

ORDINANCE NO. 124

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ENNIS,
MONTANA, PROVIDING FOR PARKING REGULATIONS ON MAIN
STREET AND TOWN STREETS; AND IMPOSING PENALTIES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS:

Section 1

10.14.010 Main and North Second Street Parking

All motor vehicles shall on Main and East side of North Second Street in the Town be parked on said street so that the right front thereof shall be not more than two feet (2') from the edge or curb of said street and so that the angle of the righthand side of said vehicle, facing forward, shall be toward the edge or curb of the street and shall form an angle of not less than thirty degrees (30°) or more than sixty degrees (60°) with the edge of the curb of the street; provided that if angle parking painted stripes are upon the street, parking shall be within two (2) adjacent stripes.

10.14.020 Parallel Parking on Streets, Exceptions.

Motor vehicles shall, on all streets within the Town, be parked parallel with the edge of the curb of said street within two feet (2') of said edge or curb, except as noted herein:

- (a) Motor vehicles on Main Street, North First Street and North Third Street shall be diagonally parked in accordance with the markings placed upon those streets by the Town.

10.14.030 Definitions

- (a) "Parking" shall be defined as the standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.
- (b) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, road, street, or alley, except devices moved by human power.

10.14.040 Signs to be Erected

Whenever by this or any other section of this Town Code any parking restrictions are imposed, it shall be the duty of the Commission to erect or cause to be erected appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of the alleged offense.

10.14.050 Yielding Right-of-Way

Operators of vehicles shall yield the right-of-way to pedestrians when the pedestrian is crossing in a marked crossing lane, or crossing the street at intersections. Pedestrians crossing the street at any other point than the marked crosswalk or at street intersections shall yield the right-of-way to all vehicles in the street.

10.14.060 Parking Restrictions

Motor vehicles shall not be parked within the Town:

- (a) Upon a marked crosswalk to designated by white painted stripes upon the street.
- (b) Within twenty feet (20') of an intersection between two (2) streets.
- (c) Within ten feet (10') of a marked and painted fire hydrant.
- (d) Within a sidewalk or sidewalk area.
- (e) Vehicles shall not be parked within an alley in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic. Vehicles shall not be parked within an alley in such a position as to block the driveway entrance to any abutting property.
- (f) Motor vehicles may be double-parked only temporarily for the purpose of and while actually engaged in loading and unloading.
- (g) Motor vehicles, farm equipment, or any other type of vehicle or equipment shall not be parked on the streets for a period of time longer than forty-eight (48) hours.

- (h) Vehicles or any other equipment shall not be parked upon any street or alley for the principal purpose of:
1. Displaying such vehicle or equipment for sale.
 2. Washing, greasing, or repairing such vehicle or equipment, except repairs necessitated by an emergency.
- (i) Vehicles or equipment shall not be parked in front of the Town Fire Station.
- (j) Vehicles or equipment shall not be parked at any place where official signs prohibit parking.

Section 2

10.14.080 Violations; Penalty

Any person violating any provision or provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not less than fifteen dollars (\$15.00) or more than fifty dollars (\$50.00).

Section 3

Severability

If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.

Section 4

Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are: Ordinance No. 9, entitled "An ordinance designating the manner of parking vehicles within the Town of Ennis, prohibiting parking in Certain areas defining parking, vehicle, and providing for punishment in case of violation thereof," passed on November 4, 1957; Ordinance No. 30, entitled "An ordinance providing for limited parking on the north side of main street adjacent to the east half of lot fourteen and the west half of lot fifteen in block one, original townsite of Ennis; defining parking; providing for punishment in case of violation thereof," passed on April 4th, 1966; and portion of Ordinance No. 71 "Parking regulations" passed on June 24, 1982 and Ordinance No. 98 "Amending section 10.14.020" passed on May 14, 1992.

PROVISIONALLY PASSED, ADOPTED AND APPROVED by the Town Council
of the Town of Ennis, Montana, this 23rd day of May, 1996.




MAYOR

ATTEST:



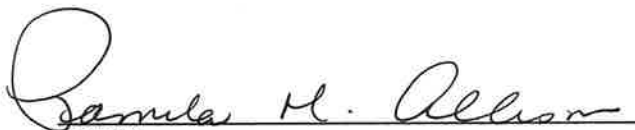
TOWN CLERK

FINALLY PASSED, ADOPTED AND APPROVED by the Town Council of the
Town of Ennis, Montana, this 13th day of June, 1996,
and effective thirty (30) days after said date.




MAYOR

ATTEST:



TOWN CLERK

APPROVED AS TO FORM:



Karen McMullin
Town Attorney

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA } SS.
County of Madison

Daryl L. Tichenor

being duly sworn says that he is publisher and printer of The Madisonian, a weekly newspaper published in the City of Virginia City, County of Madison, State of Montana; that the annexed notice is a true copy which was published in said newspaper for a period of 1 successive weeks, commencing on the 6th day of June, 1996, and ending on the 6th day of June, 1996

Daryl L. Tichenor
Publisher and Printer.

Subscribed and sworn to before me this 12th day of July, 1996

Ann L. Christensen
Notary Public in and for the State of Montana, residing at Ennis, Montana. My commission expires January 31, 2000

ORDINANCE NO. 124

An Ordinance of the Town Council of the Town of Ennis, Montana, providing for Parking Regulations on Main Street and Town Streets; and Imposing Penalties

Town of Ennis
State of Montana
County of Madison

I, Pamela M. Allison, Town Clerk of the Town of Ennis, Montana, do hereby certify that the foregoing is the true and correct title and number of Ordinance No. 124 provisionally passed and adopted at a regular session hereof held on the 23rd day of May, 1996.

Public comments on this Ordinance will be heard by the Town Council at the June 13th, 1996, meeting of the Ennis Town Council.

Pamela M. Allison
Town Clerk
(Pub. June 6, 1996) et