

ARTICLE XIII. - STOPPING, STANDING, PARKING

DIVISION 1. - GENERALLY

Sec. 106-391. - Free and paid parking.

All on-street and off-street parking in the city shall be free of charge unless otherwise designated as paid parking by action of the Mayor and Board of Aldermen.

(Ord. No. 1993-05, § 2, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-392. - On-street parking—Where permitted.

On-street parking shall be permitted in all areas except:

- (1) Where on-street parking obstructs the safe passage of other vehicles or obscures a clear view of intersections or traffic signals or signs;
- (2) Where on-street parking is unsafe or creates a traffic hazard;
- (3) Where on-street parking is prohibited or limited by the mayor and board of aldermen as marked or posted;
- (4) Where on-street parking extends beyond the designated marked or posted areas;
- (5) Within 15 feet of fire hydrants; and
- (6) Where temporarily marked, posted or barricaded by the city police department or other designated city department.

(Code 1977, § 27-277; Ord. No. 1993-05, § 3, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-393. - Time limits.

On-street parking in the downtown area shall be limited to two hours per vehicle where marked or posted, except for other time limits as marked or posted downtown, or in other parts of the City, by action of the Mayor and Board of Aldermen.

(Ord. No. 1993-05, § 4, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-395. - Designated parking.

- (a) *Governmental employees.* The mayor and board of aldermen may designate certain on-street or off-street parking areas for governmental officials or employees which shall not be subject to any time limitation. Each such designated parking space shall be marked or posted. Any unauthorized person who parks a vehicle in a designated parking space shall be subject to a fine for violation of this article as provided in section 106-408.
- (b) *Parking for the handicapped.* The mayor and board of aldermen may designate certain on-street or off-street parking spaces for use by the handicapped, which spaces shall be marked or posted as provided by state law. Unauthorized persons who park vehicles in such designated areas shall be subject to a fine as provided by law.

(Ord. No. 1993-05, § 6, 12-7-93)

State Law reference— Special license plates and windshield placards for disabled persons, MCA 1972, § 27-19-56.

Sec. 106-396. - Rules and regulations.

The mayor and board of aldermen are authorized to adopt by resolution such rules and regulations as are necessary to effectuate the provisions of this article and to provide for safe parking.

(Ord. No. 1993-05, § 8, 12-7-93)

Sec. 106-397. - Manner of parking.

The operator of any vehicle shall park in the direction of traffic and within the lines marked for parking, not leaving any part of such vehicle extended over such parking lines or so that any adjacent vehicle cannot move out.

(Code 1977, § 27-263)

Sec. 106-398. - Parking to be at righthand curb.

Except where angle parking is permitted by city ordinance or usage, every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the righthand wheels of such vehicle parallel to and within 12 inches of the righthand curb.

(Code 1977, § 27-264)

State Law reference— Similar provisions, MCA 1972, § 63-3-907.

Sec. 106-399. - Angle parking—Designation of spaces.

- (a) The traffic engineer shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets.
- (b) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(Code 1977, § 27-265)

Sec. 106-400. - Observance of marking.

On those streets which have been signed or marked by the traffic engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

(Code 1977, § 27-266; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-401. - Parking of unattended motor vehicles.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, and, when standing upon any perceptible

grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

(Code 1977, § 27-267)

State Law reference— Similar provisions, MCA 1972, § 63-3-909.

Sec. 106-402. - Lights on parked vehicles.

- (a) Whenever a vehicle is parked or stopped upon a highway, whether attended or unattended during the times mentioned in section 106-10, there shall be displayed upon the left side of such vehicle one or more lamps projecting a white or amber light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and one or more lamps projecting a red light visible under like conditions from a distance of 500 feet to the rear. However, no lights need be displayed upon any such vehicle when parked in accordance with local ordinances upon a highway where there is sufficient light to reveal any person within a distance of 500 feet upon such highway.
- (b) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

(Code 1977, § 27-268)

State Law reference— Similar provisions, MCA 1972, § 63-7-39.

