955, § 18-9; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-10. Operation of vehicles having wheels with sharpened surface; implements of city used in repairingstreets excepted.

It shall be unlawful for any person to drive, propel or operate, or to cause to be driven, propelled or operated on, upon or over any street in the city any vehicle or contrivance having wheels provided with sharpened or roughened surfaces other than roughened pneumatic or solid rubber tires, or wheels from which tires are detached; provided, however, that this restriction shall not apply to vehicles or implements used by the city in the construction

and maintenance of city streets when permit for such use shall have been previously had and obtained from the city manager. Such permit shall state and designate the streets which may be so used, the length and time the same shall be in force and the nature and character of the vehicle or implement to be so used. This restriction shall not apply to farm implements weighing less than 1,000 pounds and provided with wheel surfaces of more than one-half inch in width. Wheels of traction engines, and other vehicles, when provided with suitable filler blocks between cleats, shall be considered as having smooth tires.

(Code 1955, § 18-10; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-11. Parades; permits required.

No parade shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply. Applications for parade permits must be made not less than two weeks before the date requested for any parade. Such a permit will be issued unless it is found that public safety would be endangered thereby.

(Code 1955, § 18-11; Ord. No. 900, §§ 5, 23, 7-1-1996)

Sec. 38-12. Duty to report.

- (a) The driver of a motor vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of \$1,000.00\_or more, shall immediately by the quickest means of communication give notice of such accident to the city police department if such accident occurs within the boundaries of the city. Any person violating the provisions of this subsection shall, upon conviction thereof, be punished by a fine not to exceed \$300.00, or by imprisonment not to exceed ten days, or by both such fine and imprisonment.
- (b) The police department of the city may require any driver of a vehicle involved in an accident of which report must be made, as provided in this section, to file supplemental reports whenever the original report is insufficient in the opinion of said department, and may require witnesses of accidents to render reports to said department.

(Code 1955, § 18-121; Ord. No. 738, §§ 1, 2, 10-2-1968; Ord. No. 900, § 23, 7-1-1996)

Secs. 38-13--38-42. Reserved.

## ARTICLE II. VEHICLE OPERATION GENERALLY

Sec. 38-43. Overloaded passenger vehicles.

No motor vehicle of any kind which is overloaded shall be driven on the streets of the city.

(Code 1955, § 18-21; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-44. Slow moving vehicles.

All vehicles moving slowly along the street shall keep as close as possible to the curbline so as to allow fast-moving vehicles free passage on the left-hand side.

(Code 1955, § 18-22; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-45. Quiet zone.

Whenever authorized signs are erected indicating a zone for quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of said vehicle except in an emergency.

(Code 1955, § 18-23; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-46. Driving through safety zone.

No vehicle shall at any time be driven through or within a safety zone.

(Code 1955, § 18-24; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-47. Driving on sidewalks.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

(Code 1955, § 18-25; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-48. Backing.

The driver of a vehicle shall not back the same into an intersection or over a crosswalk and shall not in any event or at any place back a vehicle unless such movement can be made in safety.

(Code 1955, § 18-26; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-49. Entering intersection or marked crosswalk; obstructing other vehicles or pedestrians.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(Code 1955, § 18-27; Ord. No. 900 § 23, 7-1-1996)

Sec. 38-50. Driving through property adjacent to street corner.

It shall be unlawful for the driver of any vehicle to cut across property which is located adjacent to any street corner to avoid making a proper turn at the street corner.

(Code 1955, § 18-28; Ord. No. 900, §§ 6, 23, 7-1-1996)

## Sec. 38-51. U-turns.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

(Code 1955, § 18-29; Ord. No. 900, § 23, 7-1-1996)

# Sec. 38-52. Truck routes.

- (a) Operation of trucks over established routes only; truck defined. All trucks within the city shall be operated over only and along the truck routes herein established over which truck travel is permitted. For the purpose of this section, the term "truck" is defined as any vehicle designed or operated for transportation of property whose combined body and load weight exceeds 400 pounds per inch width per tire.
  - (b) Routes established. There is hereby established within the city the following truck routes:
  - (1) All of First Avenue North.
  - (2) All of First Avenue South.
  - (3) All of Second Avenue South.
  - (4) All of Tenth Street South.
  - (5) Fourth Street and the Underpass as they join First Avenue North and First Avenue South.
  - (6) Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Streets between First Avenue South and Second Avenue South.
- (c) Police chief authorized to weight noncomplying trucks. The chief of police shall have the authority to require any person driving or in control of any truck not proceeding over a truck route to proceed to any private or public scale available for the purpose of weighing and determining whether this section has been complied with.

