Stillwater County

ORDINANCE NO. 2007- 01

NO PARKING ORDINANCE
on portion of North Stillwater Road

AN ORDINANCE DESIGNATING A PORTION OF THE NORTH STILLWATER ROAD LOCATED IN STILLWATER COUNTY, MONTANA, AS "NO-PARKING", AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF .

WHEREAS, the Stillwater Board of County Commissioners (Commission) may contract to have work performed that is necessary to the care and management of the business and affairs of the county; and

WHEREAS, in cooperation with the Montana Fish, Wildlife and Parks, the Stillwater Conservation District and landowner, Mr. Richard Bridges, and the Commission entered into a cooperative agreement. This agreement was entered into to address problems associated with recreation on the Stillwater River and traffic congestion on the North Stillwater Road. Said agreement is titled *COOPERATIVE AGREEMENT CONCERNING ACCESS ISSUES RELATED TO THE NORTH STILLWATER ROAD*, and was entered into on the 2nd day of May, 2007 (SEE EXHIBIT "A"); and

WHEREAS, the legal description of the area of the road in question is: that portion of the North Stillwater Road directly North of the Stillwater River and more specifically located in Township 3 South, Range 18 East, Sections 35 and 36, Stillwater County, Montana; and

WHEREAS, the *RECITALS* of said Agreement clearly state the reasons for entering into said Agreement and those reasons are incorporated by reference herein; and

WHEREAS, section VIII of said Agreement sets forth the obligations of all parties to the Agreement; and

WHEREAS, Stillwater County, as part of the Agreement, has agreed to establish a No-Parking Ordinance to avoid future problems; to reduce traffic congestion and river bank erosion on the North Stillwater Road; and for the safety of citizens who use said road; and

WHEREAS, a public hearing was conducted by the Stillwater Conservation District on the 2nd day of May, 2007 wherein the agreement was discussed with the attending public; and

WHEREAS, following said public hearing, it was found and recommended that the said Agreement be entered and parties proceed according to its terms.

NOW THEREFORE, BE IT ORDAINED, by the Commission of Stillwater County, Montana that a no-parking ordinance be enacted designating the below described portion of North Stillwater Road as a no-parking area:

Section 1: Legal Description. For the section of road legally described as: that portion of the North Stillwater Road directly North of the Stillwater River and more specifically located in Township 3 South, Range 18 East, Sections 35 and 36, Stillwater County, Montana. It is hereby determined that said portion of the road is to be designated as a No-Parking Area EXCEPT those areas where permissive parking is designated by signs that are conspicuously displayed.

Section 2. Posting. The no-parking area shall be posted as required by law or applicable regulation.

Section 3: Penalties. Persons determined to be in violation of this ordinance may be fined up to $100.00 and their vehicle may be towed. Costs associated with towing and storage of the vehicle will be paid by the owner of the vehicle in violation.

Date of First Reading and Approval: July 25, 2007.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF STILLWATER COUNTY, MONTANA, this 25th day of July, 2007.

By: Dennis R. Hoyem — 7-25-07
Dennis R. Hoyem, Chairman — Date

By: Jerry L. Friend — July 25 2007
Jerry L. Friend, Member — Date

By: Maureen Davey — 7-25-07
Maureen Davey, Member — Date

Date of Second Reading and Approval: August 8, 2007.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF STILLWATER COUNTY, MONTANA, this 8th day of August, 2007.

By: Dennis R. Hoyem — 8-8-07
Dennis R. Hoyem, Chairman — Date

By: Jerry L. Friend — 8-8-07
Jerry L. Friend, Member — Date

By: Maureen Davey — 8-8-07
Maureen Davey, Member — Date

ATTEST:

Pauline Mishler
Pauline Mishler, Clerk and Recorder

STILLWATER COUNTY SEAL COUNTY CLERK MONTANA

THIS ORDINANCE shall be in full force and effect thirty (30) days after the date of the Second Reading and approval by the Board of County Commissioners of Stillwater County.