Sec. 106-403. - Abandoned vehicles prohibited; removal.

- (a) It shall be unlawful to park, place or store vehicles on the public streets within the corporate limits of the city for more than 72 hours. The presence of such vehicles on the public streets as an abandoned or nonoperating vehicle constitutes a nuisance and a menace to the health and safety of the inhabitants of the city.
- (b) The police department, upon receipt of notice of an abandoned vehicle, shall take possession of and remove such vehicle from the public streets to eliminate existing hazards.

(Code 1977, § 27-269; revised Ord. No. 2022-02, 05-03-22)

State Law reference— Abandoned motor vehicles, MCA 1972, §§ 21-39-21, 63-23-1 et seq.

Sec. 106-404. - Enforcement of article.

The city police department shall monitor parking, shall issue tickets to the owners of vehicles, or other persons, violating this article, and shall provide necessary information on each ticket to the municipal court clerk for the purpose of recordkeeping and collection.

(Ord. No. 1993-05, § 9, 12-7-93)

Sec. 106-405. - Parking violations.

Any person committing one of the following acts shall be subject to a fine for each violation of this article:

- (1) Parking in a no parking zone.

- (2) Parking in excess of the marked or posted time limit.
- (3) Parking in disregard of the posted or marked designations, limitations or restrictions or any other rules or regulations, including paid parking, issued pursuant to this article.
- (4) Parking in an unsafe area or in an unsafe manner or position.
- (5) Parking in a place or manner which obstructs traffic or obscures intersections or traffic signals or signs.
- (6) Parking in a lane designated for bicycle travel.

(Ord. No. 1993-05, § 7, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-406. - Parking tickets—Contents.

Each ticket for parking violations issued by the city police department shall state how payment of the fines shall be made and shall contain a notice that three or more unpaid parking fines shall result in immobilization of the vehicle upon the fourth or subsequent violations and removal of the vehicle if not claimed or released within 24 hours of the immobilization. The notice shall contain information on the release of the vehicle or a telephone number where such information may be obtained.

(Ord. No. 1993-05, § 13, 12-7-93)

Sec. 106-407. - Same—Records.

The municipal court clerk or the clerk's designee shall maintain records of parking tickets, identifying the vehicle, its record owner, the date the ticket was issued, the status of payment and other pertinent data, for a period of not less than 24 months from the issuance of such tickets.

(Ord. No. 1993-05, § 12, 12-7-93)

Sec. 106-408. - Penalty for violation of division.

Any person who shall violate any provision of this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined consistent with the schedule of fines adopted by the Mayor and Board of Aldermen.

Editor's note— A Board Order adopted April 21, 2009, repealed § 106-408, which pertained to fines and derived from Ord. No. 1993-05, § 10, 12-7-93; Ord. No. 2005-3, 10-18-05; revised Ord. No. 2022-02, 05-03-22.

Sec. 106-409. - Immobilization of vehicles—Generally.

Upon a fourth or subsequent violation of this article, or the rules and regulations issued pursuant thereto, the vehicle of any person against whom three or more tickets have been issued in the previous 24 months which remain unpaid shall be subject to immobilization by the police department. No vehicle shall be immobilized until a check of the parking violation records has been made to determine whether the criteria for immobilization have been met. The fee for removal of the immobilization device shall be established with the schedule of fines adopted by the Mayor and Board of Aldermen. The immobilization device shall be removed:

- (1) Upon payment of all previous unpaid fines and the fee for removal of the immobilization device;
or

- (2) Upon a posting of a bond in the amount of all previous unpaid fines and the fee for the removal of the immobilization device, insuring the appearance of the violator in municipal court at a hearing on the immobilization and the previous unpaid fines.

(Ord. No. 1993-05, § 11, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-410. Hearing.

Any person whose vehicle has been immobilized pursuant to this article shall have the right thereafter to a hearing, upon request, in municipal court on the immobilization of the vehicle and the unpaid fines. The payment of the unpaid fines and the fee for the removal of the immobilization device shall constitute a waiver to the right for such hearing.