(Code 1955, § 18-30; Ord. No. 686, §§ 1—6, 4-16-1958; Ord. No. 900, §§ 2, 23, 7-1-1996) Secs. 38-53--38-77. Reserved.

# ARTICLE III. TRAFFIC CONTROL SIGNS, SIGNALS, AND DEVICES

# Sec. 38-78. Existing traffic control devices enforceable.

All traffic control devices, including signs, signals, markings, parking spaces, and devices not inconsistent with this chapter, in existence on the date Ordinance No. 964 becomes effective February 7, 2020, are declared to be official traffic control devices and are enforceable.

(Code 1955, § 18-41; Ord. No. 900, § 19, 7-1-1996; Ord. No. 964, § 1, 1-6-2020)

Sec. 38-79. City council may place traffic control devices.

From time to time, the city council may, by ordinance or resolution, direct the director of public works to place new traffic control devices, or to modify or amend existing official traffic control devices. All official traffic control devices hereafter erected shall conform to the then-current state department of transportation's sign manual.

(Code 1955, § 18-42; Ord. No. 900, § 20, 7-1-1996)

Sec. 38-80. Position and legibility of signs.

No provision herein for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(Code 1955, § 18-43; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-81. Display of unauthorized signs, signals, or markings.

- (a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal marking, or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal and no person shall place or maintain nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (b) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

(Code 1955, § 18-44; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-82. Obedience to no-turn signs and turning markers.

Whenever authorized signs are erected indicating that no right or left or "U" turns are permitted, no driver of a vehicle shall disobey the directions of any such sign, and when authorized marks, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

(Code 1955, § 18-45; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-83. One-way streets.

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 in the opposite direction is prohibited.

(Code 1955, § 18-46; Ord. No. 900, § 23, 7-1-1996)

Secs. 38-84.

Secs. 38-85--38-109. Reserved.

# ARTICLE IV. STOPPING, STANDING OR PARKING

**DIVISION 1. GENERALLY** 

Sec. 38-110. Standing or parking close to curb.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of the traffic, and with the curbside wheels of the vehicle within 18 inches of the edge of the roadway, except as provided in the following subsections:

- (1) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign.
- (2) In places where and at hours when stopping for the loading or unloading of merchandise or materials is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads when the owner of such vehicle holds a permit granting him such privilege and such permit shall be either in the possession of the driver or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load and it shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such special permit.

(Code 1955, § 18-61; Ord. No. 900, § 23, 7-1-1996)

# Sec. 38-111. Maximum parking time.

- (a) No person who owns or has possession, custody or control of any vehicle shall park such vehicle on any street or alley of the city for more than a consecutive period of five days.
- (b) A person who owns or has possession, custody or control of any vehicle may apply for an extension of the five consecutive days parking limit by completing a parking extension request with the city police department. Upon application, the city police department shall issue parking extension permits for up to 14 consecutive days.
- (c) No person who owns or has possession, custody or control of any camper, RV, or watercraft shall park such camper, RV, or watercraft on any street or alley of the city from December 1 through March 31.

(Code 1955, § 18-62; Ord. No. 900, § 23, 7-1-1996; Ord. No. 951, §§ 1—3, 9-8-2015)

Sec. 38-112. Moving cars from parked positions.

Cars parked shall move out in the direction headed, or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall proceed in the direction they are most nearly headed in. No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

(Code 1955, § 18-63; Ord. No. 900, § 23, 7-1-1996)

## Sec. 38-113. Standing for loading and unloading.

- (a) No person shall stop, stand, or park any vehicle upon a street, other than an alley, in such manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers for a period not to exceed three minutes, or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.
- (b) No person shall stop, stand, or park any vehicle upon an alley in such manner or under such conditions as to leave available less than eight feet of the width of the alley for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers for a period not to exceed three minutes, or a driver may stop for a period not to exceed 15 minutes for the actual loading or unloading of materials, or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.
- (c) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the actual loading or unloading of materials in any place marked as a loading zone. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

(Code 1955, § 18-64; Ord. No. 900, §§ 9, 23, 7-1-1996)

# Sec. 38-114. Unlawful parking.

No person shall park a vehicle upon any roadway for the principal purpose of repairing it, except for repairs necessitated by an emergency.

(Code 1955, § 18-65; Ord. No. 900, §§ 7, 23, 7-1-1996)

## Sec. 38-115. Prohibited in specified places.

(a) A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic

or in compliance with law or the directions of a police officer, highway patrol officer, or official traffic control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within 15 feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet upon the approach to any flashing beacon, stop sign, or official traffic control device located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the local authorities indicate a different length by signs or markings;
- (9) Within 50 feet of the nearest rail of a railroad crossing;
- (10) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted;
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (14) At any place where official traffic control devices prohibit stopping.
- (b) A person may not move a vehicle not lawfully under the person's control into a prohibited area or an unlawful distance away from a curb.
- (c) As used in this section, the term "safety zone" means the area or space that is officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(Code 1955, § 18-66; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-116. Parking adjacent to schools.

When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place.

(Code 1955, § 18-67; Ord. No. 900, § 23, 7-1-1996)

Sec. 38-117. All-night parking prohibited.

No person shall park a vehicle on any street for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 p.m. of any day, when signs are erected in each block giving notice thereof.

(Code 1955, § 18-68; Ord. No. 900, §§ 8, 23, 7-1-1996)

Sec. 38-118. Trucks; parking prohibited on specific streets.

All trucks larger than a pick-up are hereby prohibited from parking on the following streets and avenues in the city at any time other than for the purpose of loading and unloading. All such trucks to load and unload within a reasonable time, and to be moved as soon as the loading and unloading has been completed:

- (1) On Second Avenue South, between Seventh Street South and Fourth Street South.
- (2) On Fourth Street South, between First Avenue and Third Avenue South.
- (3) On Third Avenue South, between Fourth Street South and Sixth Street South.
- (4) On Sixth Street South, between First Avenue South and Third Avenue South.

- (5) On Fifth Street South, between First Avenue South and Third Avenue South.
- (6) Moving vans and transport trucks only are not to park on First Avenue between Third Street and Fifth Street South.

(Code 1955, § 18-69; Ord. No. 534, § 1, 9-4-1945; Ord. No. 900, §§ 10, 23, 7-1-1996)

Sec. 38-119. Tractors, plows, etc., parking on street.

No person shall park or store any tractor, plow, disc, binder, harvester, combine, threshing machine or other farm implement on any street, avenue, alley or other public place within the city.

(Code 1955, § 18-70; Ord. No. 304, § 1, 7-1-1929; Ord. No. 900, 23, 7-1-1996)

Sec. 38-120. Parking spaces, violations.

It shall be unlawful and a violation of this chapter for any person:

- (1) To cause, allow, permit or suffer any vehicle owned or operated by such person, to be parked overtime or beyond the period of the legal parking time established for any parking space.
- (2) Any vehicle continuing to occupy such space after issuance of an initial notice of violation shall be in continuing violation, and such person shall be subject to a separate charge for each additional prescribed time period during which the vehicle remains so parked.

(Code 1955, § 18-81; Ord. No. 900, § 11, 7-1-1996)

Sec. 38-121. Parking time limits.

The various parking time limits shall be enforced each and every day between the hours of 9:00 a.m. and 5:00 p.m., except on Sundays and holidays.

(Code 1955, § 18-82; Ord. No. 900, § 12, 7-1-1996)

Sec. 38-122. Truck parking prohibited in residential and mobile home districts.

Except as herein otherwise expressly provided, it shall be unlawful for the owner or operator of any truck, bus, truck tractor, trailer, semi-trailer, or any combination thereof to operate, park or let stand, or permit the same to be operated, parked, or let stand on any street or alley within any residential or mobile home zone in the city, as those zones are defined in chapter 42. Such vehicles need not be carrying a load to be in violation of this article.

(Code 1955, § 18-89; Ord. No. 947, § 2, 6-18-2012)

Sec. 38-123. Exceptions.

- (a) Any truck, bus, truck tractor, trailer, semi-trailer or any combination thereof which is being operated, parked, or let stand for the express purpose of loading or unloading merchandise, property, goods, or passengers or for providing a service in a residential or mobile home zone; provided, however, that such operation, parking, or standing shall not be for longer than one hour, and in no case shall overnight parking be allowed except when such operation, standing, or parking is necessitated by a bona fide emergency or act of God.
- (b) Any vehicle which is engaged in providing emergency services for public welfare or safety or providing for the maintenance and repair or public or private property, but only for such time as is reasonably necessary to provide such service.