(Ord. No. 1993-05, § 14, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-411. Removal.

Any immobilized vehicle which has not been claimed or released within 24 hours of the immobilization may, at the option of the police department and after a good faith attempt to contact the owner by telephone, be removed and impounded at the sole expense of the owner.

(Ord. No. 1993-05, § 15, 12-7-93; revised Ord. No. 2022-02, 05-03-22)

Secs. 106-412—106-420. - Reserved.

DIVISION 2. - PROHIBITIONS⁴¹

Footnotes:

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State Law reference— Authority of city to regulate parking, MCA 1972, § 63-3-211.

Sec. 106-421. - Stopping, standing or parking prohibited in specified places.

- (a) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or 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) On a crosswalk.
 - (5) Within 20 feet of a crosswalk at an intersection.
 - (6) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.

- (7) 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 traffic engineer indicates a different length by signs or markings.
 - (8) Within 15 feet of the nearest rail of a railroad crossing.
 - (9) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance of any fire station within 75 feet of such entrance when properly signposted.
 - (10) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
 - (11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (12) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
 - (13) Within 20 feet from the intersection of curblines, or if none, then within 15 feet of the intersection of property lines at an intersection, except at alleyways.
 - (14) Within 20 feet in front of the entrance of any theater or public building during any meeting or public gathering therein, except when taking on or discharging passengers or freight and then not to exceed ten minutes.
 - (15) At any place where official signs prohibit stopping.
 - (16) Parking spaces designated in yellow or red paint on the curb or street.
- (b) No person shall move a vehicle not owned by such person into any area prohibited under this section or away from a curb such distance as is unlawful.

(Code 1977, § 27-277; revised Ord. No. 2022-02, 05-03-22)

State Law reference— Similar provisions, MCA 1972, § 63-3-901.

Sec. 106-422. - Obstructing traffic.

No person shall park any vehicle upon a street or an alley in such a 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.

(Code 1977, § 27-278)

Sec. 106-423. - Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

(Code 1977, § 27-279)

Sec. 106-424. - Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway, bike path, or sidewalk for the principal purpose of:

- (1) Displaying advertising.
- (2) Displaying such vehicle for sale.
- (3) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

(Code 1977, § 27-280; revised Ord. No. 2022-02, 05-03-22)

Secs. 106-425—106-435. - Reserved.

DIVISION 3. - LIMITATIONS

Sec. 106-436. - Applicability of article.

The provisions of this article or of any ordinance, order or resolution prohibiting the standing or parking of a vehicle shall apply at all times or at those times specified in this article or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or other official traffic control device.

(Code 1977, § 27-288)

Sec. 106-437. - Time limitations not exclusive.

The fact that there has been imposed a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

(Code 1977, § 27-289)

Sec. 106-438. - Designation of streets.

The traffic engineer shall from time to time designate those streets, parts of streets or places where stopping, standing or parking shall be prohibited; or when stopping, standing or parking shall be prohibited during certain hours; or when stopping, standing or parking for longer than a specified time shall be prohibited.

(Code 1977, § 27-290)

Sec. 106-439. – Signs or markings required.

Whenever any parking time limit is imposed, or parking is prohibited on designated streets, it shall be the duty of the traffic engineer to erect appropriate signs and/or markings giving notice thereof, and no such regulation shall be effective unless such signs or markings are erected or made and in place at the time of any alleged offense.

(Code 1977, § 27-291; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-440. - Disobeying signs prohibited.

It shall be unlawful for any person to park, stop or stand any vehicle in violation of any sign or marking installed pursuant to the provisions of this article.

(Code 1977, § 27-292; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-441. - Separate violations.

Whenever any parking space has been designated for lawful parking for only a designated length of time, each such designated length of time a vehicle is parked in violation of such designation shall be a separate violation.

(Code 1977, § 27-293)

Sec. 106-442. - One-way streets.