(Code 1955, § 18-90; Ord. No. 947, § 2, 6-18-2012)

Secs. 38-124 Parking of certain other types of vehicles prohibited

- A. Except as provided in subsection (B), it is unlawful for any person to park a recreational vehicle, trailer or vessel upon the public right-of-way in any residential zoning district.
- B. (1). A person may temporarily park a recreational vehicle, trailer or vessel upon the public street in a residential zoning district for the limited purpose of loading and unloading provided,
  - (a) the time spent parked upon the street is less than forty-eight (48) hours in any seven (7) day period,
  - (b.) slide-outs are closed unless actively loading, unloading, or preparing for departure,
  - (c.) slide-outs do not impede vehicle or pedestrian traffic within the right of way, and

- (d.) the recreational vehicle, trailer or vessel is parked a minimum for 80 feet from the nearest intersection.
- (2). The time limits contained in this section do not apply to trailers that are being used in the course of actively providing commercial construction or other services in the location where the trailer is parked.
- C. It shall not be a defense to this section that the recreational vehicle, trailer or vessel parked in violation of this section was moved to a different location within the public right-of-way of any residential-zoned district. The recreational vehicle, trailer or vessel must be removed from the public right-of-way in order to achieve compliance with this section.
- D. The registered owner of any recreational vehicle, trailer or vessel parked in violation of this section will be held strictly and absolutely liable for the violation and will be subject to the penalties set forth in section 38-152.
- F. This section is enforceable by Glasgow Police Officers, and/or other persons as may be designated by the Mayor.

38-125 -- 144. Reserved.

#### **DIVISION 2. VIOLATIONS**

# Sec. 38-145. Notice of violation; forms.

- (a) The chief of police shall provide duplicate, serially numbered forms for notifying an alleged violator to appear and answer to charges of violating parking laws and ordinances.
- (b) At least monthly, the chief of police or his designee shall deposit with the city clerk-treasurer all monies collected by his department for parking violations and shall properly account for all the duplicate notices issued by the department. All fines and forfeitures of bail from persons charged with violating any provision of this chapter shall be deposited to the credit of the city's general fund, as directed by the city clerk-treasurer.

(Code 1955, § 18-83; Ord. No. 900, § 13, 7-1-1996)

Sec. 38-146. Parking violation notice, issuance.

Whenever a vehicle is found parked or stopped in violation of **this chapter, other** city ordinance or state law, the police officer finding the vehicle shall take its license registration number and may take any other information displayed on the vehicle which may identify its operator, and shall conspicuously affix to the vehicle a notice of parking violation directing the operator to answer to the charge against him within five days during the hours and at a place specified the notice. If the driver of the vehicle is then present, the officer may personally serve the notice of violation onthe driver. The officer shall deliver the duplicate copy of the notice to the police department office by the end of hisshift.

(Code 1955, § 18-84; Ord. No. 900, § 14, 7-1-1996)

# Sec. 38-147. Recreational Vehicle, Trailer, and Vessel immobilization.

If, after the issuance of a second or subsequent citation, the registered owner has not removed the recreational vehicle, trailer or vessel from the public right-of-way, the recreational vehicle, trailer or vessel may be immobilized and removed in accordance with article VI of this chapter.

# Sec.38-148. Unregistered Recreational Vehicles, Trailers, and Vessels - Abandoned

When members of GPD, or other persons designated by the Mayor, find a recreational vehicle, trailer or vessel that is in violation of this section does not exhibit obvious proof of registration and, the recreational vehicle, trailer or vessel shall be considered abandoned and staff shall proceed with impounding and selling the vehicle in accordance with Sec 24-124.

# Sec. 38-147<u>9</u>. Failure to obey parking violation notice misdemeanor.

Any person who fails to appear at the law enforcement center in compliance with the directions contained in

any parking violation notice, is guilty of a misdemeanor regardless of the disposition of the charge contained in the notice.

(Code 1955, § 18-85; Ord. No. 900, § 15, 7-1-1996)

Sec. 38-14850. Failure to appear; warning letter.

If any person fails to appear in response to a notice of violation within the five-day period, the police department shall send to the owner of the vehicle a letter informing him of the violation and directing him to appear, and warning him that if the letter is disregarded for a period of five calendar days, a complaint may be filed in city court and a warrant of arrest requested, in the manner provided by law.

(Code 1955, § 18-86; Ord. No. 900, § 16, 7-1-1996)

Sec. 38-14951. Parking violation notice, prima facie presumption and exception.

- (a) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, the vehicle's owner shall be absolutely liable for such violation and shall be subject to the penalty therefor.
- (b) Whenever competent evidence shows that the vehicle was reported stolen at the time in question, or was not parked illegally, or that the person charged was not the owner of the vehicle at the time of the alleged violation, that person is absolved of responsibility for the particular offense.

(Code 1955, § 18-87; Ord. No. 900, § 17, 7-1-1996)

Sec. 38-1502. Penalties for parking violations.

- (a) For any person pleading guilty to, or convicted of violating any vehicle parking regulation contained in this chapter, the fine shall be \$15.00 a minimum of \$25 and a maximum \$100 as determined by the Court based on recidivism and any other relevant factors.
- (b) Whenever the police department has mailed a notice of any unpaid parking ticket to the owner, and the owner fails to appear or post bail within the time specified in the notice, a formal complaint may be filed in city court
- (c) No sentence of imprisonment shall be imposed for the violation of any parking regulation contained in this chapter.

 $(Code\ 1955,\ \S\ 18-88;\ Ord.\ No.\ 900,\ \S\ 18,\ 7-1-1996;\ Ord.\ No.\ 941,\ \S\ 2,\ 5-3-2010)$ 

Secs. 38-154<u>3</u>--38-168. Reserved.

## ARTICLE V. BICYCLES

### Sec. 38-169. Registration.

- (a) All bicycle owners in the city are required to register their bicycles with the city police department and affix the registration to the bicycle.
- (b) The city police department shall keep a record of such registration, the date issued, the name and address of the person to whom the bicycle is registered, and the serial number on the frame of the bicycle which is registered.

(Code 1955, § 6-3; Ord. No. 845, § 5, 4-7-1986)

Sec. 38-170. Parking.

No person shall park a bicycle upon a roadway, other than against the curb, or in such manner as to afford the least obstruction to all traffic.

(Code 1955, § 6-14; Ord. No. 845, § 16, 4-7-1986)

Sec. 38-171—180 Reserved

# ARTICLE VI. VEHICLE IMMOBILIZATION

## Sec. 38-175 Authorization to use vehicle immobilizer.

- A. Members of the GPD or other persons designated by the Mayor (authorized persons), are authorized to use a boot after a second or subsequent citation issued for violation of section 38-124 and the registered owner has not removed the recreational vehicle, trailer or vessel from the public right-of-way within 48 hours of issuance of the second citation.
- B. Prior to any vehicle immobilization under subsection (A) above, GPD or other designated persons are required to either:
  - 1. Mail the registered owner of the vehicle a final notice for the unpaid or delinquent parking tickets; or
  - 2. File a complaint in Glasgow Municipal Court charging the registered owner with unpaid parking tickets on the vehicle, and no individual has appeared for arraignment on the complaint.

( Ord. )

## Sec. 38-176 Procedure for vehicle immobilization.

- A. If authorized persons choose to immobilize a vehicle with a boot as allowed by section 38-175, then the on-site persons immobilizing the vehicle shall ensure that a written notice is conspicuously affixed to the vehicle.
- B. The written notice will state 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 GPD shall have the vehicle towed and impounded.

( **Ord.**)

### Sec. 38-177 Removal of violation vehicle.

- A. The City is authorized to remove a vehicle or tow a vehicle 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.
- 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 GPD 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

- <u>description of the vehicle, the date, time, and place from which removed, the violations, and name of the tow site.</u>
- 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).

( Ord.)

## Sec. 38-178 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 38-179.
- B. A vehicle towed and impounded for unpaid parking citations, and in accordance with section 38-178, 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.)

# Sec. 38-179 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 Mayor or a designee to determine if the vehicle was immobilized in accordance with this Chapter.
- B. If the Mayor 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.
- C. If the Mayor or designee 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 Mayor or designee may be appealed to the Ordinance Committee within fifteen (15) calendar days. The Ordinance Committee shall affirm, modify, or reverse the decision of the Mayor by written finding. An adverse finding by the Ordinance Committee may be appealed, in writing, within (15) calendar days to the full City Council. The City Council, after hearing testimony on the matter, shall issue a written finding affirming, modifying, or reversing the decision of the Ordinance Committee.

(Ord.)