The traffic engineer is authorized to erect signs upon the lefthand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such lefthand side in violation of any such sign.

(Code 1977, § 27-294)

Sec. 106-443. - One-way roadways.

If a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the lefthand side of such one-way roadway unless signs are erected to permit such standing or parking. The traffic engineer is authorized to determine when standing or parking may be permitted upon the lefthand side of any such one-way roadway and to erect signs giving notice thereof.

(Code 1977, § 27-295)

Sec. 106-444. - Parking prohibited on narrow streets.

- (a) The traffic engineer is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.
- (b) When official signs prohibiting parking are erected upon narrow streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign.

(Code 1977, § 27-296)

Sec. 106-445. - Near hazardous or congested places.

- (a) The traffic engineer is hereby authorized to determine and designate areas not exceeding 100 feet in length, by proper signs and/or markings, in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (b) When official signs are erected at hazardous or congested places as authorized in this section, no person shall stop, stand or park a vehicle in any such designated place.

(Code 1977, § 27-297; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-446. - Parking adjacent to schools.

- (a) The traffic engineer is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

- (b) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized in this section, no person shall park a vehicle in any such designated place.

(Code 1977, § 27-298)

Sec. 106-447. - Parking in excess of 72 hours.

It shall be unlawful for any person to park any vehicle upon any street within the city for a continuous period of time in excess of 72 hours.

(Ord. of 7-3-79)

Secs. 106-448—106-460. - Reserved.

DIVISION 4. - LOADING AND UNLOADING

Sec. 106-461. - Designation of curb loading zones.

The traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating such loading zones and stating the hours during which the provisions of this division are applicable.

(Code 1977, § 27-306)

Sec. 106-462. - Passenger curb loading zones.

No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during the hours when the regulations applicable to such loading zone are effective and then only for a period not to exceed three minutes.

(Code 1977, § 27-307)

Sec. 106-463. - Freight curb loading zones.

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during the hours when the provisions applicable to such loading zone are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

(Code 1977, § 27-308)

Sec. 106-464. - Designation of public carrier stops and stands.

The traffic engineer is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles, such as Lyft or Uber, on such public streets, in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs, and/or markings.

(Code 1977, § 27-309; revised Ord. No. 2022-02, 05-03-22)

Sec. 106-465. - Parking of taxicabs.

It shall be unlawful for the operator of any taxicab to stand or park upon any street in the city at any place other than at a designated taxicab stand; provided, however, that the provisions of this section shall not prevent the operator of such vehicle from temporarily stopping in accordance with other parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(Code 1977, § 27-310)

Sec. 106-466. - Other vehicles prohibited from parking in bus stops, taxicab stands.

It shall be unlawful for the operator of any vehicle other than a bus to stand or park in an officially designated bus stop, or for any vehicle other than a taxicab to stand or park in an officially designated taxicab stand, except that the operator of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or discharging of passengers.

(Code 1977, § 27-311)

Secs. 106-467—106-475. - Reserved.

DIVISION 5. - FIRE LANES⁽⁵⁾

Footnotes:

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Cross reference— Zoning, app. A.

Sec. 106-476. - Definitions.

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

Fire lane means that portion of any public parking area immediately adjacent to any building which is officially designated as a required means of access to such building for firefighting personnel and equipment.

Public parking area means any area, even though privately owned, provided in connection with a shopping center or other business establishment for the access, movement and parking of motor vehicles, and which is open to the public generally for such use.

(Ord. No. 1986-4, §§ 1, 2, 4-1-86)

Cross reference— Definitions generally, § 1-2.

Sec. 106-477. - Designation.

The chief of the fire department is authorized to establish or cause to be established fire lanes in any public parking area or on any public street or thoroughfare for the purpose of providing adequate access for emergency vehicles and equipment to and from all store buildings and structures adjacent to or served by such public parking areas.

(Ord. No. 1986-4, § 3, 4-1-86)

Sec. 106-478. - Marking.

All fire lanes, whether located upon publicly or privately owned property, shall be marked upon the surface thereof with 45-degree lines of reflectorized safety red paint each four inches in width and no more than four feet apart. All such fire lanes shall be further marked by signs conforming to the Manual on Uniform Traffic Control Devices, permanently erected or installed every 60 feet within such fire lane. The expense of marking fire lanes which are designated in any public parking area that is privately owned shall be borne by the property owner.

(Ord. No. 1986-4, § 4, 4-1-86; Ord. No. 1994-5, 12-6-94)

Sec. 106-479. - Prohibitions.

No person shall park or leave unattended any vehicle within that portion of a public parking area designated and properly marked as a fire lane.

(Ord. No. 1986-4, § 5, 4-1-86)

Sec. 106-480. - Enforcement.

Personnel of the city police department are authorized to enforce the provisions of this division within public parking areas, streets and thoroughfares of the city.

(Ord. No. 1986-4, § 6, 4-1-86)

Sec. 106-481. - Penalty for violation of division.

Any person who shall violate any provision of this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined consistent with the schedule of fines adopted by the Mayor and Board of Aldermen.

(Ord. No. 1986-4, § 7, 4-1-86; revised Ord. No. 2022-02, 05-03-22)

Secs. 106-482—106-500. - Reserved.

DIVISION 6. - HANDICAPPED PARKING

Sec. 106-501. - Definitions.

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

Handicapped parking area means that portion of any public parking area designated for the exclusive use of physically handicapped persons as defined in MCA 1972, § 27-19-56.

Public parking area means any area, even though privately owned, which is provided in connection with a shopping center or other business establishment for the access, movement and parking of motor vehicles, and which is open to the public generally for such use.

(Ord. No. 1986-3, §§ 1, 2, 4-1-86; revised Ord. No. 2022-02, 05-03-22)

Cross reference— Definitions generally, § 1-2.

Sec. 106-502. - Designation.

The traffic engineer is authorized to designate specific spaces within publicly owned public parking areas, streets and thoroughfares as handicapped parking areas and to cause such parking areas to be marked in accordance with section 106-503. Private owners of public parking areas are authorized to designate specific spaces therein as handicapped parking areas provided that such areas must be marked in accordance with the provisions of section 106-503 and provided that the expense of such marking be borne by the property owner.

(Ord. No. 1986-3, § 3, 4-1-86)

Sec. 106-503. - Marking of handicapped parking areas.

Each parking space within a handicapped parking area will be individually marked with a sign displaying the international symbol of access in compliance with the Manual on Uniform Traffic Control Devices. Additionally, the pavement of each designated space will be marked with the international symbol of access in reflectorized white paint. Any curb area adjacent to the designated space will be painted blue.

(Ord. No. 1986-3, § 4, 4-1-86)

Sec. 106-504. - Display of special license plate, decal or certificate required.

Only persons whose vehicles have a special license plate or a license plate bearing the special decal indicating a handicapped operator or whose vehicle dashboard contains a parking certificate, placard or permit bearing the international symbol of access shall park in designated handicapped parking areas. Such special license plates, decals and certificates are to be obtained in compliance with MCA 1972, § 27-19-56.

(Ord. No. 1986-3, § 5, 4-1-86)

Sec. 106-505. - Prohibitions.

No person shall park or leave unattended any vehicle within that portion of the public parking area designated and properly marked as a handicapped parking area except as provided for in section 106-504.

(Ord. No. 1986-3, § 6, 4-1-86)

Sec. 106-506. - Enforcement.

Personnel of the city police department are authorized to enforce the provisions of this division within public parking areas in the city.

(Ord. No. 1986-3, § 7, 4-1-86)

Sec. 106-507. - Penalty for violation of division.

Any person who shall violate any provision of this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined consistent with the schedule of fines adopted by the Mayor and Board of Aldermen.

(Ord. No. 1986-3, § 8, 4-1-86; revised Ord. No. 2022-02, 05-03-22)

Secs. 106-508—106-530. - Reserved.